
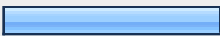








Article 10 Judicial Survey

1. Gender:			
		Response Percent	Response Count
Male		66.7%	2
Female		33.3%	1
		<i>answered question</i>	3
		<i>skipped question</i>	2

2. Age:			
		Response Percent	Response Count
40-49		33.3%	1
50-59		0.0%	0
60-69		66.7%	2
70 or older		0.0%	0
		<i>answered question</i>	3
		<i>skipped question</i>	2

3. Number of years on the bench:			Response Percent	Response Count
0-5		60.0%	3	
6-10		0.0%	0	
11-15		20.0%	1	
16-20		0.0%	0	
21 or more		20.0%	1	
			<i>answered question</i>	5
			<i>skipped question</i>	0

4. Total number of Article 10 cases adjudicated:			Response Percent	Response Count
0-9		100.0%	4	
10-19		0.0%	0	
11-20		0.0%	0	
21-30		0.0%	0	
31 or more		0.0%	0	
			<i>answered question</i>	4
			<i>skipped question</i>	1

5. How long was it from the time the Sex Offender Management and Treatment Act (SOMTA, April 2007) became law and the first Article 10 case over which you presided?			
		Response Percent	Response Count
0-6 months		0.0%	0
7-12 months		50.0%	2
13-18 months		25.0%	1
19 months or more		25.0%	1
<i>answered question</i>			4
<i>skipped question</i>			1

6. What type of training did you receive about SOMTA Article 10 and/or issues pertaining to it prior to your first Article 10 hearing?			
		Response Percent	Response Count
Attended conference presented by a facilitator with experience in such matters		40.0%	2
Received written materials (articles, books, copies of presentations)		40.0%	2
Attended meetings with colleagues in which the law was discussed		20.0%	1
Informally spoke/communicated with colleagues about the law		60.0%	3
Received no training		40.0%	2
Other (please specify)			1
<i>answered question</i>			5
<i>skipped question</i>			0

7. How significant have the following issues been in the Article 10 cases you've heard?					
	Very Significant	Somewhat Significant	Minimally Significant	No Significance	Response Count
Understanding of the statutory language (e.g. mental abnormality, dangerous sex offender requiring confinement)	75.0% (3)	25.0% (1)	0.0% (0)	0.0% (0)	4
Evidentiary issues (e.g. hearsay, Daubert/Frye)	50.0% (2)	0.0% (0)	25.0% (1)	25.0% (1)	4
Speediness, i.e. amount of time from initial notification of Respondent of civil management qualification by state to probable cause hearing to trial	25.0% (1)	0.0% (0)	25.0% (1)	50.0% (2)	4
Jurisdiction	25.0% (1)	0.0% (0)	25.0% (1)	50.0% (2)	4
Release plans	75.0% (3)	25.0% (1)	0.0% (0)	0.0% (0)	4
				Other (please specify)	1
				<i>answered question</i>	4
				<i>skipped question</i>	1

8. "Mental Abnormality", as defined by MHL § 10.03(i): A congenital or acquired condition, disease or disorder that affects the emotional, cognitive, or volitional capacity of a person in a manner that predisposes him or her to the commission of conduct constituting a sex offense and that results in that person having serious difficulty in controlling such conduct. In your opinion, how important is the following in helping you to form an opinion whether or not a Respondent has "a congenital or acquired condition, disease or disorder that affects the emotional, cognitive, or volitional capacity of a person in a manner that predisposes him or her to the commission of conduct constituting a sex offense":

