**Section 1905.240 Elements of Comprehensive Sex Offense Specific Evaluations**

Pre-sentence evaluations must include the following elements using one or more of the listed possible evaluation procedures as clinically indicated:

a) Evaluation of mental and/or organic disorders, including the areas of:

1) IQ functioning (developmental disability, learning disability, and literacy), using history or functioning and/or standardized tests, examples of which include:

A) tests of non-verbal intelligence such as WAIS-III, WRAT-R, Revised Beta, TONI (tests of non-verbal intelligence)

B) Shipley Institute of Living Scale Revised, Kaufman IQ Test for Adults

2) Organic Brain Syndrome (OBS), using history or functioning and/or standardized tests (Examples: WAIS-III, Weschler Memory Scale Revised, Limbic System Checklist, Structured Mental Status, Jacobs Cognitive Screening Test, medical tests necessary for diagnosis)

3) Mental illness, using:

A) History of Functioning and/or Structured Interview

B) MMPI2

C) MCMI-III

D) Beck Depression Scale

b) Evaluation of drug/alcohol use, including the areas of:

1) Use/abuse, using:

A) History of functioning and/or structured interview

B) MMPI2

C) CAQ (clinical analysis questionnaire)

D) PHQ (personal history questionnaire)

E) ADS

F) DAST-20

G) Adult substance use survey

H) Substance use history matrix

I) Collateral information

2) Number of relapses, using:

A) History of functioning and/or structured interview

B) Treatment history

C) Collateral information

c) Evaluation of degree of psychopathology, in particular the degree of impairment, using:

1) Hare Psychopathy Checklist Revised (PCLR or PCLSC)

2) Structured interview

3) MCMI-III

4) MMPI2

5) History

6) Collateral information

d) Evaluation of stability of functioning, including the areas of:

1) Marital/family stability

A) covering:

i) Past

ii) Current

iii) Familial violence

iv) Familial sexual

v) Financial

vi) Housing

B) using:

i) History of functioning and/or structured interview

ii) FES (Family Environment Scale)

iii) DAS (Dyadic Adjustment Scale)

iv) MSI (Marital Satisfaction Inventory)

v) SARA (Spousal Assault Risk Assessment)

vi) Interview attitudes

vii) Collateral information

2) Employment/education – Completion of Major Life Tasks, using:

A) History of functioning and/or structured interview

B) PHQ (Personal History Questionnaire)

3) Social skills

A) covering:

i) Ability to form relationships

ii) Ability to maintain relationships

iii) Courtship/dating skills

iv) Ability to demonstrate assertive behavior

B) using:

i) History of functioning and/or structured interview

ii) Collateral information

iii) IBS (interpersonal behavior survey)

iv) Social Avoidance and Distress Scale

v) Waring's Intimacy Scale

vi) UCLA Loneliness Scale

vii) Tesch's Intimacy Scale

viii) Miller's Social Intimacy Scale

e) Evaluation of developmental history

1) covering:

A) Disruptions in parent/child relationship

B) History of bed wetting, cruelty to animals

C) History of behavior problems in elementary school

D) History of special education services, learning disabilities, school achievement

E) Indicators of disordered attachments

2) using:

A) History of functioning and/or structured interview

B) Collateral Information

f) Evaluation of self-image and self-esteem, using:

1) History of functioning and/or structured interview

2) MPD (measures of psychological development)

3) CAQ (clinical analysis questionnaire)

4) CPI (California Personality Inventory)

g) Evaluation of medical screening measures

1) covering:

A) Pharmacological needs

B) Medical condition impacting offending behavior

C) History of medication use/abuse

2) using:

A) History of functioning and/or structured interview

B) Referral to physician if indicated

C) Medical tests

h) Sexual evaluation, including the areas of:

1) Sexual history (onset, intensity, duration, pleasure derived)

