Massachusetts Department of Correction **POLICY**		Effective Date 9/3/2026 Annual Review Date 10/7/2026	Responsible Division Deputy Commissioner, Clinical Services & Reentry
Policy Name 103 DOC 446 SEX OFFENDER MANAGEMENT AND TREATMENT		Regulation Reference: M.G.L., Chapter 124, section 1 (a), (b), (c), (e), (f), (g), (k) and (l), Chapter 127, sections 48 and 49, Chapter 22C, section 37, and Chapter 6, section 178 and Chapter 123A, and St. 1990, c. 150, §§ 104 and 304.	
		DOC Policy Reference: 103 CMR 153; 103 CMR 157; 103 DOC 401; 103 DOC 447; 103 DOC 601	
		ACA/PREA Standards: 2-CO-4B-04	
Attachments Yes ☒ No ☐	Library Yes ☒ No ☐	Applicability: Staff/Incarcerated Individuals except persons currently committed as sexually dangerous persons (SDPs) or temporarily committed pursuant to the provisions of G.L. c. 123A.	
Public Access Yes ☒ No ☐		Location: Department's Central Policy File Each Institution's Policy File	

PURPOSE:
The purpose of this policy is to establish Department of Correction policy for the treatment of sex offenders from commitment to release.

RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY:
Deputy Commissioner, Clinical Services and Reentry
Assistant Deputy Commissioner, Clinical Services
Director of Behavioral Health
Superintendents

CANCELLATION:
This policy cancels all previous departmental or institutional policies, policy statements, bulletins, and rules and procedures regarding sex offender management that are inconsistent with this policy.

SEVERABILITY CLAUSE:
If any part of this policy is, for any reason held to be in excess of the authority of the Commissioner, such decision will not affect any other part of this policy.

PRIVATE RIGHT OF ACTION:
Nothing contained herein is intended to confer, or shall be interpreted as conferring, a private right of action for enforcement or damages.

TABLE OF CONTENTS

446.01	Definitions	3
446.02	General Policy	4
446.03	Orientation	4
446.04	Classification & Treatment Access	5
446.05	Treatment	6
446.06	Contract Monitoring	6
446.07	Treatment Records	6

ATTACHMENTS

Attachment #1	Treatment Agreement and Informed Consent	8

446.01 DEFINTIONS

Assistant Deputy Commissioner (ADC), Clinical Services: The executive staff person who reports to the Deputy Commissioner of Clinical Services and Reentry. The duties of the ADC, Clinical Services include, but are not limited to, the management of the Health Services Division (HSD), the development of health care policies and the oversight of the Department of Correction's (Department) health services contracts. The ADC of Clinical Services is the designated Correctional Health Authority as provided by 103 DOC 601.01.

Director of Behavioral Health: The Health Services Division clinician who reports to the Assistant Deputy Commissioner of Clinical Services and is responsible for the management and oversight of the Department's mental health care services.

Inmate Management System (IMS): The Department's automated information system that provides processing, storage and retrieval of incarcerated individual related information needed by Department personnel and other authorized users within the criminal justice system.

Sexually Dangerous Person (SDP): Any person adjudicated by a court of the Commonwealth to be a sexually dangerous person pursuant to M.G.L. c. 123A and civilly committed to the Department's custody for one day to life, whether or not that person is also serving a criminal sentence.

Sex Offender: An incarcerated individual (1) who has ever been convicted of a sex offense defined by M.G.L. c. 6, §178C, regardless of whether the incarcerated individual will be required to register with the Sex Offender Registry Board upon release from custody; (2) who has ever been adjudicated as a youthful offender or as a delinquent juvenile by reason of a sex offense defined by M.G.L. c. 6, §178C, regardless of whether the incarcerated individual will be required to register with the Sex Offender Registry Board upon release from custody; or (3) who has previously been adjudicated as a sexually dangerous Person (SDP) but has been deemed to be no longer sexually dangerous by a court of the Commonwealth and who continues to serve a criminal sentence in a Department institution.

Sex Offender Treatment: A variety of psychological interventions, cognitive–behavioral treatments, and behavioral therapies with the overall aim of reducing the risk and potential harm associated with releasing this population back into the community.