	Very Important	Somewhat Important	Minimally Important	No Importance	Response Count
Actuarial scores (e.g. Static 99, MnSOST-R)	25.0% (1)	50.0% (2)	25.0% (1)	0.0% (0)	4
DSM-IV-TR diagnosis of a paraphilia (e.g. pedophilia)	75.0% (3)	25.0% (1)	0.0% (0)	0.0% (0)	4
DSM-IV-TR diagnosis of Antisocial Personality Disorder	75.0% (3)	25.0% (1)	0.0% (0)	0.0% (0)	4
Data suggesting that the Respondent is "psychopathic"	50.0% (2)	50.0% (2)	0.0% (0)	0.0% (0)	4
DSM-IV-TR diagnosis of a severe mental illness (e.g. schizophrenia, bipolar disorder)	50.0% (2)	50.0% (2)	0.0% (0)	0.0% (0)	4
DSM-IV-TR diagnosis of a substance abuse disorder	25.0% (1)	25.0% (1)	25.0% (1)	25.0% (1)	4
				Other (please specify)	0
	<i>answered question</i>				4
	<i>skipped question</i>				1

9. In your opinion, how important is the following in helping you to form an opinion whether or not a Respondent has “serious difficulty in controlling such conduct”:					
	Very Important	Somewhat Important	Minimally Important	No Importance	Response Count
Actuarial scores (e.g. Static 99, MnSOST)	25.0% (1)	25.0% (1)	50.0% (2)	0.0% (0)	4
DSM-IV-TR diagnosis of a paraphilia (e.g. pedophilia)	75.0% (3)	25.0% (1)	0.0% (0)	0.0% (0)	4
DSM-IV-TR diagnosis of Antisocial Personality Disorder	75.0% (3)	25.0% (1)	0.0% (0)	0.0% (0)	4
Data suggesting that the Respondent is “psychopathic”	50.0% (2)	50.0% (2)	0.0% (0)	0.0% (0)	4
DSM-IV-TR diagnosis of a severe mental illness (e.g. schizophrenia, bipolar disorder)	50.0% (2)	50.0% (2)	0.0% (0)	0.0% (0)	4
DSM-IV-TR diagnosis of a substance abuse disorder	25.0% (1)	25.0% (1)	25.0% (1)	25.0% (1)	4
Sexually acting out while incarcerated	25.0% (1)	50.0% (2)	25.0% (1)	0.0% (0)	4
History of supervision failure	50.0% (2)	25.0% (1)	25.0% (1)	0.0% (0)	4
Failure to complete sex offender treatment	50.0% (2)	25.0% (1)	0.0% (0)	25.0% (1)	4
Number of arrests for sexual crimes	50.0% (2)	25.0% (1)	25.0% (1)	0.0% (0)	4
Current age of Respondent	0.0% (0)	25.0% (1)	75.0% (3)	0.0% (0)	4
				Other (please specify)	0
				<i>answered question</i>	4
				<i>skipped question</i>	1


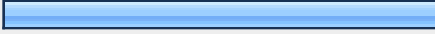
10. “Dangerous sex offender requiring confinement”, as defined by MHL § 10.03(e), means a person who is a detained sex offender suffering from a mental abnormality involving such a strong predisposition to commit sex offenses, and such an inability to control behavior, that the person is likely to be a danger to others and to commit sex offenses if not confined to a secure treatment facility. Please indicate your level of agreement with the following statements:

	Strongly Agree	Agree	Disagree	Strongly Disagree	No Opinion	Response Count
“Danger to others” and “strong predisposition to commit sex offenses” are one and the same thing	50.0% (2)	0.0% (0)	50.0% (2)	0.0% (0)	0.0% (0)	4
“Danger to others” and “strong predisposition to commit sex offenses” are different issues	25.0% (1)	50.0% (2)	0.0% (0)	25.0% (1)	0.0% (0)	4
“Danger to others” refers to the degree of harm potentially caused to future victim(s)	25.0% (1)	25.0% (1)	25.0% (1)	25.0% (1)	0.0% (0)	4
					Other (please specify)	1
	<i>answered question</i>					4
	<i>skipped question</i>					1

11. Please rate the following on degree of importance in assisting you in forming an opinion regarding whether or not a Respondent meets the criteria for confinement:

