

Sex Offender Treatment Provider Protocol (STP)

I. Purpose

The Yamhill County STP Multidisciplinary panel is a group of professionals from various disciplines who are familiar with issues related to sex offenders. Members are appointed by the District Attorney. This panel has developed criterion for providing sex offender management in our community. The STP works together toward a common goal of community safety, offender accountability, victim reparation and offender management.

The panel determines who is approved to provide sex offender treatment and evaluations in Yamhill County for adult and juvenile offenders. Additionally, it sets minimum requirements to be an approved polygraph examiner for this offender population. The panel relies upon House Bill 3233 for guidelines for requirements and agency standards.

This panel's mission is to create a team approach that includes treatment providers, polygraphers, parole and probation officers, victim therapists and advocates, child protective services, law enforcement detectives, juvenile department staff and the District Attorney's Office. The STP shares common goals of community safety, rehabilitation, and accountability of offenders. In order to achieve these common goals, communication between all team members shall be free-flowing.

II. Process

This document outlines the standards and expectations necessary to become an approved sex offender treatment provider or evaluator. The providers who submitted materials to document their qualifications have participated in a screening interview before the panel. Failure to adhere to these guidelines may result in a suspension or outright removal from Yamhill County's approved provider list. This document also outlines requirements for polygraphers in working with adult and juvenile sex offenders in Yamhill County and delineates how the entire team must work together to promote community safety.

The District Attorney's Office will only rely on evaluations, and YCCC and Juvenile Department will only refer sex offenders to treatment programs that are approved under this process.* Providers who receive county funding should participate in the Correctional Program Checklist (CPC) and receive at least a Satisfactory rating, or demonstrate the steps they are taking towards achieving a Satisfactory rating. For new providers or for providers new to the CPC process,

*Occasionally, cases will be transferred to Yamhill County from another state or county supervising authority where the client has been in or continues to be in treatment with a provider not previously approved by the Yamhill County. Those providers will be exempted from this protocol.

YCCC will work with the provider to increase scores as long as providers demonstrate steps taken toward achieving a Satisfactory rating. This document is recommended for professional use and is not designed to be a handout for clients. It is preferred that professionals use the information contained in this guide to assist with referring a client for an evaluation or treatment and that clients may be given the name or phone number of a provider to set up an appointment.

Copies of this guide are available by contacting the Yamhill County District Attorney's Office, 535 E Fifth Street, McMinnville, OR 97128, phone (503) 434-7539. You may also acquire a list of approved treatment providers from the Yamhill County Community Corrections Department or juvenile department.

III. Initial Application

The providers included in this guide have been approved by the District Attorney's Office to provide sex offender evaluation and/or treatment services effective [date]. These providers have been screened by the Yamhill County Sex Offender Provider Approval Team, a multidisciplinary group appointed by the District Attorney. The providers and their programs meet the qualifications outlined below and will be reviewed periodically for updates to this guide. The application packet ensures all potential treatment providers submit the same information allowing consistent evaluation of qualifications. The following steps will be followed:

1. Sex Offender Treatment Provider submits the application packet to the chair of the Yamhill County Sex Offender Provider Approval Team.
2. The application is reviewed to determine if all needed items have been submitted. If items are missing a letter is sent to the treatment provider requesting the missing items and a note is made on the Treatment Provider Checklist documenting the date it was requested.
3. The Chair or designee reviews the application packet using the Treatment Provider Checklist and Treatment Provider Worksheet to determine if the provider meets the minimum qualifications. As part of the review the provider will be run in the Law Enforcement Data System (LEDS) and the Oregon Judicial Information Network (OJIN).
4. Providers that meet the minimum qualifications will be deemed approved sex offender treatment providers. This will be documented on the Treatment Provider Checklist and will be made part of the treatment provider's file.

5. Written notification will be sent to the treatment provider stating they have been approved. The notification will include a renewal date. The letter will be placed in the treatment provider's file.
6. Approved status is granted for a two-year period.

IV. Denied Applications for Sex Offender Treatment Providers

The Treatment Provider Checklist and Treatment Provider Worksheet will be used to document reasons for the denial.

