



State of Indiana
Indiana Department of Correction

Effective Date

7/1/2024

Page 1 of

9

Number

4.08A

**HEALTH CARE SERVICES
DIRECTIVE - ADULT
Manual of Policies and Procedures**

Title

**ADULT INDIANA SEX OFFENDER MANAGEMENT AND
MONITORING (INSOMM) SERVICES**

Legal References (Includes but is not limited to)	Related Policies/Procedures (Includes but is not limited to)	Other References (Includes but is not limited to)
IC 11-8-8-4.5 IC 35-42-4	02-04-101	Sex Offender Treatment Standards

Attachments:

- #1 - Temporary Exemption Acknowledgement Form
- #2 - Law Firm Temporary Exemption Acknowledgement Form

I. PURPOSE:

Incarcerated adults convicted of a crime(s) listed in IC 11-8-8-4.5 shall have access to Indiana Sex Offender Management and Monitoring (INSOMM) Treatment or Sexual Violence Education, (SVE), for the purpose of reducing the risk of sexual re-offending thereby enhancing public safety and future risk to victims. This INSOMM Health Care Services Directive (HCSD) establishes standards, guidelines, and procedures for the implementation of INSOMM services that shall be provided in adult facilities.

II. DEFINITIONS:

For the purposes of this INSOMM Services Directive, the following definitions are presented:

- A. **CONSENT:** A process of communication between health care providers and the patient to explain the benefit and risk of treatment, leading to the incarcerated individual's informed agreement or permission for care, treatment, or services.
- B. **ELECTRONIC MEDICAL RECORD (EMR):** Electronic medical record that is created for all incarcerated individuals.
- C. **INDIVIDUAL TREATMENT PLAN (ITP):** A series of written statements specifying a course of INSOMM services for a patient and the roles and responsibilities of staff in carrying out the course of sex offender specific services.

HEALTH CARE SERVICES DIRECTIVE			
Indiana Department of Correction			
Manual of Policies and Procedures			
Number	Effective Date	Page	Total Pages
4.08A	7/1/2024	2	9
Title			
ADULT INDIANA SEX OFFENDER MANAGEMENT AND MONITORING (INSOMM) SERVICES			

- D. PSYCHOSEXUAL NEEDS ASSESSMENT (PNA): Assessment used for women convicted of a crime(s) listed in IC 11-8-8-4.5. This evaluation examines the individual's sexual interests, attitudes, and behaviors to see if there are deviancy issues. It also evaluates other factors that may impact the individual's risk for re-offending or acting out sexually in the future.
- E. ORIENTATION AND PREPARATION TO PHASE III (OP3): Educational class offered to incarcerated individuals convicted of a crime(s) listed in IC 11-8-8-4.5 whose EPRD is less than 12 months for high risk, or 10 months for moderate and low risk.
- F. SEXUAL VIOLENCE EDUCATION (SVE): Educational class offered to incarcerated individuals convicted of a crime(s) listed in IC 11-8-8-4.5 but plead Not Guilty and/or there is a legal conflict, such as appealing the conviction or verified for post-conviction relief. This is NOT treatment and should not be mistaken for treatment.
- G. STATIC 99-R: An actuarial risk prediction instrument designed to estimate the risk and convictions among adult males who have already been charged with or convicted of at least one crime listed in IC 11-8-8-4.5. The three levels that an incarcerated individual could be assigned are:
 - Low: A Static 99-R score of -3 to 1. Men found to sexually recidivate at 0.7% to 3.2% after 5 years.
 - Moderate: A Static 99-R score of 2 to 3. Men found to sexually recidivate at 4.6% to 6.5% after 5 years.
 - High: A Static 99-R score of 4 and higher. Men found to sexually recidivate at 9.2% to 48.7% after 5 years.
- H. TREATMENT: A group-based model that addresses the issues of sexual victimization and sexual compulsivity, behavior accountability, understanding of the offense and offense cycle, victim empathy, and relapse prevention techniques.

