

Examiner's Report – Commitment Proceeding (SDP/SPP)

To:

County
Judicial District

Court Case Number:

From:

Proceeding for Commitment as:
**Sexually Dangerous Person or
Sexual Psychopathic Personality**
(M.S. §253B.02, subd. 18b or 18c)

Date of Report:

Court Information

In the Matter of the Civil Commitment of:	Date of Birth:
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Exam Information

Date of Exam:	Duration of Exam:
List Other Person(s) Present During Exam:	Did Respondent Participate in Exam? <input type="checkbox"/> Yes <input type="checkbox"/> No
	If no, in your opinion, was the Respondent unwilling to participate in the Exam due to? <input type="checkbox"/> Mental illness or deficiency. <input type="checkbox"/> Not able to determine basis for unwillingness to participate. <input type="checkbox"/> Other:
Other Pertinent Information Regarding Exam:	Location of Exam:

Statement of Purpose and Non-Confidentiality

<p>Pursuant to M.S. 13.01, subd. 2, Respondent was informed of:</p> <p><i>The role of the court-appointed examiner;</i></p> <p><i>The purpose and intended use of the data collected during the evaluation and other information collected from collateral sources;</i></p> <p><i>That information divulged in the interview is not confidential and can be disclosed in court as part of the commitment proceedings;</i></p> <p><i>That the judge, prosecutor and defense attorney will receive a copy of the Examiner's Report;</i></p> <p><i>That failure to cooperate in the examination is reported to court.</i></p> <p><input type="checkbox"/> Comments:</p>

Examiner's Report – Commitment Proceeding (SDP/SPP)

I. Background Information

1. Precipitating Events Leading to Commitment Petition

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2. Information Sources

a) Records Reviewed:

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b) Other Information Received by the Examiner:

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3. Relevant Background Information

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4. Clinical Assessment

a) Behavioral Observations:

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b) Psychological Testing (if any):

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II. Diagnosis of Respondent's Mental Condition

1. Diagnosis

a) Current DSM IV Diagnosis

Axis I:

Axis II:

Axis III:

Axis IV:

Axis V:

b) Does Respondent suffer from:

A sexual disorder or sexual dysfunction, or

A personality disorder

Another mental disorder or dysfunction

None of the above

Provide the facts that support your response:

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III. Disorder or Dysfunction Assessment

Minn. Stat. 253.02, Subd. 18c. Sexually Dangerous Person.

(a) A "sexually dangerous person" means a person who:

(1) has engaged in a course of harmful sexual conduct as defined in subdivision 7a;

(2) has manifested a sexual, personality, or other mental disorder or dysfunction; and

(3) as a result, is likely to engage in acts of harmful sexual conduct as defined in subdivision 7a.

(b) For purposes of this provision, it is not necessary to prove that the person has an inability to control the person's sexual impulses.

Examiner's Report – Commitment Proceeding (SDP/SPP)

Minn. Stat. 253B.02, subd. 7a defines "Harmful Sexual Conduct" to mean sexual conduct that creates a substantial likelihood of serious physical or emotional harm to another. A rebuttable presumption exists that conduct described in certain statutes creates a substantial likelihood that a victim will suffer serious physical or emotional harm.

1. Factual Basis for Determining if Respondent is a Sexually Dangerous Person as defined by Minnesota Statute 253B.02, subd. 18c

a) Has Respondent engaged in a course of harmful sexual conduct as defined by Minn. Stat. 253B.02, subs. 18c and 7a?

- Yes
 No

If Yes, cite items that support your opinion:

b) In your opinion, has Respondent manifested a sexual, personality, or other mental disorder or dysfunction?

- Yes
 No

If Yes, cite items that support your opinion:

c) Does Respondent's disorder or dysfunction currently not allow respondent to adequately control his/her sexual impulses?

- Yes
 No

If Yes, describe:

d) As a result, is this person highly likely to engage in future acts of harmful sexual conduct?

- Yes
 No

If Yes, describe:

Minn. Stat. 253.02, Subd. 18b. Sexual Psychopathic Personality.

"Sexual psychopathic personality" means the existence in any person of such conditions of emotional instability, or impulsiveness of behavior, or lack of customary standards of good judgment, or failure to appreciate the consequences of personal acts, or a combination of any of these conditions, which render the person irresponsible for personal conduct with respect to sexual matters, if the person has evidenced, by a habitual course of misconduct in sexual matters, an utter lack of power to control the person's sexual impulses and, as a result, is dangerous to other persons.

2. Factual Basis for Determining if Respondent is a Sexual Psychopathic Personality as defined by Minnesota Statute 253B.02, subd. 18b

a)

i. Is there existence of emotional instability regarding Respondent?

- Yes
 No

If Yes, cite items that support your opinion:

ii. Is there existence of impulsive behavior regarding Respondent?

- Yes
 No

If Yes, cite items that support your opinion:

iii. Does Respondent lack customary standards of good judgment?

- Yes

Examiner's Report – Commitment Proceeding (SDP/SPP)

No

If Yes, describe:

iv. Does Respondent fail to appreciate the consequences of his acts?

Yes

No

If Yes, describe:

b) Has Respondent engaged in a habitual course of misconduct with regard to sexual matters?

Yes

No

If Yes, cite items that support your opinion:

c) Does Respondent possess an utter lack of power to control his sexual impulses?

Yes

No

If Yes, cite items that support your opinion:

IV. Risk Assessment for Future Sexually Violent Behavior

1. Psychopathy and Sexual Deviance

2. Summary of "Historically Weighted" Sexual Recidivism Results

3. Dynamic Considerations or Research-Based Adjustments to Actuarials

V. Commitment Assessment and Opinions

1. Opinion

a) In my opinion, Respondent meets the statutory requirements to be committed for the following:

A Sexually Dangerous Person defined by Minn. Stat. 253B.02, subd. 18c

A Sexually Psychopathic Personality defined by Minn. Stat. 253B.02, subd. 18b

Neither

Explain why:

b) Additional Recommendations:

Examiner: _____
(Examiner's Signature)

Date: _____
(Date Report Completed)

Print Name: _____

Title: _____

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Addendum