

1.4.A.3 Sex Offender Management Program

I Policy Index:



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II Policy:

The Department of Corrections (DOC) will offer the Sex Offender Management Program (SOMP) to offenders assessed as needing sex offender treatment.

III Definitions:

Level of Service Inventory-Revised (LSI-R):

An assessment used to measure an inmate's risk to re-offend and help define an inmate's programming needs.

Offender:

For the purposes of this policy, an inmate in the custody of the DOC institutional system or a parolee under parole or suspended sentence supervision with South Dakota Parole Services.

Polygraph:

An instrument which records permanently and simultaneously an inmate's cardiovascular and respiratory patterns or other physiological changes pertinent to the detection of deception.

P-Scan:

An assessment to rate an inmate's tendency toward psychopathic behaviors.

Sex Offender:

For the purposes of this policy, any adult offender convicted of a felony sex crime, as listed in SDCL § 22-24B-1 or adjudicated as a juvenile for SDCL § 22-24B-1 (1) or an out-of-state or federal offense that is comparable to the elements of the crime of rape, regardless of the offense date or date of conviction; an offender serving a current prison term as a condition of a suspended imposition of sentence for the commission of a sex crime; and offenders identified as having a Sexual Behavior Issue (SBI) by SOMP staff (designated by sexual behavior code of 2), or an offender convicted of any offense requiring sex offender registration.

Sex Offender Management Program (SOMP) Team:

A team of staff consisting of a program manager, clinical director, counselors, unit staff, transitional case managers, parole agents and community treatment providers.

Sexual Behavior Issue:

A history of sexually abusive or violent behavior (including sexually abusive or violent behavior while incarcerated), or the factual basis of a crime for which the offender was charged or convicted/adjudicated involves sexual violent or sexual abuse. An acquittal on a sex offense by itself cannot be the basis for determining a sexual behavior issue does not exist. A "sex offense" is any crime listed within SDCL § 22-24B-1 or any crime defined by law as a sex offense within the jurisdiction from which the crime was committed.

Sexual Violence and/or Sexual Abuse:

A range of behaviors from battery, mutilation, torture or assault to intentional unwanted sexual conduct this can be verbal, written, visual or physical. A person under the age of sixteen (16) cannot consent to sexual behavior with an adult, therefore, by definition any sexual conduct with a person under the age of sixteen (16) would be unwanted sexual conduct, which constitutes sexual abuse.

SOMP A&O Psychosexual Screen and/or Psychosexual Reports:

Reports that include information from the following: pre-sentence investigation, psychosexual reports, Minnesota Sex Offender Screening Tool – Revised (MnSOST-R), Static 99, ABLE screening, monitor polygraphs, SOMP screening instrument, STOP file information and clinical interviews.

Special Treatment of Perpetrators (STOP):

A sex offender treatment program operated through the DOC. The program consists of therapy, educational treatment and relapse prevention.

IV Procedures:

1. Admissions:

- A. An inmate's records and other available information will be reviewed by unit staff and SOMP staff while the inmate is housed in the Admission and Orientation (A&O) unit to determine if the inmate is a sex offender (See DOC policy 1.4.A.2 [Inmate Admission](#)). This is determined by the inmate meeting certain established criteria.
 1. Sex offenders sentenced to the DOC will have a psycho-sexual assessment completed. The assessment will be included with their sentencing papers, which shall be supplied to the Board of Pardons and Paroles and the Warden (See SDCL § 22-22-1.3).
- B. Inmates not meeting the definition of sex offender, but who have been identified as having a current or past sexual behavior, will be reviewed by SOMP for possible SBI review.
- C. Inmates who meet the criteria of a sex offender or who have been found to have a sexual behavior issue through the SBI review, will be assigned a sexual behavior code of 2Y or 2N, as determined by SOMP staff (See DOC policy 1.4.B.9 [Sexual Behavior Issue Review](#)).
 1. SOMP staff will gather and maintain documentation and information for each sex offender. Information may include the following: LSI-R, pre-sentence investigation (PSI) report, psychosexual assessment, MnSOST-R, STATIC 99, SOMP Screening Instrument, ABEL screen, clinical interview, polygraph reports, P-SCAN, mental health assessment, STOP program status, NCIC report and Sexual Behavior Issue assessment.

