Council on Sex Offender Treatment

1100 West 49th Street ● Austin, Texas 78756-3183 (512) 834-4530 (512) 834-6677

The Interagency Advisory Committee for the Council on Sex Offender Treatment met at 3:14 p.m. on July 14, 2000 at the Texas Department of Health, The Exchange Building, 8407 Wall Street, Suite N218, Austin, TX 78754.

I. Convene, Glen Kercher

Meeting called to order at 3:14 p.m.

II. Interagency Advisory Committee Members present

Ana Aguirre for Wesley Shackelford

Mary Ruth Bahari

JoAnn Bredl for Paul Jordan

Estella Guillen

Judy Johnson

Glen Kercher

Janet Latham

Pat Logterman

III. Discussion and Possible action regarding IAC structure

The history of the Council and the IAC were reviewed along with a discussion about how the role of agency representatives has changed over the years with Legislative changes to the law, which originally established the Council. That role includes

- A. Providing liaison between each member's agency and the CSOT,
 - 1. Providing information to the Council about agency plans and concerns;
 - 2. Advising the Council on matters relevant to sex offender treatment and supervision;
 - 3. Communicating with agency administrators on the work of the Council.
- B. Incorporating Council rules and standards into agency regulations in such matters as contracting with providers, etc.

IV. Discussion and Possible action regarding issues to present to Council

- A. Sex Offender Treatment Providers are listed without indicating their expertise, experience and training in working with specialized populations, such as juveniles, women/girls, mentally handicapped, etc. Community supervision officers often have difficulty determining whether it is appropriate to refer a person with special needs to a provider. The recommendation was made that the Registry list the training and experience of each provider in working with these special populations. It may be necessary to revise the application/reapplication process to collect this kind of information.
- B. Concern was expressed that there appears to be a lack of standardization in sex offender treatment programs. Even though the Council has developed standards of care for treatment programs, it isn't clear to what extent these standards are being followed. The recommendation was made that the

- Council devise ways of monitoring compliance with the standards of care by RSOTPs.
- C. There appear to be no standards or guidelines for inpatient sex offender treatment programs (e.g., residential treatment programs for juveniles). Treatment personnel qualifications in this area seem to be unregulated with the result that community supervision officers have no way of knowing whether a particular program is appropriate for an offender. The recommendation was made that the Council develop guidelines and standards for these programs so that referring agencies can better assess the appropriateness of a particular program for an offender.
- D. There were questions raised about the procedures followed by the Council in handling complaints about RSOTPs. Under what circumstances does the Council notify a provider's licensing board about a complaint? IAC members asked for clarification of the procedures and copies of written guidelines pertaining to the handling of complaints.
- E. Concerns were raised about RSOTPs who were not under State contract but who were nevertheless providing treatment to persons under community supervision. Specifically, some probationers/parolees have elected to use particular providers because their programs are less demanding and thorough. IAC members asked for clarification about what could be done to insure that RSOTPs were complying with the Council's standards of care.
- F. Several IAC members expressed concern about the unintended impact of laws which require sex offender registration, community notification, and the establishment of websites which publish a list of names of convicted sex offenders. Specifically, a trend is developing in which sex crime charges of juveniles are being pled down to nonsexual crimes in order to avoid registration, etc. In so doing, the juveniles may also not get the treatment they need. The recommendation was made that the Council consider this matter and develop a position paper to be distributed to Legislators, district attorneys, judges, and juvenile probation departments.
- G. The two treatment conferences were discussed. Several members encouraged greater coordination and improved planning for the conferences. The suggestion was made that the request for proposals be distributed more broadly than just in the Council newsletter. Needs assessment procedures should be implemented to help insure that the topics presented at each conference address relevant issues of the persons attending. A concern was also expressed about the quality of some of the presentations at these meetings. It was recommended that evaluations of previous presenters be made available to the committee which selects proposals for the conferences.

V. Discussion and Possible action regarding Legislative issues and recommendations

A. The Civil Committee process is going to be reviewed and revised during the upcoming Legislative session. Issues such as the screening of offenders and the referral process will be evaluated. IAC members should apprise the Council of these proposed changes, and the Council should confer with Legislators and provide information on the proposed changes.

VI. Discussion of Future Meeting Dates

The suggestion was made that the IAC meet quarterly, ideally just before and in conjunction with joint meeting with the Council. The next Council meeting is scheduled for September 15, 2000 at 1 p.m. at the Embassy Suites, Austin Arboretum, Austin, Texas. Tentative plans are to schedule the next meeting of the IAC on that day.

VII. Adjournment

The meeting was adjourned at 4:45 p.m.



CHAIR:

Walter J. Meyer, III, MD

MEMBERS:

Liles Arnold, LPC

Kristy M. Carr

Richard Mack,LMFT

Maria T. Molett MA, LPC, LMFT

David Swinson, Jr.

