

**MONTGOMERY
COUNTY SEX
OFFENDER UNIT**

Mission Statement:

Montgomery County Juvenile Probation Sex Offender Unit's mission is to ensure public safety, empower victims, provide appropriate interventions to juveniles and their families, and to hold juvenile sexual offenders accountable for their behavior toward the relapse prevention of delinquent/ deviant behavior.

Why?

- Sex crimes among juveniles have been climbing, at least locally, and probation officers were overwhelmed by the demands of managing the complexities of sex offender cases. To address this, a specialized unit was initiated.
 - Time consuming
 - Transference
 - Ensuring appropriate treatment

Why?

- The Juvenile Court Judge determined that sex offenders presented special challenges and special supervision needs. The Court directed our department to create this unit.



The SOU generally becomes active in cases post adjudication and provides the Court with information and a recommendation for an appropriate intervention at disposition

What makes us different?

- The SOU investigates and retains their cases for supervision, so there is no loss in continuity of care. This “nuts to bolts” approach lends itself to expedited rapport building.
 - Confronting denial, which is often seen at the onset of treatment.
 - Encourages “Buy In”
 - Probation officers are knowledgeable about issues

Pre-dispositional Investigation:

- Juvenile's perception and understanding of events
- Victim impact
- Juvenile's sexual propensities/ paraphilia
- Juvenile's living situation
- Trauma; emotional, sexual, physical
- Cognitive ability
- Mental health issues
- Educational/ employment status
- Prior police contacts
- Drug/ alcohol issues
- Safety issues
- Juvenile's acceptance of responsibility
- Parental situation
 - Criminal involvement
 - OCY involvement
 - Financial circumstance
 - Attitude toward the delinquent act
 - Mental health issues/ addiction issues
 - Relationship with the juvenile
- Siblings situation/ safety
- Peer group

Assessment

- Assessing risk is paramount in dealing with sexual offenders
- It is detrimental to either under-treat or over-treat sexual issues
- For extremely low risk offenders, a case may be transferred out of the SOU completely

Risk assessment tools

- YLS, Youth Level of Service/Case Management Inventory
- JSOAP-II, Juvenile Sex Offender Assessment Protocol
- ERASOR, Estimate of Risk of Adolescent Sexual Offense Recidivism

JSOAP-II

- “The Juvenile Sex Offender Assessment Protocol-II (J-SOAP-II) is a checklist whose purpose is to aid in the systematic review of risk factors that have been identified in the professional literature as being associated with sexual and criminal offending. It is designed to be used with boys in the age range of 12 to 18 who have been adjudicated for sexual offenses, as well as nonadjudicated youths with a history of sexually coercive behavior.”

Prentky, R. A., Righthand, S. (2003) “Juvenile Sex Offender Assessment Protocol-II (J-SOAP-II) Manual. Retrieved from www.ncjrs.gov.

JSOAP-II

- The JSOAP-II checklist is comprised of two subsections:
 - Static/ Historical Scale
 - Sexual Drive/ Preoccupation Scale
 - Impulsive-Antisocial Behavior Scale
 - Dynamic Scale
 - Intervention Scale
 - Community Stability Scale

Prentky, R.A., Righthand, S. (2003) "Juvenile Sex Offender Assessment Protocol-II (J-SOAP-II) Manual. Retrieved from www.ncjrs.gov.

JSOAP-II

- Training exercise (handout)

Evaluations

- Psycho-sexual
- Psychiatric
- Drug and Alcohol
- Neuropsychiatric

Dispositions

Juvenile Placements

- Secure sex offender placements
- Staff secure placements
- Group home
- Specialized foster care

Dispositions

Juvenile Placements based on medical necessity

- Residential Treatment Facility (RTF) Placements;
Secure and non-secure
- Therapeutic Foster Care

Dispositions

Probation

- Sex Offender Intensive outpatient therapy
 - Provides a minimum of weekly therapy
 - Provides case management contacts at least two times per week
- Sex Offender Outpatient therapy
 - Provides only therapy

Dispositions

Probation

- Other treatment options
 - Family based therapy
 - MST (Multi-Systemic Treatment)
 - Wraparound

Dispositions

Probation containment services

- Electronic In-home Detention
- Electronic Monitoring
- Aftercare supervision services

Dispositions

Probation

- Tailored Special Conditions
 - Confiscation of internet capable devices
 - Internet tracking software
 - Barring contact with children
 - Weekend Accountability Program
 - Montgomery County Youth Center