2. The results of an inmate's STATIC 99, SOMP Screen Instrument and MnSOST-R will be scored in the Offender Assessment Questionnaire section in the Comprehensive Offender Management System (COMS) and a hard copy placed in the inmate's SOMP file.
3. The ABEL screen will be administered to inmates in A&O who are within two (2) years of their programmed release date.
4. If an inmate is identified as a sex offender, the SOMP team will review the inmate's records and prepare a *SOMP Program Track Screen Report* (See [Attachment 1](#)).
 - a. The report will include a summary of the sex offender's offense, criminal history, and risk level, level of responsibility, treatment recommendations, and whether the inmate is recommended for SOMP programming/STOP.
 - b. Sex offenders recommended for SOMP/STOP programming will be assigned a sexual behavior code of 2Y and updated to waiting status in accredited programs in COMS.
 - c. Sex offenders not recommended for SOMP/STOP programming will be assigned a sexual behavior code of 2N.
 - d. If SOMP staff determines an inmate previously identified as a sex offender does not meet the definition or criteria of a sex offender, the inmate will be assigned a sexual behavior code of 1 N, meaning the inmate does not have a sexual behavior issue.
- D. Sex offenders with a sexual behavior code of 2 who meet one or more of the following conditions will be coded as 2N, unless additional risk is documented in the *SOMP Program Track Screen Report* (See [Attachment 1](#)):
 1. The sex offender has a single prior felony sex conviction or adjudication where the offender has six consecutive years or a sum total of six years in the community with no further convictions for sex crimes, revocations for sex related activities, or fifteen (15) years since completion of a sex offense conviction.
 2. The sex offender has completed an approved sex offender treatment program and has no subsequent sex offense-related misdemeanors or felony convictions/adjudications.
- E. Sex offenders serving a life sentence or capital punishment sentence will not typically be scheduled for SOMP programming but will receive a sexual behavior code of 2Y.
- F. Information, evidence and facts warranting a SBI assessment or supporting a determination the inmate is a sex offender, may be discovered at any time while an inmate is under DOC custody or released on DOC supervision. When/if such information is discovered by staff, this will be collected and referred to the SOMP Team for review.

2. Risk Levels:

- A. The SOMP Team will determine the risk level of a sex offender with a sexual code of 2Y while the offender is housed in the A&O unit.
- B. The SOMP team will review the sex offender's file and complete sex offender specific assessments to determine the risk level of the sex offender.

1. Low Risk Offenders:

STATIC 99 score = low to moderate low

MnSOST-R = Level 1

Modified history polygraph = no deception indicated regarding victim(s) under the age of 13 years or sexual force.

- a. Sex offenders who exhibit any of the following risk factors **will not** be classified as low-risk:
 - 1) Use of sexual force.
 - 2) Multiple victims.
 - 3) Victims under the age of 13 years, including child pornography.
 - 4) Exhibitionism with sexual gratification.
 - 5) Incest.
 - 6) Sexual contact with someone incapable of consent.
- b. Sex offenders who meet the low risk criteria will be classified as 2YCP and will not be required to attend SOMP/STOP programming or community based sex offender treatment.
 - 1) These inmates will receive a polygraph examination every six (6) months. Inmates who fail a polygraph examination may be required to attend community based sex offender treatment.

2. Moderate or High Risk Offenders:

- a. The criteria for moderate or high risk is as follows:
 - 1) A STATIC 99 score greater than moderate low and/or a MnSOST-R level greater than 1 or;
 - 2) ABEL results indicating a sexual preference for children under the age of 13 years, or tendencies towards sexual violence; or
 - 3) Meeting the low risk criteria, but with deceptive polygraph results indicating victims under the age of 13 years or sexual force.
- b. Inmates meeting one or more of these criteria shall be identified as having a moderate or high risk of violating parole for sexual behaviors or committing a new felony sex offense.

3. Alternate Program Supervision (Unable to Benefit from Group Programming):

- a. Research and clinical experience support highly anti-social/psychopathic sex offenders do not typically benefit from traditional group treatment. In some cases, SOMP treatment may not be recommended for these sex offenders.
- b. The SOMP Team will review the pre-sentence report, psychosexual evaluation, mental health assessment, LSI-R, SBI Assessment and other information to assess if the sex offender meets the alternate program criteria.
- c. Criteria to be considered includes the following:
 - 1) Inmates with untreated psychiatric conditions, cognitive issues or those who demonstrate highly anti-social or psychopathic characteristics; and
 - 2) Inmates with a LSI-R score of High Risk/Needs (Females =>40 Males =>37) will have a P-Scan completed after 90 days of observation by unit staff assigned to the inmate; and,
 - 3) Male inmates with an LSI-R score =>37 and female inmates with a LSI-R score =>40 and/or inmates with a P-Scan score greater than 30.
- d. If SOMP staff determines a sex offender is not likely to benefit from group or traditional SOMP/STOP programming, the sex offender will be required to attend individualized

programming while incarcerated. Parole supervision strategies and requirements will be outlined in the psychosexual report.

- e. Sex offenders assessed as not benefiting from group programming may be recommended for withholding of parole eligibility (See DOC policy 1.4.B.11 [Withholding of Parole Eligibility Pursuant to SDCL 24-15A-32.1](#)).
- C. Sex offenders with a sexual behavior code of 2Y will be referred for a pre-release psychosexual assessment approximately two (2) years prior to the inmate's programmed or initial discretionary release date. If necessary, the inmate's sexual behavior code will be updated to reflect any change.

3. STOP Contract:

- A. Sex offenders assessed as needing SOMP/STOP programming are required to sign the A&O STOP contract (See [Attachment 7](#)) prior to transfer from A&O.
- B. Sex offenders assessed as needing SOMP/STOP programming are required to sign the STOP contract prior to beginning the STOP (See [Attachment 2](#)).
- C. Sex offenders may be removed/terminated from the SOMP/STOP for violating conditions of the STOP contract (See [Attachment 6](#)).
- D. Sex offenders who refuse to sign the STOP contract will be considered non-compliant with element #4 of their IPD (See DOC policy 1.4.B.1 [Individual Program Directives \(IPD\)](#)) and will be ineligible for work and heroic act earned discharge credits.
- E. Sex offenders who refuse SOMP/STOP must sign a *Program Refusal* form (See [Attachment 3](#)). If the offender refuses to sign the form, SOMP staff will sign and date the form and note the offender's refusal. Offenders who refuse required programming will be considered non-compliant with element #4 of their IPD.
- F. Sex offenders requesting to return to SOMP/STOP programming after refusing or being terminated from programming must submit a written request to SOMP staff and may be scheduled for SOMP/STOP time and space permitting.