III. GUIDELINES:

This HCSD directs that all incarcerated individuals convicted of a crime(s) listed in IC 11-8-8-4.5 shall undergo evidence-based sex offender specific risk assessments and corresponding treatment based on assessed risk level. The treatment shall be conducted in accordance with the contracted Indiana Sex Offender Management and Monitoring (INSOMM) vendor policy and procedures.

- A. INSOMM vendor shall identify a Clinical Director who oversees adult facilities that provide INSOMM.

HEALTH CARE SERVICES DIRECTIVE

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
4.08A	7/1/2024	3	9
Title			
ADULT INDIANA SEX OFFENDER MANAGEMENT AND MONITORING (INSOMM) SERVICES			

- B. INSOMM vendor staff shall enter into the Electronic Medical Record (EMR) the assessment for risk level, treatment plan, treatment/class participation notes, and summary reports of each individual's overall INSOMM progress.
- C. INSOMM Intake and diagnostic review shall be carried out by INSOMM vendor staff as appropriate to their professional scope, competency, and training. Such functions may include interviews, scoring, and interpreting Department approved instruments for assessment, diagnosis, and treatment planning.
- D. All sessions conducted by INSOMM vendor staff shall conform to accepted community standards per risk level.
- E. Incarcerated individuals in general population housing assignments will have access to INSOMM and or Sexual Violence Education, (SVE). INSOMM services must be provided in a manner which affords the incarcerated individual confidentiality and provides physical protection for the staff.
- F. INSOMM vendor staff must inform incarcerated individuals, in writing, of the limits of confidentiality at the consent of INSOMM/SVE.
- G. Each facility shall maintain an accurate list of incarcerated individuals that are classified as an individual convicted of a crime(s) listed in IC 11-8-8-4.5. The IDOC INSOMM Program Director or designee will be responsible for confirming if the individual(s) on the list need to be transferred to one of the facilities that offer INSOMM. The facility shall initiate the transfer request to move the identified individual(s) to the identified facility.

IV. PHASE I:

- A. All incarcerated individuals classified as an individual convicted of a crime(s) listed in IC 11-8-8-4.5 shall have a completed Static 99-R or Psychosexual Needs Assessment (PNA) within thirty-six (36) months of their EPRD, or if transferred to New Castle Correctional Facility or Rockville Correctional Facility and have 36 months or less to their EPRD, See Policy and Administrative Procedure 01-04-101, "Adult Classification," Section X, "Inter-Facility Transfers."
- B. INSOMM vendor staff will assess incarcerated individuals convicted of a crime(s) listed in IC 11-8-8-4.5 for the appropriate risk level and communicate the result to the individual.
- C. INSOMM vendor Clinical Director shall collaborate with INSOMM vendor staff to ensure INSOMM/SVE services are properly managed and appropriate for identified individuals. INSOMM Clinical Director may override a designated risk level if it is determined there are factors present that warrant a higher risk level.

V. PHASE II:

HEALTH CARE SERVICES DIRECTIVE Indiana Department of Correction Manual of Policies and Procedures			
Number 4.08A	Effective Date 7/1/2024	Page 4	Total Pages 9
Title ADULT INDIANA SEX OFFENDER MANAGEMENT AND MONITORING (INSOMM) SERVICES			

A. Consent

All incarcerated individuals convicted of a crime(s) listed in IC 11-8-8-4.5 shall meet with an INSOMM vendor staff at New Castle and Rockville Correctional Facility and be provided INSOMM/SVE outline, expectations, and offered time to ask questions. During this meeting the limits of confidentiality and consent for INSOMM/SVE shall be explained to them. This consent will be documented in the EMR, and the signed copy is placed in the individual's facility packet. This document must be signed prior to the start of INSOMM/SVE.

After the incarcerated individual consents and agrees to participate in INSOMM/SVE, the individual will be placed on the waiting list. This list is based on incarcerated individuals' EPRD, prioritizing those closest to release. A minimum of 8 incarcerated individuals will be on this list at any given time. The incarcerated individual will be informed that a possibility for parole stipulation modification for contact with minor pre-release option is available for placement request.