Training

- New officers receive 10 weeks of “on the job” training before managing cases
- New officers also receive 60 hours of training through the Juvenile Court Judges Commission in their first year
- In-House JJSES booster training
 - Carey Brief Intervention Tools (BITS)
 - YLS/ Case Plan updates
 - Motivational Interviewing
 - Trauma Informed
- All SO officers receive a minimum of 40 hours of training each year
 - Specific to sex offender issues
 - Mid-Atlantic Region chapter of the Treatment of Sexual Abusers (MARATSA)

Staffing

- The SOU has a full complement of five officers and one supervisor
 - Caseloads fluctuate, but the average is 17 cases per officer
 - New officers have related experience

Treatment

- Juveniles are subject to SO specific testing including
 - ABEL assessment (measures deviant arousal)
 - JSOAP-II, Juvenile Sex Offender Assessment Protocol (measures risk)
 - ERASOR, Estimate of Risk of Adolescent Sexual Offense Recidivism (measures risk)
 - Therapeutic Polygraph (incentivizes openness in treatment)

Treatment

- Motivational interviewing (promotes willingness to change)
- Cognitive Behavioral Therapy (changing unhealthy thinking)
- Dialectical Behavioral Therapy (emotional regulation, coping skills)
- Psychotherapy
 - EMDR, Eye Movement Desensitization and Reprocessing (Trauma)

Treatment

- Group Therapy
- Covert sensitization (addresses deviant arousal)
- Family Therapy
- Reunification Therapy (victim)

Reunification Therapy Protocol

- The provider working with the offender needs to recommend reunification therapy.
- The victim's therapist needs to provide us a written recommendation that the victim is able and willing to participate in reunification therapy. (This allows us to have documentation for Court)
- If the victim is a minor, the victim's parent/guardian must allow reunification as well.
- If the victim has no therapist, our provider may provide reunification therapy.
- A Court Order must be procured that permits contact with victim for reunification therapy

Therapeutic Polygraph

- “A substantial proportion of the youth in our sample admitted to additional sexual offending behaviors while undergoing polygraph testing. As with other psychophysiological tools, the Center for Sex Offender Management (2008) recommends that polygraphs never be used in isolation, and treatment decisions should not be made solely on the basis of their results”

Van Arsdale, Amy; Shaw, Theodore; Miller, Pam; Parent, Mike C. “Polygraph Testing for Juveniles in Treatment for Sexual Behavior Problems: An Exploratory Study” OJJDP Journal of Juvenile Justice Volume 1, Issue 2 • Spring 2012)



CONSENT
THERAPEUTIC POLYGRAPH EXAMINATION / INTERVIEW

DATE: **TIME-IN:**

PLACE:

EXAMINEE NAME:

CONSENT:

I understand that as a condition of supervision and / or treatment that I must undergo a therapeutic polygraph examination.

I, do hereby without duress, coercion or promise of reward or immunity, from the EXAMINER consent to a Polygraph Detection of Deception Examination (PPDD Test). I hereby consent that the sensing attachments be placed upon my person where necessary.

I hereby release and forever hold harmless MID-ATLANTIC TRUTH CONSULTANTS LLC and /or its Associates, the Polygraph Examiner, and/or his Agents, Sub-Contractors or Employees from all claims arising out of, or in connection with, this Polygraph examination.

RELEASE:

I further authorize the release of the results of this Polygraph Test and related information obtained, to only the person(s) designated:

Therapist: **Probation/Parole Agency:**

Attorney: **Police Agency:**

Other:

ACKNOWLEDGEMENTS:

1. I acknowledge that the EXAMINER may not force me to take this examination and that I can choose to leave at any time.
2. I acknowledge that the EXAMINER has fully explained to my understanding and satisfaction, the topics that will be discussed during the Polygraph examination.
3. I have been assured by the EXAMINER that I will know the exact questions to be asked in the examination, before the examination begins.
4. I acknowledge that I do not have to reveal identifying information in the form of names, how people were known to me, relationships or exact locations of past events.