4. STOP Modules:

- A. STOP modules are part of the program and help prepare sex offenders for entry into a community based sex offender treatment group (See [Attachment 4](#)).
- B. Sex offenders will attend programming approximately two (2) hours per week for 9-12 months, prior to releasing to community supervision.
- C. Psycho-sexual assessments will be completed as follows:
 - 1. A psycho-sexual assessment will be completed as part of the sex offender's pre-sentence investigation and sent to the DOC (See SDCL § [22-22-1.3](#)). A signed release of information from the offender is NOT required. Also see Section 1 A. 1.
 - 2. A pre-release psycho-sexual assessment will be completed prior to the sex offender's release to the community. Sex offenders who have refused STOP programming may be required to complete a psychosexual evaluation while under parole supervision.

5. Transitional Release Planning:

- A. The SOMP Team will assist the sex offender with release planning and identify appropriate community treatment provider(s) as deemed necessary.
 - 1. The SOMP psychosexual report will include community treatment recommendations.
 - 2. The SOMP Team will make recommendations for community treatment on the sex offender's release plan. These recommendations may include, but are not limited to one or more of the following: increased polygraph schedule, individualized supervision plan, type of programming, and frequency of programming.
 - 3. Once approved, SOMP staff will refer the sex offender to a community treatment provider.
- B. Sex offenders releasing to parole supervision who require community treatment must be accepted by a community treatment provider before being released to supervision. The sex offender must make contact with the community provider within five (5) working days of release to the community.
- C. Sex offenders releasing to parole supervision who have been recommended for SOMP/STOP programming and refused programming (did not complete) or required assessments, will be assigned to intensive supervision. Sex offenders are allowed five (5) working days in the community to contact a community treatment provider and thirty (30) days to be accepted into a community treatment program. This includes suspended sentence releases.
- D. Sex offenders assessed as not benefiting from group programming will be assigned an individualized supervision plan and placed on intensive parole supervision, to include accountability meetings with the offender's parole agent and/or treatment provider.

6. Community Sex Offender Treatment and Supervision:

- A. Sex offenders released to parole supervision may be subject to any of the following while on supervision:
 - 1. Sex offender group and/or individual sessions.
 - 2. Sex offender registration.
 - 3. Community safety zones and regulations.
 - 4. Polygraph examinations.
 - 5. GPS or electronic monitoring.
 - 6. Sex offender and mental health reports and assessments.
 - 7. Law enforcement and victim notification.
- B. Community Treatment Providers:
 - 1. The DOC contracts with community treatment providers to provide community treatment services for sex offenders.

2. Community treatment providers must offer sex offender specific services to sex offenders in accordance with the *SOMP Treatment Providers Standards* (See [Attachment 5](#)).
 - a. The standards outline DOC requirements for licensure, professional organization membership, treatment contracts, sex offender records, DOC access and supervision.
3. Any offender interfering with the transfer of records or removing any confidentially agreement with a treatment provider or polygraph examiner, will be considered to be refusing community treatment services and subject to a policy driven response (See DOC policy 1.5.G.6 [Parole Services-Response to Violations](#)).

7. Polygraph Testing and Management:

- A. The primary objective of polygraph examinations is to obtain information necessary for placement recommendations, treatment, risk assessment, community management/supervision level and clinical interventions.
- B. The following polygraphs are recognized by SOMP staff.
 1. Sexual History/Full Disclosure – review and verification of an inmate’s sexual history and behavior up to the present conviction. The history polygraph helps the treatment provider accurately obtain and verify an inmate’s self-reported sexual history, set treatment goals, identify sexual preferences and risk factors.
 2. Monitor – a polygraph examination that reviews an inmate’s sexual behavior or sexual deviancy. Monitor polygraphs can be used by the SOMP Team to help assess an inmate’s treatment risk level or by a parole agent to offender’s compliance with treatment, supervision and community safety while on supervision. The frequency an offender shall be required to complete a monitor polygraph examination shall be determined by SOMP staff, or parole staff, if the offender is on parole supervision.
 3. Specific Issue – a polygraph examination that addresses a singular event or behavior. This polygraph can be used to follow-up on a failed polygraph or to substantiate a reported act or behavior of the offender.
- C. Polygraph examinations administered to offenders on community supervision provide parole agents and providers an opportunity to establish risk management and treatment objectives, assess offender accountability and preserve community safety.
 1. Deceptive or inconclusive results or new admissions, indicate areas of concern. The polygraph examiner will notify the supervising parole agent as soon as practical of such results or if the following occur:
 - a. The offender fails to attend an examination session; or
 - b. The offender displays disruptive behavior during a session; or
 - c. The offender manifests signs of re-offending.
 2. Polygraph data may be used in conjunction with other information when making decisions about case management. Polygraph examinations will supplement, not substitute, other forms of investigation such as electronic monitoring, offender self-report and agent supervision.