Sex Offender Treatment (SOT) Provider: The vendor that contracts with the Department to provide sex offender treatment services at institutions designated by the Department.

Treatment Plan: A document that outlines the course of treatment, treatment progress identifying major treatment goals and noting important milestones and

objectives. The individualized treatment plan outlines the interventions and treatment goals.

Treatment Tracks: Four (4) distinct tracks available based on comprehensive assessment and individualized treatment plan include: 1. Residential SOT; 2. Non-Residential SOT; 3. Graduate Support Persons (GSP); and 4. Maintenance Track.

446.02 GENERAL POLICY

The Department is committed to the treatment of those individuals and Civil Commitments who are identified as sex offenders as defined in 103 DOC 446, *Sex Offender Management and Treatment*.

446.03 ORIENTATION

A. Incarcerated individuals identified as sex offenders entering the correctional system upon sentencing shall receive an initial orientation to the institution that includes a sex offender treatment (SOT) description within thirty (30) calendar days of admission.

B. Incarcerated individuals identified as sex offenders transferred from other institutions within the correctional system shall receive orientation to the new institution that includes a SOT description within seven (7) calendar days of transfer.

C. Incarcerated individuals whose sex offender status was not determined upon commitment shall receive a SOT description once they have been identified as sex offenders pursuant to 103 DOC 447, *Sex Offender Identification.*

D. The incarcerated individual identified as a sex offender will be provided informational materials regarding the description and accessibility of SOT at the time of admission per 103 DOC 401, *Booking and Admission*. The sex offender specific orientation materials shall include a description of SOT, eligibility, expectations, and enrollment information.

E. At institutions designated by the Department, the SOT provider shall provide an orientation every six (6) months designed to engage treatment-eligible incarcerated individuals identified as sex offenders who are resistant to SOT and monthly orientations to non-civilly committed incarcerated individuals identified as sex offenders who are resistant to SOT at the Massachusetts Treatment Center (MTC). The orientation shall include, at a minimum, a description of the purpose of specific SOT and a description of the structure and expectations of the SOT.

F. Participation in orientation shall be documented in the Orientation

Checklist screen in IMS.

446.04 CLASSIFICATION & TREATMENT ACCESS

A. Incarcerated individuals identified as sex offenders, who are eligible and suitable for medium security, shall be eligible for participation in SOT at twelve (12) years to their earliest release date.

B. Any incarcerated individual who is not identified as a sex offender in accordance with 103 DOC 446.01 may apply to participate in SOT.

C. Incarcerated individuals who agree to participate in SOT shall read and sign the Treatment Agreement and Informed Consent form (Attachment #1).

D. Incarcerated individuals who agree to participate in SOT and who are housed at institutions where SOT is not available shall be scheduled to appear before a classification board within thirty (30) calendar days of signing the Treatment Agreement and Informed Consent form for consideration of placement in a Department institution where SOT is available.

E. Incarcerated individuals participating in SOT motivation and engagement phase who receive a recommendation from the SOT provider to continue treatment at MTC shall be scheduled to appear before a classification board within thirty (30) calendar days of the recommendation for consideration of placement.

F. Incarcerated individuals who complete SOT at the MTC shall be scheduled to appear before a classification board within thirty (30) calendar days of completion for consideration of placement in a Department institution where maintenance programming is available.

G. Pursuant to C.127 section 49 “No sex offender in the custody of the department of correction shall be eligible to participate in any program outside a correctional facility established under section forty-eight unless he has completed the department’s voluntary sex offender treatment program. The voluntary sex offender treatment program shall be administered pursuant to the rules and regulations of the department. No sex offender, or sexually dangerous person as defined in section 1 of chapter 123A, or any person who commits a sexual offense as defined in said section 1, or any person who violates section 24B of chapter 265 shall be eligible for any program outside a correctional facility authorized under section 48 or any other work release program authorized by law.”

446.05 TREATMENT PROGRAM

A. SOT shall be facilitated solely by the SOT provider at sites determined by the Department. SOT shall include non-residential and residential programming.

B. Treatment tracks based on comprehensive assessment and treatment needs have been established as a continuum to be responsive to individualized treatment needs. Incarcerated individuals will be offered SOT based on their needs assessment and treatment plan.

