OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services

Subject:
OYA Sex Offender Assessment and Treatment Eligibility

Section – Policy Number: A: General Administration – 12.0
Supersedes: Number change only
Effective Date: 04/18/2014
Date of Last Review/Revision: None

Related Standards and References:
- ORS 419C.486 (Consideration of recommendations of committing court; case planning)
- ORS 420A.125 (Youth offenders; intake assessments; reformation plan; placement)
- Oregon Sex Offender Treatment Board: Practice Standards and Guidelines for the Evaluation, Treatment, and Management of Juvenile Sex Offenders
- OYA policy: I-A-11.0 (Assessment, Multidisciplinary Teams, and Case Planning)
  II-E-5.0 (Sex Offender Risk Assessment [Facility])
  III-C-3.0 (Sex Offender Risk Assessment [Field])

Related Procedures: None

Policy Owner: Treatment Services Director

Approved
Fariborz Pakseresht, Director

I. PURPOSE:

This policy provides guidelines for OYA staff to determine which OYA offenders (on community supervision or housed in OYA facilities) may participate in sex offender assessment and treatment. It also delineates criteria and an authorization process for certain atypical assessment and treatment modalities.

II. POLICY DEFINITIONS:

Aversion Therapy: A type of behavior therapy designed to modify undesirable or antisocial habits or addictions by creating a strong association with a disagreeable stimulus.

Multidisciplinary Team (MDT): A team of individuals working collaboratively to develop and maintain a comprehensive individualized case plan that is culturally competent and gender-specific for each offender committed to OYA. The MDT is based on a core team membership consisting of the offender, OYA primary case
manager, placement representative, QMHP (facility)/treatment provider (community), tribal representative (for offenders enrolled in one of one of Oregon’s federally recognized tribes) and the parents/guardians. Additional team members are identified by the core team based on the offender’s Risk Needs Assessment, identified criminogenic needs, and placement.

**Penile Plethysmography (PPG):** A type of phallometric testing to assess a person’s sexual arousal patterns using non-pornographic audio and/or visual stimuli.

**Visual Reaction Time Instruments:** Instruments that use a person’s visual reaction time to non-pornographic images to assess the person’s sexual interest and calculate probability values that reflect the likelihood that the person has sexually deviant interests.

### III. POLICY:

OYA strives to protect the public and reduce crime by holding offenders accountable and providing opportunities for reformation in safe environments. Providing OYA offenders with correctional behavioral treatment targeted at changing their high risk behaviors is essential.

OYA provides safe and effective intervention for offenders who have sexually offended and follows the Oregon Sex Offender Treatment Board’s [Practice Standards and Guidelines for the Evaluation, Treatment, and Management of Juvenile Sex Offenders](https://www.oregon.gov/ODT/DOE/Publications/Pages/RH01-01.aspx) when feasible. The Standards and Guidelines cover a wide spectrum of treatment modalities; however, OYA is limited to what treatment may be provided in a juvenile corrections environment. OYA has adopted a standard juvenile sex offender treatment curriculum in its facilities.

Staff must obtain prior authorization to refer an offender for certain atypical treatment modalities or assessments mentioned in this policy.

### IV. GENERAL STANDARDS:

**A. Juvenile Sex Offender Assessment and Treatment Eligibility**

An offender committed to OYA legal or physical custody may be assessed for and participate in juvenile sex offender treatment if the offender was -

1. adjudicated for, or convicted of, a sex crime;

2. referred for a sex crime but adjudicated for, or convicted of, a non-sex crime, and the court made an acknowledgement or finding that there was sexual activity involved in the crime.

**B. Staff must follow OYA policy II-E-5.0 (Sex Offender Risk Assessment [Facility]) or III-C-3.0 (Sex Offender Risk Assessment [Field]) when assessing an offender who meets the criteria described in section A.**
C. Visual Reaction Time Instruments (e.g. Abel Assessment™ (AASI))

Staff must ensure the following criteria are met prior to referring an offender for this type of assessment:

1. The offender must be at least age 18;
2. The offender is in a community placement;
3. Staff must obtain the offender’s consent to participate in the assessment as documented by the offender’s signature in the case plan; and
4. The OYA Treatment Services Director has authorized the assessment as described in section F.