3. Polygraph examinations are considered a clinical tool and used to encourage and support offender honesty as a treatment goal.
 4. The polygraph results may be used in part to determine an offender's compliance with his/her supervision release agreement. Non-compliance or results indicating deception, inconclusion or new admissions will result in a policy driven response (DOC policy 1.5.G.6 [Parole Services-Response to Violations](#)).
- D. Polygraph examinations administered to an offender in the institution allow the SOMP Team an opportunity to establish risk management and treatment objectives for the inmate.
1. When a sex offender is assessed as low-risk on specified test protocols, the sex offender will complete a polygraph to verify his/her perpetration history. The results help assess the offender's need for continued SOMP/STOP programming/treatment.
 2. Sexual History/Full Disclosure polygraphs may be used as a part of the SOMP upon review and approval by the SOMP Team.
- E. Polygraph examinations may be required while an offender is on parole to assist treatment providers, parole services staff and community program staff in determining the offender's compliance with parole and/or treatment rules and guidelines.
1. While attending sex offender treatment in the community, offenders may be required to submit to maintenance polygraphs at least every 6 months, unless recommended in the pre-release psychosexual to be more frequent.
 - a. Polygraph examiners will not normally perform more than two (2) consecutive exams per offender.
 2. Offenders who have successfully completed community sex offender treatment and meet the following criteria can be placed on annual polygraphs.
 - a. Offenders must have two (2) consecutive passed maintenance polygraphs since completion of treatment with no significant high risk behaviors.
 - b. Offenders must be assessed as a MnSOST-R Level 1 or Level 2 (Not 3 or R).
 - c. Must obtain approval from the supervising parole agent, Area Supervisor and SOMP Director.
- F. A polygraph examiner is a person who uses a polygraph test to question sex offenders for the purpose of detecting deception through the administration of sex offender-specific polygraph exams to sex offenders.
1. No person may question an offender using a polygraph for the purpose of detecting deception unless the person is a licensed polygraph examiner (SDCL § [36-30-2](#)).
- G. The results/summary of findings of all polygraph examinations conducted on a sex offender will be recorded on the SOMP folder located on the M: Drive.
- H. Standardized Treatment Responses for Parole Supervision:
1. The treatment provider should use standardized polygraph treatment responses.

2. All monitor polygraph exam results indicating deceptions, inconclusive results, and/or new admissions require a policy driven response.
3. Sex offenders on parole supervision may have contact with children under the age of 18 if the following criteria are met:
 - a. Complete sexual history polygraph to assess risk to children.
 - b. Obtain prior approval from supervising parole agent and treatment provider.
 - c. Agree to any and all restrictions placed on the contact by the supervising parole agent, treatment provider, and/or SOMP Team.

V Related Directives:

SDCL § [22-24B-1](#), [22-22-1.3](#) and [36-30-2](#).

DOC policy 1.4.A.2 -- [Inmate Admission](#)

DOC policy 1.4.B.9 -- [Sexual Behavior Issue Review](#)

DOC policy 1.4.B.1 -- [Individual Program Directives \(IPD\)](#)

DOC policy 1.4.B.11 -- [Withholding of Parole Eligibility Pursuant to SDCL 24-15A-32.1](#)

DOC policy 1.5.G.6 -- [Parole Services-Response to Violations](#)

VI Revision Log:

August 2008: New policy.

August 2009: Policy was under review in conjunction with Parole OMs, but no revisions finalized.

September 2010: Revised formatting of Section I. **Added** titles to referenced policies.

January 2012: **Added** definition of LSI-R and P-Scan. **Deleted** "Offenders with a LSI-R score greater than 40 will be referred for a Psychopathic Scan" and **Replaced** with "An offender with a LSI-R score of High Risk/Needs (Females =>40 Males =>37) will have a P-Scan completed after 90 days of observation by unit staff assigned to the inmate" in Section 2 A. 3. c. **Added** "Male" and **Deleted** "of greater than 40) and **Replaced** with => 37 and female offenders with a LSI-R score => 40" in Section 2 A. 3. d.

January 2013: **Added** "COMS Offender Assessment Questionnaire" to Section 1 B. 2. **Deleted** "conduct a clinical interview and will prepare an A&O psychosexual screening report" and **Replaced** with "SOMP Track Screen report" in Section 1 B. 4. **Deleted** 5. "A&O psychosexual screening report will be reviewed with the clinical supervisor prior to being presented at the weekly SOMP staff meeting" in Section 1 B. **Deleted** a. "Once approved, the clinical supervisor and the program director will sign the admission summary report" in Section 1 B. 5. **Deleted** "A&O psychosexual screening report" and **Replaced** with "SOMP Program Track Screen report" in Section 1 C. **Deleted** "2N" and **Replaced** with "2YNA" in Section 1 D. **Deleted** "RRASOR Score" and **Added** "low to moderate low" to the STATICC99 Score in Section 2 A. 1 a. **Deleted** "Monitor polygraph" and **Replaced** with "Modified history polygraph" in Section 2. A. 1. **Deleted** "are identified as having a low risk or violating parole for sexual behaviors or committing a new felony sex offense" and **Replaced** with "will be polygraphed every six (6) months to monitor their low risk status. Offenders who fail a polygraph may be required to attend community based sex offender treatment" in Section 2 A. 1. c. **Deleted** g. "These offenders are identified as having a high risk of violating parole of being convicted of a new felony offense of any kind" in Section 1 A. 1. g. **Deleted** "low" and **Replaced** with "moderate low" in Section 2 A. 2.2.a. 1. **Deleted** "The SOMP Team will reassess" and **Added** "will have a prerelease psychosexual evaluation completed" and **Added** "initial" to Section 2 B. **Deleted** 1. "Offenders identified as needing sex offender programming will be reviewed by the SOMP Team prior to placement in STOP programming" in Section 2 B. **Added** "assessed as needing STOP programming" and **Deleted** "review and" and **Deleted** "prior to beginning the STOP programming" and **Replaced** with "prior to a transfer from an admission unit and prior to beginning the STOP program" in Section 2 C. **Deleted** "The SOMP Clinical Director may supervise and review the completion of" and **Replaced** with "A pre-release" and **Deleted** "as part of the admissions