EXECUTIVE DIRECTOR:

Kelly Page

Council on Sex Offender Treatment

1100 West 49th Street m Austin, Texas 78756-3183 (512) 834-4530 (512) 834-4511 - FAX

The Council on Sex Offender Treatment and Interagency Advisory Committee met at 8:00 a.m. on July 15, 2000 at the Doubletree Hotel, 6505 Interstate Highway 35 North, Board Room, 5th Floor, Austin, Texas 78752.

I. Convene, Chairperson, Walter J. Meyer, III, M.D.

Meeting called to order at 8:00 a.m. on July 15, 2000.

II. Introduction of Members, Guests, and Staff.

Council Members present:

Walter J. Meyer, III, M.D. Liles Arnold Kristy Carr

Maria Molett David Swinson

Interagency Advisory Committee (IAC) Members present:

Glen Kercher Mary Ruth Bahari Grace Davis

Janet Latham Pat Logterman Ana Aguirre for Wesley Shackelford

TDH Staff present:

Kelly Page Emily Mathers David Richards Jim Zukowski

Debbie Peterson Becky Berryhill Richard Bays

Public present:

Sharon Burns

III. Approval of Meeting Minutes from April 14 and 15, 2000 meeting.

David Swinson motioned and Maria Molett seconded for approval of the minutes. Minutes were approved unanimously.

IV. Division Director's Report.

Debbie Peterson presented and reviewed a handout regarding the Council on Sex Offender Treatment (CSOT) and Civil Commitment (CC) budget.

Jim Zukowski reported that the Council will not be able to utilize remaining civil commitment funds to purchase the previously proposed civil commitment tracking software and registry database software. After a thorough review, Gretchen Himsel with the House Appropriations Committee (HAC) stated, due to pending reviews of the licensing software systems by the Department of Information Resources HAC will not authorize purchasing the software.

Maria Molett suggested the Council purchase video cameras, digital cameras, workbooks, and video tapes for CC program evaluator.

The Council was asked to turn in a list of suggested items to purchase for the CC program.

V. Executive Director's Report.

Kelly Page reported:

- Five thousand post cards were designed and ordered to distribute to judges, probation and parole officers, district and county attorneys, and law enforcement to disseminate CSOT resource information and responsibilities.
- CSOT ordered a display board as a information resource at conferences.
- On May 24, 2000, the Council provided an update to the Senate Criminal Justice Committee. Liles Arnold, David Richards, and Kelly Page made the presentation.
- Currently CSOT has 309 registrants, there are 15 pending applications.
- Renewal applications went out in June.
- Registrant Survey questions relating to the registrants sex offender treatment practice and supervision will be mailed out the week of July 17, 2000.
- Applications Review Committee has met several times. She reported that one case was going to go to settlement conference for denial of renewal, but the person withdrew his renewal application to handle his

- criminal situation through the legal system and would then reapply.
- CSOT will have CC training on September 16 and 17, 2000 at the Embassy Suites, for current treatment providers and case managers.
- Policy and Procedure Manual will need to be approved at the September 15, 2000 meeting.
- CC of Sexually Violent Predators, Ten Year Budget Forecast was handed out. Members were asked to review the handout which will be discussed at the next Council meeting.
- The Adult Conference in February 2000 collected \$34,000 in administration fees and after expenditures were taken out, each agency made \$7,500.

SafePlace requested that the Council endorse the September "Watch Your Drink Information" campaign. Liles Arnold motioned and David Swinson seconded. All were in favor. Members requested that promotional material be forwarded to them.

The Council recommended that the next registry include a break down of juvenile group therapy and training with juveniles. It was also recommended that the next renewal application include a formula on how to calculate hours of sex offender treatment.

Maria Molett handed out current CC statistics.

Dr. Kercher stated that IAC members would like qualified presenters to present at the conference. IAC members on the conference planning committee will assist in identifying topics for future conferences.

VI. Presentation by Gloria Moreno or representative from the TDH Governmental Relations regarding upcoming legislative issues.

Rick Bays represented Gloria Moreno. Mr. Bays handed out Texas Department of Health "Legislative Initiatives." He stated there would be adequate funding for the CC program for FY 2001. The forecasted FY 2002 budget reflects a possible shortage of \$300,000. Mr. Bays stated that TDH Governmental Relations office would be requesting a rider to draft the budget for Legislature issues. Mr. Bays requested the Council to submit Legislative Initiatives to Kelly Page by September 15, 2000, for his review.

VII. Discussion and Possible action on forming a task force to write white papers.

The Council and IAC members discussed writing White papers and agreed to identify them as "Position Papers." The web page will reflect the revised Position Papers.

A Task Force was formed to write Position Papers. Task Force Members are: Dr. Walter Meyer, Chair; Maria Molett; Pat Logterman; Grace Davis; Wesley Shackelford, and Richard Mack.

Council and IAC members will review the Position Papers and will make suggested changes. The suggested changes will be distributed to the Task Force. The Task Force will update the Council at the September 2000 meeting.

