

COMMUNITY SUPERVISION AND TREATMENT OF SEXUALLY VIOLENT PREDATORS

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Who are Sexually Violent Predators

RSMo 632.480.2:

A sexually violent predator is any person who suffers from a mental abnormality which makes the person more likely than not to engage in predatory acts of sexual violence if not confined in a secure facility and who:

- **Has pled guilty or been found guilty in this state or any other jurisdiction, or been found not guilty by reason of mental disease or defect pursuant to section 552.030, of a sexually violent offense; or**
- **Has been committed as a criminal sexual psychopath pursuant to section 632.475 and statutes in effect before August 13, 1980.**

LEGAL DEFINITIONS

RSMo 632.480:

Mental Abnormality: A congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to commit sexually violent offenses in a degree that causes the individual serious difficulty in controlling his/her behavior;

Predatory: Acts directed towards individuals including family members, for the primary purposes of victimization.

Sexually Violent Offense

Felonies:

- Rape 1st Degree
- Forcible Rape
- Rape
- Statutory Rape 1st Degree
- Sodomy 1st Degree
- Forcible Sodomy
- Sodomy
- Statutory Sodomy 1st Degree

Sexually Violent Offense

Or an attempt to commit the proceeding crimes:

- Child Molestation 1st or 2nd Degree
- Sexual Abuse,
- Sexual Abuse 1st Degree
- Rape 2nd Degree
- Sexual Assault
- Sexual Assault 1st Degree
- Sodomy 2nd Degree
- Deviate Sexual assault
- Deviate Sexual Assault 1st Degree
- Or the act of abuse of a child involving either sexual contact
- A prohibited sexual act, sexual abuse, or sexual exploitation of a minor
- Or any felony offense that contains elements substantially similar to the offenses listed above.

Civil Commitment as Sexually Violent Predator (Housed at SORTS)

Two types of Civil Commitment:

- Those offenders with active terms with the Department of Corrections.
- Those offenders without active terms with the Department of Corrections.

(Once a month the Probation and Parole Officer enters a log entry into the system verifying that the offender continues to reside at SORTS.)

Sexually Violent Predators – DMH Conditional Release without Discharge (Housed in SORTS Annex)

- **Once an SVP is determined by the court to qualify for Conditional Release from the Civil Commitment, a release plan is developed by the treatment team at SORTS and the Probation and Parole Officer of the supervising district.**
- **Supervision related decisions, are made by DMH in collaboration with the assigned officer as indicated in the Memorandum of Understanding regarding the Conditional Release of Sexually Violent Predators – Section RSMo 632.505.1**
- **The Court reviews the plan and determines the conditions that it deems necessary to meet the client’s need for treatment and supervision, keeping the safety of the community in the forefront.**
- **Once an offender receives a Conditional Release from DMH, they are fitted with an ankle bracelet for GPS (Global Positioning Satellite System) monitoring.**

Sexually Violent Predators – DMH Conditional Release without Discharge (Housed in SORTS Annex)

- **During this period of supervision, the offender will report to their Probation and Parole Officer no less than once monthly. The offender is expected to maintain employment, attend therapy groups, follow all Court ordered conditions and individualized treatment plan.**
- **After the client receives Conditional Release without Discharge and full time employment, Intervention Fees begin to accrue (\$30/month)**
- **The supervising Probation and Parole Officer shall supervise the offender based on the conditional release order and agency expectations established for GPS and sex offender supervision. This type of supervision requires the client to have a curfew and a schedule.**

Sexually Violent Predators – DMH Conditional Release with Discharge RSMo 632.505.3

- **When an SVP is determined by the court to qualify for Conditional Release from Civil Commitment, a release plan is developed by the SORTS treatment team and the Probation and Parole Officer from the supervising district.**
- **Once the client receives Conditional Release with Discharge, they are required to submit to polygraphs scheduled by the supervising Officer with the contracted vendor or a plethysmograph scheduled by DMH staff.**
- **Once an offender receives a Conditional Release with Discharge, a home plan is submitted to the Probation and Parole Office of the corresponding district.**
- **The home plan is investigated in order to ensure compliance of RSMo 566.147 (1000 foot rule)**

Community Sex Offender Treatment

Entering Treatment

- Designated Treatment Providers in each region.
- Offender will be given Provider Information prior to release to community.
- Provider will be given pertinent information regarding offender.
- Forensic Case Manager or offender will schedule first appointment.

Community Sex Offender Treatment

Treatment Provider Requirements

- **Must conduct an intake assessment & Identify Risk**
- **Develop a treatment plan**
- **Detailed Progress Reports**
- **Weekly Notes**
- **Submit Concerns to Polygrapher**
- **Communicate with Sex Offender Management Team**

Treatment Components

- **Derived from Treatment Plan**
- **Based on Risk Factors**
- **Case Report, Empathy Enhancement, Deviant Cycle**
- **Relapse Plan/Safety Plan**

GLOBAL POSITIONING SYSTEM (GPS)

Global Positioning System (GPS) - An electronic monitoring System that utilizes global satellites and cellular communications capability to track client movement.

- Active GPS System - Provides real-time tracking, and action can be initiated to report monitoring data up to the minute.
- Passive GPS System – Information is stored by the device in real time, with that data being provided periodically though each day and immediately when certain violations have occurred.

GLOBAL POSITIONING SYSTEM (GPS)

Conditional Release without Discharge

- Clients reside at SORTS and must provide daily schedules to the supervising officer.

Conditional Release with Discharge monitoring

- Clients requiring lifetime GPS monitoring and conditionally released SVPs must provide a home plan compatible with GPS equipment.

GLOBAL POSITIONING SYSTEM (GPS)

Mandatory Inclusion Zones – These zones can be used around a location away from home that you wish to require an offender to be at during a specified date(s) and time(s). This could be an employer, treatment provider, GED classes, Pathways to Change location etc.

Master Inclusion Zones – These zones should only be used to restrict a client from leaving a large area such as a whole city, county or state. The client should be made very aware of the travel restriction being imposed by this zone.

GLOBAL POSITIONING SYSTEM (GPS)

Exclusion Zones-These zones are drawn around locations that the client should not have access to at all. This could be a school, daycare, park, public pool or the area immediately around a victim's home or other locations where it is very important that the client have no access.

- These zone types should only be used for small areas such as property lines or a single city block. They should be carefully drawn to avoid crossing streets, highways and encompassing intersections which can generate alerts from incidental travel along roadways.