1. Automatic reasons for denial include:
 - a. Any criminal conviction for a crime other than a traffic offense within the last 15 years.
 - b. Any conviction for a crime involving sexual misconduct.
 - c. Any license, certificate or registration revocation or suspension within the last 5 years.
 - d. Submitting false information in the application packet.
 - e. Lack of a Masters, Doctoral or Medical Degree.
 - f. Not certified as a Sex Offender Treatment Provider by the State of Oregon.
2. Potential Reasons for denial include, but are not limited to:
 - a. Not adhering to ATSA's (Association of Treatment of Sexual Abusers) "Practice Standards and Guidelines."
 - b. License, certificate or registration restriction within the last 5 years.
 - c. Less than 15 hours of annual continuing education directly related to sexual abuse.
 - d. A medical condition that impairs or limits provider's practice.
 - e. Chemical substance use/abuse that impairs or limits provider's practice.
 - f. A diagnosis or treatment for pedophilia, exhibitionism, voyeurism, sexual assault or domestic violence.
 - g. Inaccurate or incomplete information in the application packet.
 - h. Incomplete application.
 - i. Other factors. If other factors are used they must be documented specifically on the Treatment Provider Worksheet.
3. Resolution
 - a. Applications that contain issues that could potentially cause them to be denied shall be reviewed by at least one other

- member of the Yamhill County Sex Offender Provider Approval Team to determine a final outcome.
- b. The applicant may be contacted as part of this process to obtain additional information. All contacts with the applicant for approval purposes shall be documented on the Treatment Provider Checklist.
 - c. The applicant may be asked to provide additional information if needed.
4. Notification of Denied Application.
- a. The applicant will be sent written notification of denial stating the reasons that led to this decision.
 - b. Notification will include instructions for appealing denial if applicable. If not applicable the provider will be told in the written notification under what circumstances he/she may re-apply for approval status.

V. Appeals

An appeal process establishes a means by which denied applications can be reconsidered. This type of process also allows applicants a forum to have their concerns heard.

1. Applicants denied approved treatment provider status based upon “Automatic Reasons for Denial” (Section IV.1) will not be eligible to file an appeal. However, providers may submit another application package once the condition(s) or issue(s) leading to their denial is resolved.
2. Applicants denied treatment provider status for reasons listed under “Potential Reasons for Denial” (Section IV.2) will have the opportunity to participate in the appeals process and request a formal reconsideration of their application.
3. Applicants excluded from Clinical/Associate Sex Offender Therapist certification (Section IX.) will have the opportunity to participate in the appeals process and request a formal reconsideration of their application.
4. Applicants eligible to file an appeal should submit a request for a reconsideration of their application in writing directly to the chair of the Yamhill County Sex Offender Provider Approval Team.

5. Requests for appeal should clearly state the basis for the reconsideration and should provide any new or additional documentation that they would like considered.

VI. Appeal Review

1. Appeals will not be reviewed by the same staff member(s) that reviewed the denied application.
2. A panel with a minimum of three staff members will review requests for reconsideration.
3. Materials that may be considered during the reconsideration may include, but are not limited to:
 - a. Original application packet including the treatment provider checklist and treatment provider worksheet.
 - b. Written request for appeal by the applicant.
 - c. Additional items that the applicant would like submitted for consideration.
4. The Review Panel will consider the above materials and make a decision within 30 days of receipt of the written request for reconsideration. Reasons for the decision will be documented in writing by each panel member and placed in the treatment provider's file.
5. The applicant will be informed of the panel's decision within 45 days of receipt of the applicant's request for reconsideration.
6. The panel's decision represents the final appeal available to applicants.

VII. Training and Qualifications

i. Certified Clinical Sex Offender Therapist

- Be certified by the Oregon Sex Offender Treatment Board,

ii. Associate Sex Offender Therapist

- Be certified by the Oregon Sex Offender Treatment Board,

iii. Certified Polygrapher

- Licensed as a General Examiner by the Oregon Board of Public Safety Standards and Training; and
- “Certified by Examination” by the American Polygraph Association in the field of post-conviction testing of sex offenders.

VIII. Certification Renewal

- Yamhill County Sex Offender Provider Approval Team expects Approved SO Providers to provide up-to-date certification documentation as it is renewed annually.

IX. Exclusion Criteria for Clinical/Associate Sex Offender Therapist

- Medical condition, which impairs or limits practice.
- Use of chemical substances that impairs practice.
- Diagnosis or treatment for pedophilia, exhibitionism, voyeurism, sexual assault, rape or domestic violence.
- Recent illegal use of controlled substances.
- Convicted, entered a plea of guilty, nolo contendere or a plea of similar effect or had prosecution or sentence deferred or suspended in connection with: a sex offense or any other crime other than minor traffic offenses. The STP allows for consideration of approval for individuals with convictions for possession of controlled substances or illegal drugs if the conviction is 10 years or more in the past.
- Ever found in civil, administrative or criminal proceeding to have: committed any act involving moral turpitude, dishonesty or corruption; violated any state or federal law or rule regulating the practice of health care provision. The STP allows for consideration of approval for individuals who have possessed, used, or prescribed for use or distribution controlled substances as long as it has been 10 years or more since the occurrence.
- Had license, certificate, registration or other privilege to practice health care profession denied, revoked, suspended, or restricted.
- Suffered any civil judgment for incompetence, negligence or malpractice.
- Appeals process is found under section V.

