

# Creating a Clear Path Home

Suggested Reading for the OCEAN Coalition and State Authorities

Updated 2/7/2021



The following documents are presented by the 11+ men who participated in the Hunger Strike at the Minnesota Sex Offender Program (MSOP) in Moose Lake, Minnesota between January 21, 2021 and February 3, 2021. We encourage the appropriate authorities, and Minnesota citizens, to read the following documents and support our effort to make necessary changes to the MSOP:

1. **Barriers to Release and Possible Solutions: Why the Minnesota Sex Offender Program Does not Work and what Officials can Do about It.**
  - Russell Hatton, Daniel Wilson, Jacob Flom, Michael Whipple, Josh Brooks, Anthony Garnett, Larry Cooper, Daniel Patten, Terrance Pettis, Joshua Mertz
  
2. **Age is the Most Important Element**
  - This document is referenced in “Potential Solution to Barrier No. 13” within the document: “Barriers to Release and Possible Solution” (p. 14)
  
3. **Patten's Points**
  - One Striker addresses MSOP’s refusal to accommodate to his religious needs. His complaint is applicable to all men at MSOP, which is a cookie cutter “program” that ignores each man’s unique personality. Daniel L. Patten is a 60 year-old man who refused to eat for 12 days, skipping 35 meals in an attempt to get his grievances heard. Mr. Patten lost 16 pounds, which was 9% of his body mass. Mr. Patten experienced a significant decline in cognitive function and suffered from depression

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during the Hunger Strike. The following was written by Mr. Patten. Notice the last part of this document in the "Mental Health Record" which states that Mr. Patten, "has no recent mental health issues," yet he is confined to a secure mental health institution.

**4. Civil Commitment Advisory Task Force Final Report**

- The Civil Commitment Advisory Task Force was a group developed by a court order to reform MSOP. However, nothing from the Final Report was implemented to change the program. In addition to the list of documents listed in "Potential Solution to Barrier No. 14" in the OCEAN document, "Barriers to Release and Potential Solutions" the following document thoroughly covers the recommendations that should be taken seriously by anyone who wants to reform MSOP.

**5. House File 1139**

- During the eighty-eighth legislative session (2013) Representative Tina Liebling and Senator Jim Abeler authored H. F. No. 1139. It seems the bill was tabled in March of 2013 and there was no further activity. OCEAN copy/pasted the bill from a PDF to a Microsoft Word Document. Suggestions by OCEAN Members are found in dark highlights. A highlighted "x" represents something has been deleted, but not replaced with new text. It seems that the authors of this House File have made the assumption that anyone being petitioned for civil commitment must be a convicted sex offender. However, there is no law that states a person must be a convicted sex offender to be civilly committed. It seems the authors of this bill made an attempt to provide a way for civilly committed men new avenues for less restrictive alternatives. We hope that the passage of this bill into law will help provide a Clear Path Home.

**6. Letter from Governor Dayton to Commissioner Jesson**

- This pejorative letter is a confession that MSOP is the "State's tactic to avoid releasing..." the men in the "program". It was sent on November 13, 2013 from then Minnesota Governor, Mark Dayton, to the Commissioner of the Department of Human Services, Lucinda Jesson. It was also carbon copied to the Commissioner of the Department of Corrections, Tom Roy. The letter is a clear confession to the true purpose of the Minnesota Sex Offender Program and demonstrates an abuse of power on the part of the Governor, who in this one letter, turned civil commitment from a medical concern into a political one: "Fearing that the issue would be used in the upcoming governor's race, Governor Dayton ordered DHS Commissioner Jesson to suspend provisional releases from the MSOP..." (Briana Bierschbach, Dayton

wants to temporarily suspend provisional release of sex offenders, Politics In Minnesota: Capitol Report, Nov. 13, 2013).

**7. Substituting the Medical Model for a Psychoeducational Model: Civil Commitment Based on Correctional Guidelines of Criminogenic Factors Without Medical Justification Exceeds State Interests**

- This original OCEAN article breaks down the history of the MSOP, how it transitioned from a Medical Model to a Psychoeducational Model and why it matters.

**8. Use of the DSM-5 Paraphilias Taxonomy and Its Residual Categories in Sexually Violent Predator Evaluations**

- This document, written by Richard Wollert and Allen Frances further covers the many problems with the way MSOP manipulates evaluations to justify the continued confinement of hundreds of men. This article can be overwhelming, so in an attempt to make it a little more digestible to the reader, we will point out elements to focus on: This article addresses the unauthorized use of Paraphilia Not Otherwise Specified (PNOS) and Anti-Social Personality Disorder (ASPD) to justify continued confinement for civilly committed men. This unethical practice has initiated the American Psychiatric Association's explicit admonition of commitment laws (p. 904, ¶ 4). The article makes a point that civil commitment laws are constitutional within certain boundaries. (p. 906, ¶ 4). MSOP has clearly stepped out of those boundaries. (See Barriers to Release: 2, 4, & 9 in "Barriers to Release and Possible Solutions" and see the OCEAN document, "Substituting the Medical Model for a Psychoeducational Model"). Table 42.1 on pp. 908-910 illustrates the evolution of the DSM since the first edition. We now use the most recent edition, DSM-V. Note on page 910, the requirement for a paraphilic disorder of "6 months" and "currently causing." Ignoring these two seemingly inconsequential elements, and instead centering our diagnosis around our ancient criminal records, is how MSOP diagnosticians justify continued confinement. Page 910 introduces our main villain in this story, Dennis Doren. Doren confessed to "creating" PNOS, Nonconsent, which is essentially an attempt to medicalize rape, a theory that has been consistently rejected by the greater scientific community. (see "Commentary: Inventing Diagnosis for Civil Commitment of Rapists" by Thomas K. Zander for more on Doren). Doren has an almost cult-like following of rouge DSM violators who cast-off the conclusions of the most accomplished psychologists and psychiatrists in their respective fields. MSOP Dorenites depend on the ignorance of civilly committed men, their lawyers, and the judges that rely on the "expertise" of these evaluators. On page 913, an important term is introduced: "Current Presentation." This is a term used to

describe a person's current presentation of mental state. The DSM-V requires that an evaluator acknowledge the "client's" current presentation of mental state, as opposed to just their criminal record. However, at MSOP, Current Presentation is ignored. In addition to the points mentioned here, we encourage the reader to read the Conclusion, beginning on page 919.

**9. Misuse of Diagnostic and Statistical Manual Diagnosis in Sexually Violent Predator Cases**

- This article further rejects the use of "Other Specified Paraphilia disorders, nonconsent," and "Anti-Social Personality Disorder" for civil commitment.

**10. Commentary: Inventing Diagnosis for Civil Commitment of Rapists**

- This article by Thomas K. Zander gives additional background the rouge actions by Dennis Doren and his impact on evaluators across the nation.

**11. Affidavit of Frederick Winsmann, PH.D., ABPP, for Brad Steven's Commitment Appeal Panel**

- Forensic psychologist and Harvard professor, Fredrerick Winsmann Ph.D., ABPP, disagrees with MSOP evaluators and finds a clean bill of mental health for one man at the MSOP, yet the man remains confined.


**12. Letters of Memorialization**

- To aid in keeping Kevin Moser and Peter Puffer accountable to their respective parts in our conversations, we wrote the Letters of Memorialization which document the dialogue between 1E men and 1C men.

**13. Hunger Strike Communication Log**

- Hunger Strikers journal all 14 days of their strike.

Officially,



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