assessment or prior to” and **Replaced** with “will be completed prior to an offender’s” and **Added** “Offenders who have refused STOP programming will be required to complete a psychosexual evaluation while under community supervision” in Section 2 E. 2. **Deleted** “supervision” and **Replaced** with “treatment” in Section 2 B. 1. a. **Deleted** “supervision” and **Replaced** with “treatment” and **Deleted** “location, restrictions” and “GPS program” in Section 2 F. 1 b. **Deleted** “may include the following” and **Replaced** with “The following information will be considered when determining” in Section 3 A. **Deleted** “according to the DOC Sex Offender Polygraph Exam Standards” in Section 3 D. **Deleted** “for funding authorized and tracking purposes” and **Replaced** with “and recorded on the STOP folder located on the M Drive” in Section 3 D. **Deleted** 1. “All polygraphs for DOC offenders need to be pre-authorized by the SOMP team to access DOC funding” and **Deleted** 2. “All completed polygraphs and results will be reported to the SOMP team by the polygraph provided and/or supervising agent for data collection and tracking” and **Deleted** 3. “The SOMP staff will provide the polygraph tracking list to parole agents. Supervising agents will direct parolees to set appointments with specified polygraph examiners” all in Section 3 E. **Renumbered** previous 4. to 1. in Section 3 E. **Deleted** “upon the SOMP Polygraph Exam-Sanctions Standards” in Section 3 E. 1. b. **Deleted** Attachment 1 “SOMP Mainframe Codes”. **Deleted** Attachment 2 “A&O Psychosexual Screen and Report” and **Replaced** with “SOMP Program Track Screen”. **Deleted** Attachment 7 “SOMP Polygraph Exam-Sanctions Standards” **Changed** review date from November to June to be consistent with other Sex Offender policies.

March 2014: **Deleted** “unconvicted sex offender” and **Replaced** with “offenders who have a history of sexually abusive or violent behavior (including sexually abusive or violent behavior while incarcerated) or if there is a factual basis that a crime for which they were charged or convicted/adjudicated involves sexual abuse or sexual violence. Sex offenders will receive a sexual behavior code of 2” in definition of “Sex Offender”. **Deleted** definition of “Unconvicted Sex Offender” Revised definition of SOMP. **Added** definition of “Sexual Violence and/or Sexual Abuse” Revised definition of “STOP”. **Deleted** “are screened” and **Replaced** with “records and other information will be reviewed” and **Added** “by unit staff or SOMP staff” and **Deleted** “unconvicted sex offender” and **Replaced** with “and to identify those offender who have a history of sexually abusive or violent behavior (including sexually abusive or violent behavior while incarcerated) or when a factual basis exists that a crime for which the offender was charged or convicted/adjudicated involves sexual violence or sexual abuse” in Section 1 A. **Added** “or who have a history of sexually abusive or violent behavior (including sexually abusive or violent behavior while incarcerated) or if there is a factual basis that a crime for which they were charged or convicted/adjudicated involves sexual violence or sexual abuse will receive a sexual behavior code of 2 and be referred for a SBI assessment” in Section 1 B. **Added** “identified” and “Sexual Behavior Issue Assessment” in Section 1 B. 1. **Deleted** “convicted of a sex offense who have plea bargained from a sex offense to a non sex offense or whose history includes information that supports the existence of sexually assaultive and/or abusive behavior will be scheduled for an unconvicted sex offender hearing” and **Replaced** “Offenders found to have a SBI based on the findings of the assessment will be screened to determine if they meet STOP programming criteria” and **Deleted** “whose history includes information that supports the existence of sexually assaultive and/or abusive behavior will be scheduled for an unconvicted sex offender review hearing” and **Replaced with** “Offenders who decline the assessment they will receive a sexual behavior code of 2 and be screened by the SOMP Management Team to determine if STOP programming is recommended. **Added** F. to Section 1. **Added** “will be assigned to intense supervision” in Section 2 F. 3. **Added** “The offender will be in noncompliance with Element #4 of their IDP” in Section 2 C. 4.