X. Disciplinary Actions

- The Yamhill County Sex Offender Provider Approval Team will hold a meeting to address contested cases or possible infractions against the Yamhill County Approved Sex Offender Treatment Provider Protocol.
- The Yamhill County Sex Offender Provider Approval Team will rely upon the Oregon Health Licensing Agency to guide decisions about violations of the Yamhill County Approved Sex Offender Treatment Provider Protocol.

- The Yamhill County Sex Offender Provider Approval Team may impose disciplinary sanctions against a certified/associate sex offender therapist for any violation of statutory requirements for the OHLA.

XI. Expectation of Services

Treatment providers are expected to operate as part of a multidisciplinary team. This team consists of victim treatment and service providers, Department of Human Services – Child Welfare workers, and other appropriate professionals. To assist in the team process, providers will inform their clients of the scope and limits of confidentiality. Providers will adhere to a code of ethics consistent with the protection and safety of the community. Community safety takes precedence over any conflicting considerations. The following components should be present in the approved provider services:

- 1. Referrals:** Approved provider will receive a referral packet from the PPO which will include a completed Static 99 risk assessment and other available documents. In juvenile evaluations, the provider will utilize commonly accepted juvenile sex offender risk assessment tools, like the ERASOR, J-SOAP II, MEGA, and JSSORAT, for example.. The PPO is to be notified within five working days after the scheduled client assessment of any of the following conditions: admitted to or denied treatment; placed on or dropped from a waiting list; or failed to appear for an intake interview.
- 2. Release of Information:** Approved provider will obtain a signed release of information consent form for all clients enrolled in services permitting the approved provider to disclose all information to Yamhill County Community Corrections or to the Yamhill County Juvenile Department in juvenile cases. Failure to sign such a release will immediately disqualify clients from services.
- 3. Assessment/Evaluation:** Sex offender evaluations and pre-treatment assessments shall be comprehensive, incorporate pertinent sex offense and criminal history, employ non-self report measures and actuarial risk assessment instruments for the purposes of risk assessment and treatment planning. When possible, assessments will include polygraph examination and arousal assessment. Assessments will identify risk level, amenability to treatment, the recommended course of treatment plan, and any special risk factors or criminogenic needs that require additional attention such as substance abuse, anger management, deviant arousal, intimacy deficits, or victim access. In juvenile cases, a recommendation for a specific level of out-of-home placement may be required. The treatment plan should describe the recommended frequency and intensity of therapy and include a plan for follow-up. Approved providers will ensure that all

assessments/evaluations conform to the standards established in ATSA's "Practice Standards and Guidelines." The PPO will forward available information as appropriate. Assessments will incorporate appropriate referral and collateral information and shall not rely on self report. Records and contacts will be clearly identified in the report. Assessors shall make every attempt to secure police reports, DHS records, school records, past mental health records, alcohol and drug treatment records and information from family members, intimate partners, and/or parents prior to or during the process. The victim should not be contacted as part of the evaluation process. Where possible, the provider will incorporate information gained from polygraph examinations or recommend that a polygraph examination be conducted within a reasonable time after the client has entered treatment. The approved provider will provide the evaluation within the time period ordered by the Court or no later than 60 business days of administration to the PPO or the juvenile department.

- 4. Intake/Orientation:** Approved providers will conduct an intake interview and provide a program introduction to each referred client which will include written and oral information about: 1) program rules and policies, 2) expectation of active participation in services, consistent attendance, program components, and cooperation with program rules; 3) criteria for program completion or discharge, including the circumstances in which a client would face immediate discharge; and 4) the fee policy clearly outlining prices for group, individual treatment, special services, and no shows as well as procedure that will be followed if client account is in arrears.