D. Penile Plethysmography (PPG)

Staff must ensure the following prior to referring an offender for PPG:

1. The offender is at least age 18;
2. The offender is in a community placement;
3. The offender is post-pubescent and has at least one of the following indicators evidenced through legal history, an evaluation, or the offender’s risk profile:
   a) Pre-pubescent victims;
   b) Three or more known victims;
   c) Pairing of aggression and physiological arousal;
   d) Self-report of deviant arousal; or
   e) Offense history indicative of a persistent pattern of deviant sexual behavior.
4. The offender continues to report deviant sexual arousal after participating in sex offender treatment;
5. The offender’s multidisciplinary team (MDT) has reviewed the case and recommended a referral for PPG;
6. The offender has consented to participate in the assessment as documented by the offender’s signature in the case plan;
7. The offender has agreed to pay for the PPG; and
8. The OYA Treatment Services Director has authorized the PPG as described in section F.

E. Aversion Therapy

Staff must ensure the following prior to referring an offender for aversion therapy:

1. The offender has had a PPG or Visual Reaction Time assessment that has indicated deviant sexual arousal or deviant sexual interest;

2. The offender is in a community placement;

3. The offender is at least age 18;

4. The offender continues to report deviant sexual arousal after participating in sex offender treatment;

5. The offender’s multidisciplinary team (MDT) has reviewed the case and recommended a referral for aversion therapy;

6. The offender has consented to participate in the treatment as documented by the offender’s signature in the case plan;

7. The offender has agreed to pay for the aversion therapy; and

8. The OYA Treatment Services Director has authorized the aversion therapy as described in section F.

F. Approval for PPG, Aversion Therapy, and Use of Visual Reaction Time Instruments

1. Staff must provide the following information to the OYA Sex Offender Treatment Services Coordinator when seeking approval for an offender to participate in PPG, aversion therapy, or visual reaction time instruments:

   a) A written request for PPG or aversion therapy describing how the offender meets the criteria established in sections C, D or E;

   b) A summary of the offender’s past treatment history;

   c) A recommendation from the offender’s current treatment provider;

   d) A current mental health evaluation no older than one year;

   e) If the offender is an adjudicated youth offender in a facility, the assigned juvenile parole/probation officer’s (JPPO) input.
2. The OYA Sex Offender Treatment Services Coordinator must review the request with the OYA Treatment Services Director.

3. The OYA Treatment Services Director may approve or deny the request. The approval or denial must be made in writing.

4. Staff must record the approval or denial in the offender’s JJIS notes.

G. Any exception to this policy must be approved by the OYA Director through the Treatment Services Director.

V. LOCAL OPERATING PROTOCOL REQUIRED: NO

1 Offenders adjudicated for (or convicted of) the following crimes are subject to sex offender assessments and treatment:
   • Rape, sodomy, unlawful sexual penetration or sexual abuse in any degree;
   • Incest with a child victim;
   • Using a child in a display of sexually explicit conduct;
   • Encouraging child sexual abuse in any degree;
   • Transporting child pornography into the state;
   • Paying for viewing a child’s sexually explicit conduct;
   • Compelling or promoting prostitution;
   • Kidnapping in the first degree if the victim was under 18 years of age;
   • Contributing to the sexual delinquency of a minor;
   • Sexual misconduct;
   • Possession of materials depicting sexually explicit conduct of a child in the first degree;
   • Kidnapping in the second degree if the victim was under 18 years of age, except by a parent or by a person found to be within the jurisdiction of the juvenile court;
   • Burglary, when committed with intent to commit any of the offenses listed above;
   • Public or private indecency;
   • Harassment, touch intimate part;
   • Any attempt to commit any of the offenses listed above.