June 2016: **Added** definition of “Polygraph”. **Added** “felony” and **Added** “and any offense requiring sex offender registration” to definition of Sex Offender. **Added** “who meet the criteria/definition of a sex offender” and **Deleted** “convicted or adjudicated of a current or prior felony or misdemeanor sex crime and/or who have a history of sexually abusive or violent behavior prior to or during incarceration. Staff will document when a factual basis exists that a crime for which the offender was charged with, or convicted or adjudicated of, involved sexual violence and/or sexual abuse” in Section 1 A. **Added** 1. to Section 1 A. **Added** “identified as a sex offender by A&O staff will be referred to SOMP staff. All offenders meeting the criteria/definition of a sex offender will be assigned a sexual behavior code of 2Y or 2N, as determined by SOMP staff after review of the offender’s Sexual Behavior Issue assessment and other information.” and **Deleted** “convicted or adjudicated of a current or prior felony or

misdemeanor sex offense(s) will receive a sexual behavior code of 2 and will be screened by SOMP staff to determine if they meet the SOMP criteria. Offenders who have a history of sexually abusive or violent behavior or a factual basis a crime they were charged or convicted or adjudicated of involved sexual violence or sexual abuse, will receive a sexual behavior code of 2 and will be referred for a Sexual Behavior Issue assessment to determine if SOMP programming is recommended” in Section 1 B. **Deleted** “A&O” and **Replaced** with “SOMP” and Added “COMP Screening Instrument” in Section 1 B. 1. **Added** “SOMP Screen Instrument” in Section 1 B. 2. **Deleted** “When the screen has not been included in the pre-sentence psychosexual” in Section 1 B. 3. **Deleted** “a single” and **Deleted** “misdemeanor” and **Added** “offenses” in Section 1 C. 1. **Deleted** “or has failed to comply with recommended or required sex offender programming or treatment” and **Replaced** with “or fifteen years since completion of sentence from sex offense conviction” in Section 1 C. 2. **Deleted** “with a hold issued by the ICE or INS and sex offenders” in Section 1 D. **Deleted** E. in Section 1. **Deleted** “Institutional Programming” and **Replaced** with “Risk Levels” in Section 2 title. **Created** new Sections 3-6 with existing language. **Added** A. to Section 7. **Added** “accurately obtain and verify offender’s self-reported sexual history” in Section 7 B. 1. **Added** “compliance with treatment, supervision and community safety” and **Added** “The frequency an offender shall be required to complete a monitor polygraph shall be determined by SOMP staff, or parole staff, if the offender is on supervision” in Section 7 B. 2. **Added** “assess offender accountability and preserve community safety” in Section 7 C. **Added** “or inclusive” and **Added** “or new admissions” and **Added** “The polygraph examiner will notify the supervising parole agent as soon as practical of such results or if the following occur” in Section 7 C. 1. **Added** a.-c. in Section 7 C. 1. **Added** “Polygraph examinations will supplement, not substitute other forms of investigation” in Section 7. C. 2. **Added** 3. to Section 7 C. **Added** “Non-compliance or results indicating deception, in conclusion or new admissions will result in a policy driven response” in Section 7 C. 4. **Added** 1. to Section 7 D. **Added** “uses a polygraph test to question sex offenders for the purpose of detecting deception through the administration of” in Section 7 E. **June 2017:** **Added** “or of an out-of-state or federal offense that is comparable to the elements of the crime of rape” to the definition of “Sex Offender”. **Added** definition of “Sexual Behavior Issue”. **Deleted** “Inmates identified as a sex offender by A&O staff will be referred to SOMP staff. All inmates meeting the definition of a sex offender will be assigned a sexual behavior code of 2Y or 2N, as determined by SOMP staff, after review of the inmate’s Sexual Behavior Issue assessment and other information (See DOC policy 1.4.B.9 [Sexual Behavior Issue Review](#))” in Section 1 B. **Added** “and will be updated to waiting status in accredited programs in COMS” in Section 1 C. 4. **Added** “of 1N, meaning they do not have a sexual behavior issue” in Section 1 C. 4. b. **Deleted** “1. The sex offender has a juvenile adjudication for a sex offense” in Section 1 D. **Deleted** “the sex offender will not be required to attend groups and/or programming while incarcerated” and **Replaced** with “the sex offender will be required to attend individualized programming while incarcerated” in Section 2 B. 3. d. **Added** “or being terminated” to Section 3 F. **Added** E. to Section 7. **June 2018:** **Added** “and will be ineligible for work and heroic act earned discharge credits” in Section 3 D.

Denny Kaemingk (original signature on file)

Denny Kaemingk, Secretary of Corrections

07/31/2018

Date

Attachment 1: SOMP Program Track Screen

The **SOMP Program Track Screen** form is located on the M-drive open the DOC folder then the STOP Program folder then the SOMP Classification folder.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **SOMP Program Track Screen** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.

The gray areas indicate the information that is to be entered.

SOMP PROGRAM TRACK SCREEN

1. INITIAL INFORMATION

NAME _____ ID _____ MALE/FEMALE _____ AGE _____

CRIME _____ INITIAL PAROLE DATE _____ SENTENCE DATE _____

SENTENCE _____ JUDGE _____

SEX-RELATED PRIORS (include Felonies and Misdemeanors)

CURRENT SEX OFFENDER PRIOR SEX OFFENDER REQUIRED TO REGISTER UNCONVICED SEX OFFENDER

PRE-SENTENCE PSYCHOSEXUAL

Victim(s)	Name	Male/Female	Age at time of incident	Relationship
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

If more victims use additional sheet of paper.