C. SOT shall also include maintenance programming at sites determined by the Department for incarcerated individuals identified as sex offenders who have completed SOT. The goal of the maintenance phase is to keep sex offenders engaged in SOT throughout their incarceration.

D. The SOT provider shall work collaboratively with community-based SOT providers to incarcerated individuals identified as sex offenders with referrals to SOT providers in the community upon release. All referrals and appointments shall be documented in the IMS Reentry Planning screen.

446.06 CONTRACT MONITORING

A. The ADC of Clinical Services in conjunction with the Director of Behavioral Health shall be responsible for contract compliance and monitoring the overall quality of SOT.

1. The Director of Behavioral Health shall designate staff in the Department's HSD to conduct systematic audits of SOT at each institution in which SOT is offered, in order to evaluate the access, quality and appropriateness of care for participants. The auditors shall provide a written summary of the findings to the ADC of Clinical Services, the Director of Behavioral Health, and the Superintendent at each institution where SOT is offered.

446.07 TREATMENT RECORDS

A. The SOT provider shall maintain a treatment file for each sex offender involved in SOT. The SOT file shall be initiated when the incarcerated individual identified as a sex offender begins SOT and shall be updated as the incarcerated individual identified as a sex offender participates in SOT. The SOT file shall be maintained in the electronic medical record and any treatment materials completed shall be maintained at the institution where the incarcerated individual identified as a sex offender is housed while participating in SOT. The SOT file shall be the property of

the Department, and shall consist of all documents, records, treatment assignments, data, etc., generated as a result of the sex offender's participation in SOT. When an incarcerated individual identified as a sex offender is transferred to an institution where SOT is offered, the SOT file shall also be transferred to the receiving institution. If the incarcerated individual identified as a sex offender is transferred to an institution where SOT is not offered, their SOT file shall be forwarded to the MTC for central filing.

B. Dissemination of SOT records shall be in accordance with 103 CMR 157, *Regulations Governing Access to and Dissemination of Evaluative Information*, and 103 CMR 153, *CORI Regulations.*

C. In preparation for a review of an incarcerated individual identified as a sex offender's review by the Massachusetts Parole Board, the SOT provider shall prepare a Health Service Division approved form detailing the status of the incarcerated individual identified as a sex offender's status in SOT. Such reports shall be submitted to the institution parole officer one (1) month prior to the scheduled parole hearing.

Attachment #1

DEPARTMENT OF CORRECTION
TREATMENT AGREEMENT AND INFORMED CONSENT

I,_____ (name and commitment number), understand that I have been identified by the Department of Correction as a sex offender, and that I have been referred for Sex Offender Treatment (SOT). I agree to participate in such treatment designated by the Department of Correction (Department). In doing so, I understand and agree to the following stipulations:

1. I will attend and participate in all aspects of SOT determined to be clinically appropriate for me by the SOT provider.

2. I understand that my progression to minimum security must be in compliance with c.127 section 49, as set forth in 446.04(G).

3. I give the Department permission to share pertinent information concerning my background and criminal record with SOT provider staff to the extent required in effecting my treatment. This includes, but is not limited to, information generated relative to any investigation, tape-recorded telephone conversations consistent with 103 DOC 482.10, and the sharing of medical and mental health information, where appropriate.

4. I understand that SOT provider staff may share information concerning my participation in SOT and other pertinent evaluative information with the Department of Correction, Probation, Parole, the Attorney General, the District Attorneys, the Sex Offender Registry Board, and any other law enforcement agencies, including their attorneys, in order that those agencies may evaluate my appropriateness relative to matters including, but not limited to, as classification, housing level, lower security, release, potential civil commitment, post release supervision, registration as a sex offender, and for use for other lawful purposes.

5. I understand that SOT is a lifelong commitment.

6. I hereby consent to these conditions and waive any claims in this regard or in connection with my participation in this program against the Commonwealth of Massachusetts, Executive Office of Public Safety, Department of Correction and its officers, employees, and agents.

_____ _____
Print Incarcerated Individual Name and Commitment Number Date

_____
Incarcerated Individual's Signature

_____ _____
Print Employee Name and Title Date

_____
Employee's Signature

original: Sex Offender Treatment File
copy: Incarcerated Individual identified as a sex offender
copy: Department six-part folder