The Task Force will develop Position Papers for Juvenile Sex Offenders, Sexually Violent Predators, Victim and Community Safety. Dr. Meyer will work on the Castration Position Paper.

VIII. Discussion and Possible action on forming a task force to draft supervision and intern classification requirements.

A Task Force was formed for the purpose of drafting supervision and intern classification requirements. Task Force Members are: Maria Molett, Chair; Janet Latham; Richard Mack; Kristy Carr, and Pat Logterman.

No specific due date was given as to when draft rules will be due.

IX. Discussion and update on upcoming conferences.

Kelly Page reported that upcoming conference information is located on the CSOT web page. The Adult Conference for February 11 -13, 2001 will be held in Houston, Texas at the Holiday Inn Select, Greenway Plaza. The Juvenile Conference for July 20 -22, 2001 will be held in Austin, Texas at the Renaissance Hotel. The Council and IAC members selected Corpus Christi as the 2002 Adult conference site.

Grace Davis reported that the Office of the Attorney General (OAG) and the Texas Association of Polygraph Examiners (TAPE) will cosponsor a conference April 2001, and asked if the Council would co-sponsor. The Council would have no responsibilities other than endorsement. She reported that around 500 attendees would attend. Grace will provide information to the Council. Dr. Meyer motioned and Maria Molett seconded to endorse the conference.

Maria Molett announced that on September 11, 2000 Counseling Institute of Texas and Behavioral Measures and Forensic Services will be sponsoring a day long workshop on the Clinical Polygraph and Sex Offender Assessment and Treatment in Dallas, Texas.

X. Discussion and Possible action on updated information on complaint investigations.

Kelly Page reported that the Council has received 34 complaints; four are pending investigations, and three are new complaints. She also reported that two informal conferences are pending.

The Texas State Board of Examiners of Marriage and Family Therapist has requested that a Council member give a brief presentation explaining sex offender treatment at their complaint committee meeting to be held at 3:00 p.m. on August 13, 2000, at the Embassy Suites. Maria Molett agreed to attend.

XI. Discussion and Possible action regarding report presented by Liles Arnold and Grace Davis relating to the Council's views on issues involving sex offender registration laws: Family Code 261.101, persons required to report law, and the plethysmograph as a prescription device.

Grace Davis gave a report on proposing changing reporting requirements for Family Code 261.101. Liles Arnold handed out information on the plethysmograph as a prescriptive device. He stated that he had two recommendations. The first recommendation is that the Council work to eliminate the requirement of a prescription in order for a client to under go plethysmograph assessment. The second recommendation is that the Council include in their standards of practice that plethysmograph assessments can only be administered by RSOTP's that can demonstrate their training on the administration of the instrument and the interpretations of the assessment data. It was discussed that such recommendation would require legislative changes to the definition of "License Practitioner."

Dr. Meyer suggested that he take this issue to the Texas Medical Association legislative representative to see what they might be willing to do regarding the definition of a licensed practitioner as it applies to the use of a Penile and Vaginal Plethysmograph.

XII. Discussion and Possible action regarding clarifying contact hours for applicants of clinical experience in the areas of assessment and treatment of sex offenders in the rules.

The Rules Task Force will review this item.

XIII. Discussion and Possible action regarding proposed release criteria from sexually violent predator from civil commitment outpatient predator treatment program.

Kelly Page handed out the draft of "Release Criteria" that Matt Ferrara and Maria Molett drafted. She asked that the Council make suggestive changes and submit changes by August 1, 2000. The final version will be presented at the September 15, 2000 meeting to be adopted.

XIV. Discussion and Possible action regarding licensure status for RSOTPs.

Dr. Meyer requested that Ana Aguirre and Janet Latham collect data on the percentage of how many offenders are currently in treatment, as well as how many are being treated by a RSOTP. This data will be reviewed in six months.

XV. Other Matters Not Requiring Board Action.

Dr. Kercher gave a report on the IAC meeting that was held on July 14, 2000. Minutes attached.

Dr. Meyer suggested that the topics: How to achieve compliance to standards of care and how to document the quality of the treatment program be placed on the next meeting agenda.

XVI. Public Comment.

Sharon Burns representative of Texas Association of Sex Offender Treatment (TASOT), stated that the association may be able to assist in Legislative Initiatives.

XVII. Presentation of Future Agenda Items.

Maria Molett asked the Council to assist in future budget development.

She request that this topic be placed on future agendas.

Dr. Meyer suggested that the topics: How to achieve compliance to standards of care and how to document the quality of the treatment program be placed on for the next meeting agenda.

XVIII. Discussion of Future Meeting Dates.

September 15, 2000, at the Embassy Suites, Arboretum, Austin, Texas.

XIX. Adjournment.

Meeting adjourned at 12:10 p.m., Liles Arnold motioned and David Swinson seconded.