- 5. Treatment Plan/Treatment Goals/Progress Review:** Approved provider will develop an individualized treatment plan which addresses the risk and criminogenic needs of the client which is based on the assessment/evaluation. The plan will specify the activities and process to achieve those objectives, and will be reviewed and updated every 90 days:

The Treatment Plan should, at a minimum, address the following topics:

- a. Assessment and management of deviant sexual arousal.
- b. Emotional/Self-regulation (including anger, stress, depression and anxiety management, and impulse control);
- c. Social relationships and social support (including family and peer group support; social/recreational skills and intimacy/partner skills);
- d. Personal risk factors/re-offense prevention (including level of denial; key risk factors related to situations, contacts with individuals, behaviors and emotional states; offense cycle triggers);

- e. Life skills (including perspective taking/empathy; problem solving; use of leisure time, money management; employment/job training; and living situation);
- f. Special needs (including mental retardation; developmental disabilities; mental illness; physical disability; medical illness; substance abuse/addictions, medications [medical and/or psychotropic];
- g. Special issues (including potential for family reunification needs, special supervision conditions); and
- h. Key areas for PPO or juvenile department monitoring (describe critical areas for monitoring based on the offender assessment and include the need for safety plans). A safety plan is a written agreement between the therapist, PPO, offender and supervisor

Treatment goals will include, but are not limited to:

- a. Managing and controlling sexually deviant behavior;
- b. Identify and alter distorted attitudes about deviant sexual behavior and criminal behavior;
- c. Develop internal controls consistent with a healthy and offense-free lifestyle;
- d. Create and maintain contacts and activities that promote pro-social attitudes and behaviors;
- e. Develop skills to develop and maintaining healthy, age appropriate intimate relationships;
- f. Identify and manage personal risk factors and pre-offense behaviors. Develop a relapse prevention plan and “life time rules to live by” that incorporate acceptable guidance and supervision from others;
- g. Develop consistent employment and residential stability;
- h. Address “Special Needs” (e.g., MR/DD/MI) in a fashion that promotes treatment success; and
- i. Develop long term follow-up plan for continued involvement in follow-up after correctional supervision has ended.

6. Polygraph: Polygraph examinations are a mandatory requirement of supervision and treatment. Providers will follow these guidelines when administering polygraphs:

- i. Treatment providers shall require offenders to take and pass full-disclosure polygraphs within six months of the initiation of treatment. Adjustments to this time frame may be made after consultation with the parole/probation officer.
- ii. Maintenance polygraphs shall be administered every six months or as needed to promote community safety and accountability.

- iii. Disclosure of offenses involving a victim not previously identified will be dealt with on a case-by-case basis. The team will meet with a deputy district attorney and may make a recommendation about prosecution and may assist with victim notification. Providers and therapist SHALL report disclosures to the appropriate law enforcement agency and/or Department of Human Services.
7. **Progress Reports:** Approved providers will submit a Sex Offender Treatment Progress Report to Yamhill County Community Corrections or in juvenile cases to the Yamhill County Juvenile Department at least once every 90 days per the Yamhill County Child Abuse Protocol. These reports will include a summary of the client's progress and recommendations for what the client should focus on for the next 90 days.
 8. **Client Staffing:** Client staffing will occur on at least a quarterly basis or as needed. Collectively, approved provider and the supervising PPO will respond to polygraph results, re-offense and treatment noncompliance immediately by applying interventions and sanctions appropriate to the behavior.
 9. **Treatment Aftercare:** Approved provider will determine criteria for transition to "follow-up or after care." Any decision to transition clients to follow-up should be influenced by the client's progress towards identified treatment goals. Under certain circumstances it is recognized that some clients may be unable to achieve treatment goals and will be terminated from treatment as "having reached maximum benefit." Completion of treatment shall be based on attitude and behavior change rather than the termination of supervision. Written documentation that outlines the client's future risk, and life plan (rules to live to avoid re-offending) shall be provided to the offender and any supervising agency upon transition to the final stage of follow-up.
 10. **Program Termination:** Criteria for termination from program services, other than for treatment completion as described above, should be guided by the following factors: failure to engage in services, adhere to program rules or meet financial obligations; unable to attend treatment due to physical limitations (e.g. health/medical condition); treatment is not meeting the client's needs and could be better served with another treatment provider; and/or client has attained maximum benefit from services and further treatment efforts and future benefit will relatively decrease at a certain point. The approved provider will immediately notify the supervising officer when a client is terminated from treatment.
 11. **Case File:** Approved provider will develop and maintain a case file for each client enrolled in treatment. The case file will indicate clear

documented movement toward treatment plan objectives, accomplished objectives, or documented reasons why objectives have not been addressed or accomplished. Approved provider will document client's attendance, participation and compliance with the group or program rules.

At a minimum, the files will contain the following documentation:

- a. Assessment/Evaluation
- b. Treatment plan
- c. Case Notes
- d. Sex Offender Treatment Progress Reports
- e. Release of Information Consent Forms
- f. Discharge Summary
- g. Re-offense Prevention Plan and
- h. Client Intake and Exit Forms.