I HAVE FULLY-READ AND UNDERSTAND THE ABOVE STATEMENTS

Examinee signature:

Examiner:

Containment Model (per PA Sex Offender Assessment Board)

- Agencies and individuals must collaborate to maintain sex offenders, thereby reducing victimization and maintaining public safety
- Maintain a victim centered approach to everything we do
- Specialized knowledge and expertise is required to manage sex offenders
- Self-monitoring and self-evaluation of our effectiveness
- Educating the public to prevent sex offenses

Containment Model

The Comprehensive Approach



Supervision

- For juveniles placed on probation, the SOU maintains a minimum of two contacts per week at the onset of supervision
- Probation cases shall generally receive either sexual specific outpatient treatment, or intensive outpatient treatment
- With these services, probationers may receive up to eleven contacts per week based on their level of risk

Outreach

- The unit's supervisor is a member of the county's Sexual Assault Task Force
- This organization has developed an instructional guide for police and promoted in-school presentations on healthy relationships
- It also facilitates a meeting where professionals discuss current issues in the County
- A representative from Juvenile Probations' Victim Services is on the task force as well

ACT 21

- Probation is responsible for making referral to the Sexual Offenders Assessment Board (SOAB)
- Applicable Adjudications: Rape, IDSI, Sexual Assault, Aggravated Sexual Assault, Indecent Assault and/ or Incest
- Probation uses Crystal Reports in Juvenile Case Management System (JCMS) to track ACT 21 applicable cases

Consultation

- the Court's Psychologist remains active until the case is closed
- The SOU consults twice per month with this psychologist
- During these consults, new cases are discussed, as well as, strategies for managing current cases
- Prior to any discharge from a placement, our psychologist provides an opinion to the Court
- Prior to any release from probation, the doctor provides an opinion to the Court

Effectiveness

- The SOU was created in August of 2012.
- In April 2016, the SOU had provided 103 dispositions to the Court since its inception.
- Of those 103 cases, 15 cases received new adjudications of delinquency.
- Of the 15 new delinquency cases, 5 cases were sexual offenses.

Effectiveness

- Of the 5 sexual offenses, 2 were contact offences
 - This information was extracted from the Juvenile Case Management System
 - The shortcoming of this review is that only Montgomery County could be reviewed in JCMS, and so, juveniles may have recidivated in other counties

Effectiveness

- Of the 103 cases that were fully investigated and managed by the SOU, 49 cases have reached the age of adulthood.
- 4 cases have adult convictions. These 4 adult convictions are non-sexual charges.
 - This information was procured from the Unified Judicial System of Pennsylvania Web Portal

Resources

- Personnel
 - Funding
 - Prioritization
- Specialized training
- Funding for psychological consultation
- Manageable case loads

Self-Evaluation

- The SOU is still changing; it is not a finished product
- Openness to criticism
- Openness to new ideas
- Openness to new research
- New policy implementation
 - Crisis drives policy

A Lesson on Consent...

- Consent and Tea

References

- www.csom.org
- www.ojjdp.gov
- www.soab.pa.gov
- www.maratsa.org
- www.ncjrs.gov
- Prentky, R. A., Righthand, S. (2003) “Juvenile Sex Offender Assessment Protocol-II (J-SOAP-II) Manual. Retrieved from www.ncjrs.gov.
- Mid-Atlantic Truth Consultants LLC
 - www.midatlantictruth.com

Presenter

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Polygraph Testing For Juvenile Sexual Offenders

Subject: Polygraph use for Sex Offender Supervision/ Sex Offender Placement

Purpose: To provide a standardized means for the utilization of the Polygraph Examination on Sex Offenders to enhance treatment and to verify compliance with the condition of supervision.

Policy: All Sex Offenders placed on probation with the Sex Offender Unit may be directed to undergo a therapeutic polygraph examination by a departmentally approved examiner. All sex offenders who are placed in sexual offender placements or outpatient treatment by the Court are subject to polygraph examination. This includes foster care, group home, institutional and Residential Treatment Facilities (RTF).

Procedure:

- I. Polygraph Examinations
 - A) Polygraph results cannot be used as the sole basis for a violation of probation. Possible departmental response and sanctions may include, but is not limited to, the following:
 - a. Discussion with the containment team
 - b. Addition of special conditions or modification of case plan
 - c. Search of the offender, the offender's residence, vehicle, computer, and/or other property
 - d. Increase in supervision
 - e. Curfew
 - f. Redirect back to sex offender treatment, increase treatment, or address in treatment
 - g. Offender meeting with supervisor of the Sex Offender Unit
 - h. Restrict travel
 - i. Conduct a follow up polygraph examination
 - j. Increase collateral contacts
 - k. Restrict community activities
 - l. Confiscate computer(s) and or Media Device(s)
 - m. Surveillance
 - B) Polygraph shall not be used to investigate new criminal offenses.
- II. Polygraph Examiner Qualifications
 - A) A minimum of 40 hours of post-conviction sex offender testing instruction, beyond the basic polygraph examiner requirements
 - B) Membership in organizations such as the American Polygraph Association
 - C) Willing to work with the containment team, which may include the Probation Officer, Children and Youth Caseworkers, Victim Advocates, other treatment individuals, and any other individual deemed appropriate by the department.
 - D) Willing to participate in and/or provide sex offender specific training in reference to polygraphs