	Very Important	Somewhat Important	Minimally Important	No Importance	Response Count
Score on actuarial tests (e.g. STATIC 99)	25.0% (1)	25.0% (1)	25.0% (1)	25.0% (1)	4
Current age of offender	0.0% (0)	25.0% (1)	75.0% (3)	0.0% (0)	4
Completion of sex offender treatment	25.0% (1)	25.0% (1)	50.0% (2)	0.0% (0)	4
History of supervision failure	25.0% (1)	50.0% (2)	25.0% (1)	0.0% (0)	4
Meets criteria for a sexual disorder	75.0% (3)	25.0% (1)	0.0% (0)	0.0% (0)	4
Sexually acting out while incarcerated	25.0% (1)	50.0% (2)	25.0% (1)	0.0% (0)	4
Length of time engaging in sexually offending behavior	50.0% (2)	25.0% (1)	25.0% (1)	0.0% (0)	4
Denial of offenses by Respondent	50.0% (2)	0.0% (0)	25.0% (1)	25.0% (1)	4
Recency of last sexual offending	75.0% (3)	25.0% (1)	0.0% (0)	0.0% (0)	4
Size of potential victim pool	25.0% (1)	25.0% (1)	50.0% (2)	0.0% (0)	4
Degree of harm to victim(s) in the past	50.0% (2)	25.0% (1)	25.0% (1)	0.0% (0)	4
Data suggesting Respondent is "psychopathic"	50.0% (2)	25.0% (1)	25.0% (1)	0.0% (0)	4
DSM-IV-TR diagnosis of a paraphilia (e.g. pedophilia)	75.0% (3)	0.0% (0)	25.0% (1)	0.0% (0)	4
Other (please specify)					0
<i>answered question</i>					4
<i>skipped question</i>					1

12. In your opinion, how accurate are risk predictions of future sexual offending by mental health professionals?
(Pick one)

		Response Percent	Response Count
Always		0.0%	0
Most of the time		0.0%	0
Frequently		33.3%	1
Sometimes		66.7%	2
Rarely		0.0%	0
Never		0.0%	0
Other (please specify)			1
		<i>answered question</i>	3
		<i>skipped question</i>	2

13. Please indicate your level of agreement with the following statements using the following scale:

	Strongly Agree	Agree	Disagree	Strongly Disagree	No Opinion	Response Count
It would be better if the state gave certain sex offenders lifetime parole instead of using civil commitment to manage them after release from prison	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (2)	2
If mental abnormality is established, I'm inclined towards SIST except in exceptional cases	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	2
If mental abnormality is established, I'm inclined towards confinement except in exceptional cases	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	2
I don't think the financial cost of confining sex offenders civilly will be sustainable in the long run	0.0% (0)	50.0% (1)	0.0% (0)	0.0% (0)	50.0% (1)	2
Sex offenders have a high rate of recidivism	0.0% (0)	50.0% (1)	0.0% (0)	0.0% (0)	50.0% (1)	2
Completion of a sex offender treatment program reduces a person's risk of sexually reoffending	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	2
					Comment	0
	<i>answered question</i>					2
	<i>skipped question</i>					3

14. Please rate your degree of satisfaction with the Article 10 process in terms of:

	Very Satisfied	Satisfied	Dissatisfied	Very Dissatisfied	No Opinion	Response Count
Reports by mental health professionals	50.0% (1)	50.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	2
Testimony by mental health professionals	50.0% (1)	50.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	2
Examination of witnesses by attorneys	50.0% (1)	50.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	2
Speed with which respondents go through the process from initial notification to final verdict/disposition	0.0% (0)	50.0% (1)	50.0% (1)	0.0% (0)	0.0% (0)	2
Records used in Article 10 cases	0.0% (0)	50.0% (1)	0.0% (0)	0.0% (0)	50.0% (1)	2
Training you received relevant to the Article 10 process	0.0% (0)	100.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	2
Quality of sex offender treatment programs at secure treatment facilities operated by OMH	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (2)	2
					Coment	0
	answered question					2
	skipped question					3