B. Length of INSOMM

The priority for enrollment into INSOMM/SVE will be individuals within at least 18 months of their projected release date.

Once an incarcerated individual has begun INSOMM/SVE, they will be required to complete a corresponding number of hours or modules based on their assessed risk level:

- SVE will consist of 10 modules
- INSOMM for Women
 - Risk level "Low" will receive 30 hours minimum
 - Risk level "Moderate" will receive 50 hours minimum
- INSOMM for Men
 - Risk level "Low" will receive 40 hours minimum
 - Risk level "Moderate" will receive 75 hours minimum
 - Risk level "High" will receive 125 hours minimum

An incarcerated individual will only be considered to have completed Phase II if the individual has met the minimum hours and/or completed all tasks per their ITP.

C. Orientation and Preparation to Phase III (OP3)

Educational class offered to incarcerated individuals convicted of a crime(s) listed in IC 11-8-8-4.5 with an EPRD less than 12 months for high risk, or 10 months for moderate and

HEALTH CARE SERVICES DIRECTIVE			
Indiana Department of Correction			
Manual of Policies and Procedures			
Number	Effective Date	Page	Total Pages
4.08A	7/1/2024	5	9
Title			
ADULT INDIANA SEX OFFENDER MANAGEMENT AND MONITORING (INSOMM) SERVICES			

low risk, therefore unable to complete the above requirements of hours or modules. In OP3 incarcerated individuals are introduced to what the expectations are for Phase III upon release.

D. Documentation

INSOMM vendor staff will enter progress notes in the EMR, noting Participation, Attendance, module worked on, treatment plan and assessments.

E. Disciplinary

Any incarcerated individual with a history of a crime(s) listed in IC 11-8-8-4.5 conviction shall be advised that INSOMM is mandatory and that failure to participate in INSOMM or failure to complete INSOMM successfully shall result in a disciplinary action. If an incarcerated individual refuses to participate in INSOMM, they shall be charged, in accordance with Policy and Administrative Procedure 02-04-101, "The Disciplinary Code for Incarcerated Adults," with disciplinary code offense C 356, "Refusing an Assignment."

Incarcerated individuals who initially refuse to participate in INSOMM shall be charged with a violation of Code C356. The INSOMM staff or employee who instructs the incarcerated individual to participate in INSOMM shall complete State Form 39590, "Report of Conduct." The person completing the "Report of Conduct" shall have the incarcerated individual sign State Form 49826, "INSOMM Program Participation Notification," indicating that the incarcerated individual refused to participate. The incarcerated individual shall be asked why they are refusing to participate in INSOMM, and that refusal shall be documented in the appropriate box on the State Form 49826 labeled, "Reason for Refusing to Participate." Additionally, another employee shall be present to witness the incarcerated individual's refusal to participate. The completed State Form 49826 shall be used as written documentation that the incarcerated individual has refused to participate in INSOMM.

No incarcerated individual shall be given a grievous sanction for refusing to participate in INSOMM. If an incarcerated individual is found guilty of a violation, the incarcerated individual shall be sanctioned in accordance with Policy and Administrative Procedure 02-04-101. The maximum sanctions for Class C violations are detailed in Section IX, "Disciplinary Hearing."

An incarcerated individual is not to receive a sanction of loss of credit time or demotion in credit class for refusing to participate in INSOMM. Additionally, any incarcerated individual who is found guilty of a Code C356 for failure to participate in INSOMM shall be recommended to the Warden to be placed on non-contact visits in accordance with Policy and Administrative Procedure 02-01-102, "Visitation." After serving the sanctions imposed for a violation of Code 356, the incarcerated individual will be offered to

HEALTH CARE SERVICES DIRECTIVE			
Indiana Department of Correction			
Manual of Policies and Procedures			
Number	Effective Date	Page	Total Pages
4.08A	7/1/2024	6	9
Title			
ADULT INDIANA SEX OFFENDER MANAGEMENT AND MONITORING (INSOMM) SERVICES			

participate in INSOMM no later than ninety (90) days after the C356 was reported or after sanction if longer than 90 days. If the incarcerated individual continues to refuse to participate in INSOMM, they may be charged with another Code C356 and sanctioned accordingly. However, C356 violations for refusing to participate in INSOMM cannot be used to support a B200, “Habitual Conduct Rule Violator.” This is to ensure that incarcerated individuals do not receive grievous sanctions for refusing to participate in INSOMM.