- 12. Individual Sessions:** The need for individual treatment will be determined by the approved provider as necessary for clients who have treatment needs that require separate discussion apart from the group. This might include clients who are in crisis, clients who have difficulty with comprehension, memory or who are otherwise falling behind the other participants.
- 13. Group Sessions:** Approved provider will provide regularly scheduled group sessions that are designed to address the treatment plan topics and goals. It is recommended that placement in groups be based on individualized assessment, gender, criminal typology and risk, with Group size being no larger than 12 members per group. Separate groups should be considered for statutory rapists, lower risk/need sex offenders, higher risk/need sex offenders and psychopathic sex offenders. Based on assessment, sex offenders with mental illness or developmental disabilities may require a separate group. Severe mentally ill, severe developmentally delayed and mentally retarded offenders should be treated in their own specialized groups. Self-help or offender-led groups shall not substitute for treatment with an approved provider.
- 14. Outside Referrals:** Approved provider will inform the client's supervising PPO or the juvenile department of any outside services needed by the client and follow these guidelines:

 - i. Appropriate referrals shall be made when the therapist is not qualified or is otherwise unable to offer services to a client.
 - ii. Providers shall consult with PPO or the juvenile department prior to another making a referral.

- iii. Prior to withdrawal of treatment services or termination from a treatment program, the provider shall notify the supervising parole/probation officer.
 - iv. A change in the offender's treatment provider shall be reviewed by a multidisciplinary team that includes the current provider upon the request of the supervising parole/probation officer. If needed, a final decision shall be made by the Corrections Division or the Court.
15. **Violation Notification:** Approved provider will notify client's PPO or the juvenile department of problems that could, if continued, lead to client's termination. The approved provider will promptly notify the supervising PPO of parole/probation violations or other criminal behavior, client program failure, or major rule violations. This will occur no later than the next day and preferably the same day as the occurrence. If a crisis situation should occur (this could include imminence of a future sexual assault or act of violence), immediately contact the supervising PPO, PPO's Supervisor, or officer of the day. In case of after-hours emergency incidents, call YCOM and request that the PPO, the Supervisor, or in juvenile cases the juvenile department staff telephone the approved provider.
16. **No Show Notification:** The Approved Provider will promptly notify the PPO or in juvenile cases the juvenile department staff of the client's failure to keep scheduled group or individual treatment appointments.
17. **Re-offense Prevention Plan:** Within 30 days of the anticipated completion of treatment, a life time re-offense, aftercare prevention plan will be developed for each client in collaboration, when possible, with the referring PPO or in juvenile cases the juvenile department staff and relevant others. The offender shall be required to submit an safety/aftercare plan, For example "rules to live by" regarding contact with minors, places where minors congregate, reside, family, intimate relationships, etc. The plan will include referrals to services based on the client's risk and needs. To ensure continuity and to help the agencies that clients are referred, the re-offense prevention plan shall identify the client's treatment goals following discharge from treatment.
18. **Discharge Summary/Prevention Plan:** At discharge from services, approved provider will complete a discharge summary that includes a clear explanation of the reason for program termination that reflects the client's progress towards treatment goals/completion and recommendations for further services or other activities. The discharge plan shall reflect and/or summarize the prevention plan. Approved provider will send the discharge summary to the referring PPO staff member within 10 days of client discharge.

19. **Ethics:** Approved provider shall adhere to the Code of Ethics and Professional Standards published by the Association for the Treatment of Sexual Abusers (ATSA). Any allegations of unethical practices will be reported to the Yamhill County Sex Offender Provider Approval Team chair and may also be reported to the appropriate licensing board specific to the practitioner in question.

20. **Victim Inclusion:** Providers shall actively participate with parole and probation officers, child protective workers, and victim treatment and service providers in case management and decision-making which affects the victim and their families. The following guidelines are suggested:
 - i. Reunification and clarification cases shall be staffed by a multidisciplinary team, including the offender's treatment provider, the parole/probation officer, a child protective services worker, the victim's treatment provider, a victim advocate and/or CASA, and other appropriate persons. The victims' wishes regarding contact shall be considered in the team's decision.

 - ii. A copy of the probation violation report shall be submitted to the Victim Services Program (thru the Yamhill County District Attorney's office) for outreach to the victim and/or guardian.

XII. Continued Placement on the Approved Provider List

Treatment providers wishing to remain on the approved treatment provider list, must submit documentation annually, demonstrating their continued certification under the Oregon Sex Offender Treatment Board, a division of the Oregon Health Licensing Agency. Documentation can include copies of certification paperwork or a signed affidavit by the treatment provider verifying continuing education and certification renewal. In addition, treatment providers must report any practice that is in significant conflict with the standards and submit to a current background check.