III. Testing Environment

- A) At a minimum, the testing facility will:
 - a. Afford privacy and freedom from interruptions.
 - b. Be free from visual distractions and noise problems.
 - c. Have comfortable temperature and adequate ventilation.
 - d. Have an area sufficient for testing.
- B) Probation Officer should normally not be present during the polygraph examination

IV. Testing Specification

- A) The minimum pre-test interview specification are:
 - a. Examinees must be advised of the purpose of the examination
 - b. Examinees must be advised that the examination is voluntary
 - c. Examinees must be advised that the examination can be terminated upon request
 - d. Examiner must have the examinee sign a waiver of confidentiality that will allow the examiner to provide detailed information about the results of the polygraph to the Officer, and to the treatment provider
 - e. Examination must be conducted in a professional manner, and the examinee treated with respect and dignity
 - f. The pre-test interview must be conducted in a non-accusatory manner
 - g. The examination must be conducted in compliance with governing local, state and federal regulations and laws, as well as APA Standards and principals or practice
 - h. Examiner must properly prepare for the pre-test interview. Preparation should include, at minimum, a thorough review of the case facts and the information known about the examinees, and the goal of the examination
 - i. The examinee must agree upon the relevant test issues in advance of testing
 - j. Examiners must not display any type of bias, preconceptions, or prejudgment of any examinee's innocence or guilt
 - k. Examiners must convey to examinees that test results will be based on the thorough analysis of polygraph charts
 - l. Examiners must provide examinees with a sufficient explanation of the polygraph, including the physiological activity to be recorded
 - m. Examiners must provide examinees with a complete review of the testing procedures
 - n. Examiners must allow sufficient time for a thorough discussion of the test issues
 - o. All topics must be approved by the Department and/ or treatment provider
 - p. Examiners must verify that examinees understand each question.
 - q. Examiners must satisfy the following administrative requirements:
 - i. Document that examinees were advised that the test is voluntary
 - ii. Obtain information from the examinee about existing medical and physical conditions in order to assess fitness for testing
 - iii. Document that examinees were advised **NOT** to provide names or relationships of victims

- B) The minimum in-test specifications are:
 - a. Examiner shall employ a technique and format that has been validated through research and approved by the American Polygraph Association.
 - b. Test question pacing shall allow reasonable time for physiological recovery following response and/or distortion
 - c. Examiners shall conduct a sufficient number of charts, appropriate for testing technique
 - d. Examiner, at their discretion, may discuss deceptive or inconclusive results of the polygraph with the offender

- V. Types of Polygraph Examinations
 - A) The assigned officer may request one or more of the following types of Polygraphs:
 - a. Denial Examination-A specific issue test covering the details of the offense that resulted in the current probation or placement
 - b. Maintenance Examination-Relevant test question focus on the offenders' compliance with the condition of the supervision, and/ or honesty with a treatment provider. The offender shall be directed to **NOT** provide specific details such as names or relationships when they discuss their sexual behavior. The examiner shall **NOT** attempt to illicit names or relationships of potential victims, but only behaviors of the examinee
 - c. Monitoring Examination-Relevant test questions focus on if the offender has sexually re-offended. The offender shall be directed to **NOT** provide specific details such as names or relationships when they discuss their sexual behavior. The examiner shall **NOT** attempt to illicit names or relationships of potential victims, but only behaviors of the examinee
 - d. Sexual History-Disclosure Tests-Test questions verify the offender's report of sexual behaviors and activities prior to the offense he/she is now under supervision. The primary purpose of the polygraph is to collect accurate sexual history information. The information helps identify psychosexual behavioral patterns so the therapist and probation officer can effectively treat and manage inappropriate behavior. The purpose of the polygraph is **NOT** to compel the offender to provide information that could lead to new criminal charges or to force the offender to give up his/her Fifth Amendment privileges. The offender shall be directed to **NOT** provide specific details such as names or relationships when they discuss prior sexual history

- VI. Communication and File Maintenance
 - A) The officer may provide the polygraph examiner with copies of the criminal complaint and probable cause; victim impact letters (with the permission of the victim); treatment information; case plans; and any other relevant information.
 - B) The officer or treatment provider shall advise the polygraph examiner the type of examination requested, and the topics to be addressed

- C) The polygraph examiner shall submit a written report with an explanation of the results of the polygraph to the Department and/ or treatment provider within 5 days of the examination
- D) The polygraph examiner may include in the report any recommendations for supervision, treatment and and/or relapse prevention