Incarcerated individuals who have been found guilty of C356 or a Class A or B disciplinary code violation shall not be restricted from participating in INSOMM based upon this disciplinary code violation(s).

INSOMM is designed to help individuals convicted of a crime listed in IC 11-8-8-4.5 and reduce recidivism among this population. Incarcerated individuals can receive maximum benefit if they participate in an interactive and honest fashion. Incarcerated individuals participating in INSOMM will not be asked or required to discuss criminal conduct in addition to their index offense(s).

However, incarcerated individuals who pleaded not guilty who do not wish to confess guilt to their index offense(s) or disclose other criminal conduct in INSOMM are to be referred to SVE. Incarcerated individuals in the psychoeducational class will be required to learn about the impact of sexual violence on victims, but they will not be required to talk about their own offense(s). Incarcerated individuals that are referred to the psychoeducational class but refuse to participate in the class shall receive a C356 conduct violation.

VI. INSOMM TEMPORARY EXEMPTION:

Incarcerated individuals that have pleaded “Not Guilty” to their index sexual offense but were subsequently convicted of their sexual offense charge(s), can be temporarily exempted from participation in INSOMM if their conviction for that sexual offense is in an “Appeal” status. The incarcerated individual may also be considered for temporary exemption from INSOMM if they are seeking “Post-conviction Relief” with the sole purpose of overturning their sexual offense conviction.

- A. Attachment #1 is to be explained to the incarcerated individual and signed by INSOMM vendor staff and the incarcerated individual and placed in the individual’s facility packet.
- B. Attachment # 2 is to be provided to the incarcerated individual to mail to their attorney’s office to be completed and mailed back to INSOMM.
- C. INSOMM must receive documentation from the incarcerated individual’s defense attorney or sentencing court, verifying that the incarcerated individual is currently under appeal, or

HEALTH CARE SERVICES DIRECTIVE			
Indiana Department of Correction			
Manual of Policies and Procedures			
Number	Effective Date	Page	Total Pages
4.08A	7/1/2024	7	9
Title			
ADULT INDIANA SEX OFFENDER MANAGEMENT AND MONITORING (INSOMM) SERVICES			

post-conviction relief (as noted above) status. INSOMM staff must receive this within 30 days of being requested to participate in INSOMM.

- D. A continued verification of the incarcerated individual's appeal status will be required in writing every 90 days from the incarcerated individual's attorney's office. INSOMM will review incarcerated individual's temporarily in exempt status after a year. Failure to provide a continued verification of the individual's appeal will result in removal from "temporary exempt" status and the incarcerated individual will be required to participate in INSOMM or be subject to disciplinary action as outlined in section V.

VII. INSOMM EXEMPTION:

There are several reasons an incarcerated individual may not be able to participate and/or complete Phase II while incarcerated. The following are examples of other needs that represent barriers beyond the scope of INSOMM:

- A. Serious mental health needs.
- B. Significant health issues that prevent the incarcerated individual to leave housing unit/infirmity.
- C. Intellectual impairment that impacts the individual's ability to participate in cognitive-behavioral programming.
- D. Pose a risk to self or others as documented by a mental health professional and/or determined by the Department.

VIII. PRE-RELEASE PAROLE MODIFICATION PROCESS FOR CONTACT WITH MINORS FOR PLACEMENTS:

An incarcerated individual may request the Indiana Parole Board to consider modifying parole stipulation for contact with minors. The individual must meet the below criteria:

- Has NO on-going sexual fantasies involving anyone under the age of 18.
- Has minor biological or legally adopted children at a proposed placement.
- Has completed or is successfully working towards completion of INSOMM Phase II.
- Has 9 months or more until EPRD.