ABEL ASSESSMENT COMPLETED OFFENDER ADMITTED OFFENSE AND RESPONSIBILITY

PRIOR SEX OFFENDER TREATMENT _____

2. A&O INITIAL ASSESSMENTS

STATIC 99 _____ MnSOST-R _____ LSI-R _____

Actuarial Notes: _____

3. OFFENDERS' ADDITIONAL RISK FACTORS: (Offenders who exhibit any of the following)

Sexual Force Multiple Victims Victim Age under 13

Exhibitionism w/Sexual Gratification Incest Offender Victim Unable to Consent

4. INITIAL INTERVIEW & SUMMARY:

5. ADDITIONAL ASSESSMENTS NEEDED: LOW LEVEL POLYGRAPH NEEDED P-SCAN NEEDED

6. SOMP PROGRAM LEVEL RECOMMENDATION:

<input type="checkbox"/> (2N) NOT RECOMMENDED 2N Checklist completed and assessed. Case Manager Recommendation	<input type="checkbox"/> (2Y) NOT ACCEPTABLE Life Sentence, 90E (90) Hrs, Suspended Imprisonment, & Suspended Executions Case Manager Recommendation	<input type="checkbox"/> (2Y) LOW PROGRAM LEVEL Polygraph Results Director Approval Required	<input type="checkbox"/> (2Y) MODERATE to HIGH STOP GROUP PROGRAMMING RECOMMENDED Case Manager Recommendation	<input type="checkbox"/> (2Y) ALTERNATIVE PROGRAM P-SCAN Results Director Approval Required
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SOMP STAFF _____ DIRECTOR _____

_____ DATE _____

Attachment 2: STOP Contract

The **STOP Contract** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **STOP Contract** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.

2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **STOP Contract**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections
STOP CONTRACT

I, _____ hereby enter into a contract with the South Dakota Department of Corrections for Special Treatment of Perpetrators (STOP). I understand and agree to the following conditions regarding my treatment.

1. I agree to be completely honest and assume full responsibility for my offense(s) and my behavior.
2. I will attend all sessions in a timely manner and will notify STOP staff of any situation that may affect my attendance.
3. I understand that three or more unexcused absences may be grounds for termination.
4. I understand that refusal to participate during group sessions is not acceptable.
5. I will complete sex offender assessments as directed by STOP staff and answer each item honestly.
6. I will not disclose any information regarding another group member. To do so may be grounds for termination.
7. I will not become verbally or physically threatening or assaultive with STOP staff or other group members.
8. I understand that a major disciplinary report is considered a serious matter and may result in termination.
9. I will not have pictures of my victim(s).
10. I will not have any contact with my victim(s).
11. I will report to group members any contact with children under the age of (18) or my victims(s).
12. I will not use, view, purchase, or have in my possession any form of pornography or erotica.
13. I will not have sexual contact with other inmates.
14. I understand that failure to comply with any portion of this contract can be grounds for termination.
15. I consent to have the STOP staff release information regarding my progress and behavior to the Parole Board, Department of Corrections staff and community treatment providers.
16. In addition, I agree to the following special conditions:
 1. _____
 2. _____
 3. _____

Inmate Signature: _____ Date: _____

Witness Signature: _____ Date: _____

Rev. 9/15/2011

Attachment 3: SOMP Refusal Form


The **Program Refusal Form** is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Program Refusal Form** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.

2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Program Refusal Form**.

The gray areas indicate the information that is to be entered.



South Dakota Department of Correction Sex Offender Management Program

Sex Offender Treatment Program Refusal Form

I have been notified that I must complete the following to be compliant with the Sex Offender Management Program.

- Assessment/Orientation STOP Contract
- Abel Assessment
- Pre-Release Assessment Interview
- STOP Programming
- Individualized Supervision Agreement

I have refused to participate in the program or have refused to participate in a program assessment and have had the consequences of the refusal explained to me. I understand that a refusal to participate in this program or a refusal to participate in a program assessment may result in a non-compliance evaluation with the Individual Program Directive (IPD) element regarding this program and ineligibility to earn work or heroic acts earned discharge credits.

