



Biennial Report Regarding the  
Council on Sex Offender Treatment  
September 1, 2014 – August 31, 2016

Prepared for the  
Office of the Governor, Lieutenant Governor, and Speaker of the House of Representatives  
Pursuant to Section 110.160, Occupations Code

December 31, 2016

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## **Council on Sex Offender Treatment (CSOT)**

### **History**

In 1983, the CSOT was created by the Texas Legislature to regulate the assessment, treatment, and rehabilitation of sex offenders in the State of Texas.

### **Mission**

The CSOT's mission is to enhance public safety by developing and implementing standards and policies to protect the citizens of Texas through research-based assessment and treatment of adults and juveniles with sex offending behaviors.

### **Philosophy**

The CSOT believes community safety is enhanced by providing research-based, offense-specific assessment and treatment to adults and juveniles who have committed sexual offenses.

### **Objectives**

- Eliminate sexual assault victimization.
- Increase awareness by educating, training, and disseminating information to the community and professional organizations whose purpose is to assess, treat, and manage sex offenders or to prevent sexual assault.
- Provide and promote a network of licensed professionals in the field of sex offender treatment and ensure continued competence of professionals by enforcement of the standards of practice.
- Provide guidance and recommendations regarding legislation and public policy.
- Promote research in sex offender assessment, treatment, and recidivism.
- Reduce the number of registered sex offenders so resources may be focused on high-risk offenders, essentially increasing public safety

### **Functions**

The CSOT has four primary functions: 1) creation and implementation of a research based risk assessment protocol for the purpose of facilitating the deregistration process of certain low risk registered sex offenders, 2) public and behavioral health, by advocating for the management and treatment of sex offenders, 3) regulatory, by maintaining a list of licensed sex offender treatment providers and establishing the rules and regulations regarding the treatment of sex offenders, and 4) educational, by disseminating information on the best practices in the treatment and management of sex offenders to the public. The CSOT's functions are synergistic with maintaining the highest level of public safety and preventing sexual assault through effective treatment and interventions in the management of sex offenders.

## **The CSOT Mandates – Occupations Code, Chapter 110**

- Develops and implements policies and treatment strategies for sex offenders;
- Establishes, develops, and adopts the risk assessment tool or tools in determining a sex offender’s risk to the community;
- Recommends to licensing and regulatory boards current methods of improving programs to meet the CSOT’s standards;
- Develops and implements, by rule, licensing requirements and procedures for sex offender treatment providers;
- Maintains a list of qualified licensed sex offender treatment providers;
- Collects and disseminates information about sex offender treatment to judicial officers, community supervision or parole workers, state and municipal agencies, and the public;
- Distributes money appropriated to the CSOT by the Legislature for the development, operation, or evaluation of sex offender treatment programs (Note: the CSOT is administratively attached to DSHS and there is no CSOT line item appropriation in the General Appropriations Act);
- Advises and assists agencies in coordinating procedures to provide treatment services;
- Designs and conducts continuing education programs for sex offender treatment providers; and
- Establishes, develops, and adopts an individual risk assessment tool that evaluates the criminal history, the likelihood that the person will engage in criminal activity, and determine if the person is a continuing danger to the community.

## **Number of Licensed Sex Offender Treatment Providers**

FY 2006 – 362  
FY 2007 – 427  
FY 2008 – 460  
FY 2009 – 454  
FY 2010 – 463  
FY 2011 – 473  
FY 2012 – 498  
FY 2013 – 526  
FY 2014 – 543  
FY 2015 – 557  
FY 2016 – 569

## **Other Mandates Regarding Management of Sex Offenders**

Dynamic Risk Assessment (DRA) Research: Occupations Code §110.501. The CSOT shall work directly with the appropriate entities to develop, implement, research, and deploy dynamic risk assessment tools and protocols for use under this subchapter by persons licensed under this chapter. Costs incurred under this section shall be included with costs required to be paid under Code of Criminal Procedure, Section 11(i), Article 42.12. The CSOT shall work with the Legislative Budget Board (LBB) to study the recidivism of sex offenders treated under the pilot program, including a study comparing the various dynamic risk assessment tools and protocols. Senate Bill 909 of the 80th Legislative Session amended Government Code, §493.0151(b) by mandating that before an inmate serving a sentence for a sexual offense is discharged or released

on parole or mandatory supervision from the Texas Department of Criminal Justice, the Department shall use the dynamic risk assessment tool developed by the CSOT under Occupations Code §110.164, to assign the inmate a risk level of low, medium, or high.

