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NEW REPORT: The Failure Of Minnesota’s “Outlier” Sex Offense Civil Commitment Scheme & The \$100 Million Opportunity To Reduce Sexual Violence

Minnesota’s massive investment in so-called “civil commitment” for people convicted of sex offenses needlessly tramples civil and human rights, fails to meaningfully reduce sexual violence, and deprives more effective sexual violence prevention strategies of critical resources, according to a [new report](#) from the Sex Offense Litigation & Policy Resource Center SOLPRC at the Mitchell Hamline School of Law.

An accompanying [letter](#) signals a broad and growing consensus that Minnesota’s experiment with sex offense civil commitment has failed. The letter from more than 50 leading legal scholars and practitioners, mental health providers, policy experts, law enforcement members, criminal justice reform groups, and human rights and civil rights organizations, among others, endorses the report’s findings and policy recommendations, and asks state lawmakers to sunset the failed Sex Offense Civil Commitment (SOCC) scheme and reinvest its \$110 million annual budget into more effective, evidence-based programs.

“This report details what we have long known to be true: Minnesota’s uniquely aggressive civil commitment program threatens basic constitutional rights while exacerbating the very problem it is intended to solve,” said SOLPRC’s Director Eric Janus. “Anyone who cares about reducing sexual violence in our communities should demand state lawmakers dismantle our failed SOCC scheme and reallocate its massive budget to programs that will prevent violence, support victims, and hold people accountable in fair and equitable ways.”

The report’s key findings include:

- **At over \$100 million per year**, Sex Offense Civil Commitment is by far the state’s most expensive sexual violence prevention program — **despite researchers finding that SOCC has “no discernible impact” on reducing sex crimes.**
- Conversely, the state’s support of primary prevention (interventions designed to prevent sexual harm *before* it occurs), **is less than 2% of SOCC’s funding.**

- **Minnesota is a national outlier:** Most states do not use SOCC at all, yet Minnesota commits the most people per capita among those that do.
- **SOCC in Minnesota is effectively a life sentence without any finding of guilt or the due process protections of the criminal justice system.** As of September 1, 2023, only 21 of the 946 people committed to MSOP over its 30-year history have ever been fully discharged, while at least 94 have died during their confinement. One is thus nearly five times more likely to die in the program than to be discharged from it.
- **Minnesota’s SOCC scheme has been repeatedly rebuked** by federal and state courts, academic studies, a state government task force, and the Office of the Legislative Auditor, yet policy change has not followed, and the program’s failures persist.

“It has been over a decade since the Sex Offender Civil Commitment Advisory Task Force that I chaired found unanimously failures in Minnesota’s civil commitment scheme, including that it was dangerously overbroad, capturing too many people for too long in ways inconsistent with both public safety and civil rights,” said Eric Magnuson, former Minnesota Chief Justice, and chair of the 2013 bipartisan Task Force. “Today, this report shows in painstaking detail how those and other problems have only worsened, and makes the urgent case for sunseting Minnesota’s failed experiment with Sex Offense Civil Commitment.”

In a joint statement, the Minnesota Coalition Against Sexual Assault (MNCASA) and Violence Free Minnesota (VFMN) said that “the funding disparity illustrated in this report is alarming,” and that, “based on the data in the report, the \$100 million that the State spends on MSOP does not effectively prevent sexual violence nor prioritize the needs of victims/survivors.” They added that MSOP’s funding “stands in stark contrast to the less than \$3 million spent on primary prevention of sexual violence every year. Meanwhile, our member programs cannot afford to stay open, despite record numbers of victims/survivors reaching out for services. The State must adequately invest in primary sexual violence prevention and community-based crime victims’ services. We urgently need a robust and long-term investment in crime victims’ services across our state.”

“This report’s critical findings underscore the necessity of adequately funded rehabilitation and prevention services in the community,” said Ronda Disch, the Executive Director of Alpha Emergence Behavioral Health. “As community-based treatment providers, we see daily the profound gaps in funding that hinder our ability to support reentry and offer comprehensive services effectively. Reallocating the substantial annual budget from civil commitment to community programs could revolutionize our approach, enabling us to implement innovative, evidence-based treatments and support systems for both survivors and individuals seeking reintegration. This change is needed for the health and safety of our communities.”

About SOLPRC:

The Sex Offense Litigation and Policy Resource Center at Mitchell Hamline School of Law collects and disseminates information about cases on issues of sexual violence policy, and facilitates communication, sharing, and the development of strategies among the lawyers, advocates and academics who seek a more sensible and effective public policy on sexual violence prevention.

About the \$100 Million Committee:

Key contributions to this report were made by members of the \$100 Million Committee, which seeks to reassess the role played by sex offense civil commitment in Minnesota and improve Minnesota's use of resources to address and reduce sexual violence. The Committee is composed of detainee representatives, survivors of sexual harm, legal and policy professionals, reentry specialists, families of detained persons, and mental health, human rights, restorative, and racial justice advocates.

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