

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kevin Scott Karsjens, David Leroy Gamble, Jr., Kevin John DeVillion, Peter Gerard Lonergan, James Matthew Noyer, Sr., James John Rud, James Allen Barber, Craig Allen Bolte, Dennis Richard Steiner, Kaine Joseph Braun, Christopher John Thuringer, Kenny S. Daywitt, and Bradley Wayne Foster,

Plaintiffs,

v.

Lucinda Jesson, Dennis Benson, Kevin Moser, Tom Lundquist, Greg Carlson, and Ann Zimmerman, in their individual and official capacities,

Defendants.

Civ. No. 11-3659 (DWF/JJK)

**ORDER REGARDING
SEX OFFENDER
CIVIL COMMITMENT
ADVISORY TASK FORCE**

On August 15, 2012, the Court entered an Order requiring the Minnesota Commissioner of Human Services (“the Commissioner”) to create an advisory task force referred to as the “Sex Offender Civil Commitment Advisory Task Force.” The Commissioner issued an order on August 21, 2012 creating the Sex Offender Civil Commitment Advisory Task Force (“Task Force”). The Task Force shall consist of up to 15 members and will expire two years from the date of appointment of the first member. The Task Force shall examine and provide recommended legislative proposals to the Commissioner on the following topics:

- A. The civil commitment and referral process for sex offenders;

B. Sex offender civil commitment options that are less restrictive than placement in a secure treatment facility; and

C. The standards and processes for the reduction in custody for civilly committed sex offenders.

The Minnesota Secretary of State published Notice of Vacancy for this Task Force on September 4, 2012. The deadline to submit an application to serve on the Task Force was set for September 25, 2012. The work of the task force is set to begin in early October, 2012.

The Commissioner received applications from interested persons. Those applications were provided to counsel for the parties in this matter. Counsel for the parties, the Commissioner and the Court met on September 25, 2012 by telephone to discuss the potential candidates.

On October 5, 2012, the Commissioner filed with the Minnesota Secretary of State and submitted to this Court her list of appointments to the Task Force.

Upon review of the applicants for the Sex Offender Civil Commitment Advisory Task Force, the Court hereby affirms the Commissioner's appointment for the following individual to serve as the Chairperson of the Task Force effective October 10, 2012:

The Honorable Eric J. Magnuson,
Chief Justice, Minnesota Supreme Court, retired.

The Court hereby affirms the Commissioner's appointment for the following individual to serve as the Vice Chair of the Task Force effective October 10, 2012:

The Honorable James M. Rosenbaum,
United States District Court, retired.

In addition, the Court hereby affirms the Commissioner's appointments for the following individuals to serve on the Task Force effective October 10, 2012:

1. Representative Jim Abeler, Chair, Health and Human Services Finance Committee, Minnesota House of Representatives;
2. Representative Tina Liebling, Minority Lead, Health and Human Services Reform Committee, Minnesota House of Representatives;
3. Senator Tony Lourey, Ranking Minority Member, Health and Human Services Committee, Minnesota Senate;
4. Senator Warren Limmer, Chair, Judiciary and Public Safety Committee, Minnesota Senate;
5. Eric Janus, President and Dean, William Mitchell College of Law;
6. The Honorable Kathleen Gearin, Judge, Ramsey County District Court;
7. The Honorable Paul Nelson, Judge, Chippewa County District Court;
8. Mark Ostrem, Olmstead County Attorney;
9. Roberta Opheim, Ombudsman for Mental Health and Developmental Disabilities;
10. Donna Dunn, Executive Director, Minnesota Coalition Against Sexual Assault;
11. Gerald T. Kaplan, Executive Director, Alpha Human Services;
12. Nancy Schouweiler, Chair, Dakota County Board of Commissioners;
13. Ryan B. Magnus, Partner, Jones and Magnus.

Finally, the Court hereby affirms the following individuals as members *Ex-Officio* to the Task Force as designated by the Commissioner:

1. Kelly Lyn Mitchell, Executive Director, Sentencing Guidelines Commission;

2. Tom Roy, Minnesota Commissioner of Corrections;
3. Dr. Michael Thompson, President, Minnesota Chapter of the Association for Treatment of Sexual Abusers;
4. James Franklin, Executive Director, Minnesota Sheriff's Association.

Pursuant to Fed. R. Evid. 408, no proceedings of the Task Force, including, without limitation, testimony or evidence given or submitted to the Task Force, or materials or communications created, compiled, or drafted in connection with the activities of the Task Force by members of the Task Force or individuals assisting the Task Force are admissible in any ongoing or future litigation.

The Court will consider recommendations for the appointment of additional members to the Task Force.

SO ORDERED.

Dated: October 5, 2012

s/ Arthur J. Boylan
ARTHUR J. BOYLAN
United States Chief Magistrate Judge