Status: Completed

From October 2005 to October 2010, a five year recidivism study was conducted to determine which of the dynamic risk assessment tools and protocols most accurately predict recidivism. The Council has used those findings to develop the current protocol for dynamic risk assessments, but will continue to seek out the most effective risk assessment tools for both men and women who have committed sexual offenses.

### **Code of Criminal Procedure, Chapter 62, Sex Offender Registration**

Art. 62.007, “Risk Assessment Review Committee; Sex Offender Screening Tool”. The CSOT participates in the review of sex offenders’ risk levels prior to release from prison for the purpose of community notification.

Art.62.403 the CSOT shall provide the individual risk assessment to a sex offender who files a motion for early termination of his/her obligation to register.

Status: On July 1, 2011, the CSOT began accepting applications for early termination from registered sex offenders who had one reportable sexual offense conviction or adjudication. An administrative procedure or program was developed by the CSOT to process these applications and to determine an offender’s eligibility to sit for a deregistration risk assessment evaluation as required by the statute. Additionally, the CSOT held two specialized training sessions for Licensed Sex Offender Treatment Providers who sought the designation of Deregistration Evaluation Specialist. Registered sex offenders who meet the initial screening criteria are approved to sit for a deregistration evaluation risk assessment conducted by one of the CSOT-approved specialists. Once the evaluation is completed, the findings are reduced to writing and returned to the CSOT for its review and confirmation that the specialist addressed all objective criteria in his/her evaluation of the registered sex offender. If confirmation is made, the CSOT then certifies the evaluation report and forwards same to the registered sex offender and/or his/her attorney. Pursuant to statute, the offender then files his/her Motion for Early Termination, complete with the certified risk assessment evaluation in the sentencing court. If granted an Order by the Court, the registered sex offender then presents the Order for Early Termination to the Texas Department of Public Safety with a request that the sex offender’s name be removed from the official Sex Offender Registry.

### **CSOT Members**

The CSOT consists of seven members appointed by the Governor with the advice and consent of the Senate. Four members are professional clinical expert members and three members represent the public. Members serve staggered six-year terms. The terms of two members expire on February 1 of each odd-numbered year. The Governor designates a member of the CSOT as presiding officer. The CSOT is an independent board administratively attached to DSHS.

Board Members	Appointed	Term Expires
VACANT, Professional Member, Chair		
Holly Miller, Ph.D, LSOTP	May 2009	February 2015
Aaron Pierce, Ph.D., LSOTP (Interim Chair)	April 2005	February 2017
Terri Bauer, LCSW, LSOTP	December 2011	February 2019
Ronnie Fanning, Public Member	June 2008	February 2017
Louis Gonzales, III, Public Member	April 2011	February 2019
VACANT, Public Member		

Department of State Health Services employs part-time staff to carry out the responsibilities of the CSOT.

#### **Interagency Advisory Committee**

Pursuant to Chapter 110.204, Occupations Code, the Interagency Advisory Committee shall cooperate with the CSOT and at the request of the CSOT, advise the CSOT on the duties under the Occupations Code, Chapter 110. The following are members: Sam Houston State University, Office of the Governor-Criminal Justice Division, Office of the Attorney General-Crime Victims Services Division, Department of State Health Services – Community Mental Health & Substance Abuse Programs, Texas Department of Criminal Justice – Rehabilitation and Reentry Programs Division, Texas Juvenile Justice Department, and Department of Family and Protective Services.

#### **Conferences**

March 8-10, 2015, 23rd Annual Conference on Management and Containment of Adult and Juvenile Sex Offenders. The CSOT hosted the annual conference in San Marcos, Texas.

March 6-8, 2016, 24th Annual Conference on the Management and Containment of Adult and Juvenile Sex Offenders. The CSOT hosted the annual conference in San Antonio, Texas.

#### **CSOT Meetings**

The CSOT held eight public meetings during the biennium.

#### **CSOT Rules-Standards of Practice (22 Texas Administrative Code 810)**

Texas Administrative Code 810 became effective October 1, 2015.

**Recommendations for the 85th Legislative Session**

In accordance with the pronouncements made by several members of the Texas Legislature that the State of Texas has declined to adopt the federal Adam Walsh Act [42 U.S.C. Section 16911 et seq.], the CSOT recommends that the Legislature remove the language in Art. 62.402, Texas Code of Criminal Procedure, which ties our deregistration program to the federal Adam Walsh Act. This change would enable the State to continue developing and implementing an evidence-based deregistration program that will enhance public safety by allocating our limited resources to higher risk offenders.