Upon meeting the criteria above, the following information shall be mailed to IDOC INSOMM Program Director at 302 W. Washington St E-334 Indianapolis IN 46204.

- A. The incarcerated individual is responsible for gathering the list below to mail to IDOC INSOMM Program Director.

HEALTH CARE SERVICES DIRECTIVE			
Indiana Department of Correction			
Manual of Policies and Procedures			
Number	Effective Date	Page	Total Pages
4.08A	7/1/2024	8	9
Title			
ADULT INDIANA SEX OFFENDER MANAGEMENT AND MONITORING (INSOMM) SERVICES			

1. Letter formally requesting modification of parole stipulation for contact with minors for a proposed placement.
2. Letter explaining in detail the mindset when sex offense(s) occurred.
3. Letters of support from the minor's biological parents and/or legal guardians for the proposed placement.
4. Any court documents regarding guardianship or custody of minor(s) at the proposed placement.
5. Birth certificates of requested minors
6. Safety Plan / Relapse Prevention Plan for minor contact at the proposed placement.

B. INSOMM shall provide the below list to IDOC INSOMM Program Director.

1. Phase II Summary Report or letter from therapist on progress in Phase II.
2. ABLE Report
3. Sexual History Polygraph Report

IX. INSOMM QUALITY ASSURANCE AND IMPROVEMENT (QAI):

A. The purpose of QAI is to continuously move INSOMM toward improved service delivery and more effective outcomes. Toward this end, QAI is designed to generate feedback to ensure that services are delivered, as set forth, and that fidelity is continuously monitored. INSOMM Services shall provide a comprehensive system of internal review that:

1. is implemented by the IDOC INSOMM Program Director, INSOMM vendor administrators, and any IDOC INSOMM Program Director designee to collect, analyze and trend defined data;
2. results in the effective implementation of evidence-based sex offender treatment by maintaining fidelity to the model, as defined in the INSOMM Program Curriculum;
3. uses QAI tools and techniques to identify, examine and correct problems, and improve processes in the INSOMM services; and,
4. provides regular reviews of informal complaints submitted to the INSOMM Program to identify, examine and correct problems, and improve processes in INSOMM.

B. There shall be a quarterly INSOMM QAI meeting

C. INSOMM vendor staff administrators shall conduct systematic reviews of the utilization of resources, focusing on the allocation of resources in the most cost-efficient manner,

HEALTH CARE SERVICES DIRECTIVE			
Indiana Department of Correction			
Manual of Policies and Procedures			
Number 4.08A	Effective Date 7/1/2024	Page 9	Total Pages 9
Title ADULT INDIANA SEX OFFENDER MANAGEMENT AND MONITORING (INSOMM) SERVICES			

while maintaining the quality of care. Areas that shall be reviewed regularly include, but are not limited to:

1. Number of incarcerated individuals in INSOMM;
2. Number/percentage assessed for each risk level;
3. Number of incarcerated individuals completing INSOMM;
4. Number of incarcerated individuals refusing INSOMM;
5. Number of incarcerated individuals terminated from INSOMM; and,
6. Number of conduct reports issued in INSOMM.

All utilization resource review information shall be entered in the INSOMM Monthly Report. The monthly reports shall be submitted to the IDOC INSOMM Program Director by the 15th of each month.

D. Confidentiality

1. QAI records are confidential and privileged and shall not be disclosed to any person or entity except as provided by the specific exceptions, per IDOC INSOMM Program Director and/or Executive Director of Behavioral Health.
2. All QAI records shall be marked as “Confidential”

VIII. APPLICABILITY:

This INSOMM Services Directive is applicable to all facilities housing adult incarcerated individuals.

signature on file
Adrienne Bedford, MD
Chief Medical Officer

Date