*File in Offender's SOMP File and Unit File

Revised: 07/23/2018

Attachment 4: STOP Modules

The **STOP Modules** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **STOP Modules** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **STOP Modules**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: STOP Modules Please refer to DOC policy 1.4.A.3 Sex Offender Management Program
<h3>STOP MODULES</h3> <p>STOP Program Modules are designed to prepare sex offenders for entry into the community based treatment groups.</p> <ol style="list-style-type: none">a. Family History: The purpose of this assignment is to introduce the offender and develop trust with the group. The genogram worksheets are used to help the offender discuss their family history as it relates to their psychosexual development and sexual perpetration. The offender is asked to describe family dynamics and to detail any history of sexual and/or emotional abuse.b. Sexual Terminology: The purpose of this assignment is to give the offenders a common language to discuss and process their sexual perpetration with the group. In this assignment the offender is asked to define, recite and demonstrate their understanding of each sexual term. (25 total).c. Sexual Anatomy and Diagramming: The purpose of this assignment is to give each offender a basic understanding of male and female sexual anatomy and functioning. Research and clinical experience demonstrate that sex offenders lack knowledge and understanding in this area. The offender is asked to identify and describe general sexual anatomy for both males and females to help increase their competency in this area.d. Disclosure Assignment (History of Pornography): The purpose of this assignment is to have the offender disclose his use and exposure to pornography and general erotica. Research and clinical experience shows that pornography often makes the onset of cognitive distortions and negative attitudes towards women and children. The offender is asked to document his use of pornographic magazines, films, videotapes, pictures and internet imagery of both men and women and present this to the group.e. Disclosure Assignment (History of Observed Sexual Behaviors): The purpose of this assignment is to have the offender disclose how they learned about sex from watching others. This assignment is important in helping the offender understand how early sexual experiences have affected their general sexual development. The offender is asked to document his history of observed sexual behaviors and present this to the group.f. Disclosure Assignment (History of Masturbation): The purpose of this assignment is to help the offender understand how his masturbation behaviors and fantasies are often correlated with deviant sexual behaviors. The offender is asked to describe how he learned to masturbate, frequency of masturbation and so forth. This assignment also requires the offender to describe and present to the group their consensual sexual experiences, involvement with any paraphilias and any additional sexual acts other than sexual perpetration.g. Disclosure Assignment (History of Sexual Perpetration): The purpose of this assignment is to have the offender describe to the group in detail their entire history of sexual perpetration. This includes their instant offense as well as any other acts of sexual perpetration, which includes fantasies about their victim(s).h. Disclosure Assignment (Sexual History Polygraph Booklet): The purpose of this assignment is to have the offender complete their actual sexual history polygraph booklet and present it to the group. The completed booklet will be used for their sexual history polygraph when they are released to the community.	
Revised: 7/16/2006	Page 1 of 1

Attachment 5: SOMP Treatment Providers Standards

The **SOMP Treatment Providers Standards** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **SOMP Treatment Providers Standards** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **SOMP Treatment Providers Standards**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public		Attachment: SOMP Treatment Providers Standards Please refer to DOC policy 1.4.A.3 Sex Offender Management Program	
SOMP TREATMENT PROVIDERS STANDARDS			
Treatment Provider: A "Treatment Provider" means a person who provides sex offense-specific treatment to sex offenders according to the following standards of practice.			
1.	Provider will agree to carry current licensure in their respective field (examples of, but not limited to the following: Licensed Practical Counselor, Licensed Psychologist, Licensed Clinical Social Worker or be under clinical supervision and pursuing licensure).		
2.	Provider agrees to have offenders sign and adhere to a sex offender treatment contract.		
3.	Provider agrees to maintain weekly progress notes.		
4.	Provider agrees to maintain accurate financial records of an offenders payments for services.		
5.	Provider agrees to maintain documentation of assessments and release of information forms.		
6.	Provider agrees to allow a representative of the State to have access to the offenders file.		
7.	Provider will incorporate polygraph examinations to ensure compliance with treatment expectations.		
8.	Provider will currently be a member of ATSA (Association for the Treatment of Sexual Abusers) or be working towards membership, or must follow the "ethical guidelines" of ATSA.		
9.	Provider will maintain a cooperative working arrangement with the offender's community supervision agent.		
10.	Provider will offer sex offender treatment services based on the level of risk as directed under the sex offender typology.		
11.	Provider will document and notify the community supervision agent when the offender has an unexcused absence from group.		
12.	Provider treatment groups will be of the same gender.		
Revised: 01/2003		Page 1 of 1	


Attachment 6: SOMP Termination Notice

The **SOMP Termination Notice** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **SOMP Termination Notice** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **SOMP Termination Notice**.

The gray areas indicate the information that is to be entered.

 **South Dakota Department of Correction
Sex Offender Management Program**

**Sex Offender Treatment Program
Termination Notice**

Name of Inmate:

Inmate Number:

Date:

Case Manager:

Additional Comments to include reason terminated:

SOMP Case Manager

SOMP Program Manager

*File in Offender's SOMP File and Unit File

Attachment 7: STOP A&O Contract

The **STOP A&O Contract** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **STOP A&O Contract** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.

2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **STOP A&O Contract**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections

ASSESSMENT/ORIENTATION STOP CONTRACT

I, _____ hereby enter into a contract with the South Dakota Department of Corrections for Special Treatment of Perpetrators (STOP). I understand and agree to the following conditions regarding my treatment.

1. I agree to be completely honest and assume full responsibility for my offense(s) and sexual behavior.
2. I agree to participate in a psychosexual assessment that will include an interview and testing regarding my sexual history and offense behaviors.
3. I understand that a major disciplinary report is considered a serious matter and may result in termination from the program.
4. I will not have pictures of my victim(s) and will not ask others to obtain pictures of my victim(s).
5. I will not have any verbal, physical, direct or indirect contact with my victim(s). This would also include not having any third party (via another person) contact or communications with my victim(s).
6. I will not use, view, purchase, or have in my possession any form of written, pictorial, cartoon, Hentai, Manga, or narrative pornography or erotica featuring models of any age.
7. I will not have sexual contact with other inmates.
8. I will not make sexual comments to correctional staff.
9. I understand that failure to comply with any portion of this contract can be grounds for termination.
10. I consent to have the STOP staff release information regarding my progress and behavior to the Parole Board, Department of Corrections staff, and community treatment providers.

Inmate Signature: _____ Date: _____

Witness Signature: _____ Date: _____