A) covering:

i) Age of onset of expected normal behaviors

ii) Quality of first sexual experience

iii) Age of onset of deviant behavior

iv) Witnessed or experienced victimization (sexual or physical)

v) Genesis of sexual information

vi) Age/degree of use of pornography, phone, cable, video, or internet for sexual purposes

vii) Current and past range of sexual behavior

B) using:

i) History of functioning and/or structured interview

ii) PSCI (Personal Sentence Completion Inventory – Miccio-Fonseca)

iii) Wilson Sexual Fantasy Questionnaire

iv) SONE Sexual History Background Form

v) SORI (Sex Offender Risk Instrument – in research stage)

vi) Collateral information

2) Reinforcement structure for deviant behavior

A) covering:

i) Culture

ii) Environment

iii) Cults

iv) Gangs

B) using structured interview

3) Arousal pattern

A) covering:

i) Sexual arousal

ii) Sexual interest

B) using:

i) Structured interview

ii) Sexual autobiography

iii) Plethysmography

iv) Abel Assessment for Sexual Interest

v) Collateral information (such as from spouses or significant others)

4) Specifics of sexual crimes (onset, intensity, duration, pleasure derived)

A) covering:

i) Detailed description of sexual assault

ii) Seriousness, harm to victim

iii) Mood during assault (anger, erotic, "love")

iv) Progression of sexual crimes

v) Thoughts preceding and following crimes

vi) Fantasies preceding and following crimes

B) using:

i) Structured interview

ii) History of crimes

iii) Review of criminal records

iv) Contact with victim therapist

v) Polygraph

vi) Collateral information

5) Sexual deviance, using:

A) Structured interview

B) MSI (Multiphasic Sex Inventory)

C) SONE

6) Dysfunction

A) covering:

i) Impotence

ii) Priapism

iii) Injuries

iv) Medications affecting sexual functioning, etc.

B) using:

i) Structured interview

ii) MSI (Multiphasic Sex Inventory)

iii) Sexual autobiography

7) Sex offender's perception of dysfunction, using:

A) Structured interview

B) Sexual autobiography

C) Bentler Heterosexual Inventory

D) History

8) Perception of sexual functioning, using:

A) Structured interview

B) Sexual autobiography

C) Plethysmography

D) Bentler Sexual Behavior Inventory

9) Preferences

A) covering:

i) Male/female

ii) Age

iii) Masturbation

iv) Use of tools

v) Utensils

vi) Food

vii) Clothing

viii) Current sexual practices

ix) Deviant as well as normal behavior

B) using:

i) Structured interview

ii) Sexual autobiography

iii) Plethysmography

iv) Abel Assessment for Sexual Interest

v) Collateral information (such as from spouses or significant others)

10) Attitudes/cognition

A) covering:

i) Motivation to change/continue behavior

ii) Attitudes toward women, children

iii) Sexuality in general

iv) Attitudes about offenses (i.e., seriousness, harm to victim)

v) Degree of victim empathy

vi) Presence/degree of minimalization

vii) Presence/degree of denial

viii) Ego-syntonic vs. ego-dystonic sense of deviant behavior

B) using:

i) Structured interview

ii) Burt Rape Myth Acceptance Scale

iii) MSI (Multiphasic Sex Inventory)

iv) Buss/Durkee Hostility Inventory

v) Abel and Becker Cognitions Scale

vi) Attitudes Towards Women Scale

vii) Socio-Sexual Knowledge and Attitudes Test (for use with sex offenders who have developmental disabilities)

i) Evaluation of level of denial and level of deception, using:

1) Structured interview

2) Polygraph

3) Collateral Information (such as from victim, police, others)

j) Evaluation of level of violence and coercion

1) covering:

A) Level of violence

B) Overall pattern of assaultiveness

C) Victim selection

D) Pattern of escalation of violence

2) using:

A) Structured interview

B) History

C) Review of criminal records

D) Collateral information

k) Evaluation of risk of re-offense, using:

1) Criminal history

2) Violence Risk Assessment Guide (normed on a psychiatric hospital sample) (good predictor of violence recidivism but not of sexual recidivism)

3) Rapid Risk Assessment for Sex Offender Re-Arrest (sample excludes incest offenders)

4) MnSOST-R (normed on Minnesota Offenders in the Department of Corrections, excludes incest offenders)

5) Static 99

6) SONAR

7) Any other validated risk instrument that is generally accepted by sex offender evaluators