



## ***Juvenile Sex Offender Treatment Programs Preparing for Ohio Certification Trainings***

### ***Frequently Asked Questions***

#### FINAL RULES

- Q Are these standards/rules final?
- A The JCARR process allows for a public hearing that will be held at the DYS Jack Reil room at 51 N. High St., Columbus 43215 on May 7th at 10 a.m. The rules are scheduled for a JCARR hearing on June 2<sup>nd</sup> at 1:30 p.m. in the Statehouse. The anticipated effective date of the rules is July 1, 2008.

#### SEX OFFENDER DESIGNATIONS

- Q Can you differentiate between the juvenile sex offender (JSO) and the child victim offender?
- A The difference between the two designations is based on the type of offense as defined in ORC 2950.01. Those offenses determine at which tier a juvenile offender is classified and their duties to register.

#### ETHICS/MORALITY TRAINING

- Q How appropriate/effective is ethics and morality lessons as components of treatment?
- A In attempting to use the research-based treatment modalities, the evidence does not show that morality-based treatment reduces recidivism, but most programs include ethics and right-thinking along with science-based treatment.

#### PARENT/GUARDIAN RESPONSIBILITY

- Q In SB 10 there is an ability to charge parents if their child fails to register as a sex offender; therefore, can foster parents also be charged?
- A Parents, guardian or custodian may be prosecuted for the offense of contributing to the delinquency of a minor if the juvenile fails to comply with SORN [Section 2919.24 Contributing to unruliness or delinquency of a child, a misdemeanor of the first degree; each day of violation of this section is a separate offense]. In general, foster parents are not held liable, but the custodial agency would be.

#### ASSESSMENT

- Q When doing a court-ordered assessment do you interview the youth?
- A When a person is trained to do assessments only, the youth is not interviewed. When a clinician who does treatment does an assessment, he/she may include a youth interview in the assessment.

## AGE OF CONSENT

Q Can you elaborate on what the actual age limits are regarding age of consent and who can be prosecuted?

A In Ohio the age of consent is 16. Offenses related to sexual misconduct and age differences are defined in 2950.01.

## VICTIM CARE

Q Will the younger partner who consents be treated in some way?

A Mental health counseling may be called for.

## SAFETY PLAN

Q What is a safety plan?

A A safety plan means a plan that addresses specific risk factors of an individual youth as well as interagency collaboration and information sharing.

## HEALTHY RELATIONSHIPS

Q Do you tell JSOs that they cannot date?

A It depends on the individual's progress in treatment. Some youth are not ready to have a healthy sexual relationship.

## CERTIFICATION REQUIREMENTS

Q How many of the standards apply to programs that serve youth but do not do treatment?

A None. The standards only apply to programs that provide treatment services (including assessment) to juvenile sex offenders and/or child-victim offenders in accordance with OAC 5139-69-03.

## DYS TREATMENT CERTIFICATION

Q Will the DYS facilities be licensed?

A Government entities are exempt from certification requirements, but if they provide treatment, the treatment programs will become certified.

## ADAM WALSH ACT COMPLIANCE

Q Is any state in compliance with the Adam Walsh Act?

A No.

## FEMALE JSOs

Q Are there any female JSOs?

A As of 4-15-08, there are two females committed to ODYS on sex offenses.

## OFFENDER AGE and PRQJORS

Q How were ages established for PRQJORS?

A Ages were spelled out in the Adam Walsh Act.

## SEX OFFENDER REGISTRY

Q What is the effective date for the national sex offender registry?

A July 1, 2009.

## VEHICLE REGISTRATION

Q What is meant by registering the car of a Tier III offender?

A Registration of vehicles is defined in ORC 2950.04.

## SCHOOL NOTIFICATION

Q Are schools informed of registered sex offenders? Are churches?

A Yes. Schools are given access to information, and churches, as volunteer organizations, also can receive sex offender registry information. ORC 2950.11 [Notice of identity and location of offender in specified geographical notification area] defines the youth to whom community notification is applicable and the entities to which the local sheriff must provide notices.

## BUYING A HOME

Q When buying a house, how do you know if there are sex offenders in the neighborhood?

A Home purchasers should ask the realtor or local sheriff's department for this information.

## RE-OFFENDING

Q If a Tier I youth finishes his responsibility to register (10 or more years later), then later re-offends as an adult, will the juvenile sex offense be considered in conviction of an adult offense?

A Yes. 2950.01 identifies how an individual is classified into one of the three tiers and for repeat offenders, considers if the individual had been adjudicated a delinquent child.

## EEO PROTECTION

Q Doesn't EEO protect a person from being fired for a juvenile sex offense?

A No.

## CITIZEN CIRCLES for AFTERCARE

Q Are there Citizen Circles available for juvenile sex offenders?

A Not on a formal basis.

## PUBLIC ASSISTANCE

Q Can sex offenders receive public assistance of any kind?

A Eligibility is dependent upon the type of assistance being sought. Any Ohio citizen can access the Ohio Benefit Bank for eligibility determinations at <http://governor.ohio.gov/obb/GetHelp/tabid/415/Default.aspx> or call 1-800-648-1176.

## THERAPEUTIC FOSTER HOMES

Q Are there therapeutic foster homes for juvenile sex offenders?

A There are a few; they fill up fast, and the information on them is available through local Children Services Boards, Job and Family Services Offices and Foster Care Networks.

## JSO BOARD

Q How will people who serve on the Juvenile Sex Offender Certification Board be recruited or invited?

A Notices will be sent out through all the regular channels that the Department of Youth Services uses, along with its partner organizations including The Supreme Court.

## FEDERAL FUNDING

Q Are the federal sex offender-related funds for treatment?

A No. The federal grant is to help build the national registry across jurisdictions.

## JSO PROGRAM NUMBERS

Q How many programs does Ohio have that are working with juvenile sex offenders?

A At current count, ODYS knows of 85 programs and/or individual professionals serving the treatment needs of JSOs.

## COMMITMENT TO CHANGE

Q How can you measure a youth's commitment to behavior change in treatment?

A The counselor should watch the youth's behavior regarding treatment requirements and the youth's stated commitment to change and how he/she follows through with treatment activities.

## RE-ENTRY PROGRAMS

Q DYS funds four agencies across the state to do re-entry services for youth with a particular focus on employment and independent living, and they're now sending JSOs for re-entry services. Will these programs now need to become certified?

A Yes. The part of the program that works with JSOs should become certified so that the youth can later submit his/her treatment history, from certified programs, to the court for possible reclassification.

## RECLASSIFICATION

Q So far, how has the court been looking at the petition for reclassification after probation and treatment?

A All courts are looking at it differently, but generally, the judge has sometimes reduced registration time but has not dropped it entirely.

## ASSESSMENT

Q What are the assessment requirements for a 90-day program?

A Assessments should be done at intake, at any change of level, discharge, or transfer to another program.

## DUTY TO REPORT

Q Should a treatment counselor explain the program's duty to report any offenses?

A Yes. It's important that the child and parent/guardian understand the duty to report.

## AGING OUT YOUTH

Q What happens when a youth ages out of a juvenile program?

A It would be noted as an incomplete treatment.

## JUDICIAL DISCRETION

Q Are judges willing to reduce classification and notification requirements?

A Judges seem to be taking all the relevant information into account, including treatment history and future risk assessment.

## RESOURCES

Q Where can I learn more about JSO treatment and community education?

A Visit <http://www.csom.org> for many resources or <http://www.oacbha.org/programs/juveniles.html> for a Community Education PowerPoint presentation.

## CERTIFICATION COST

Q Will there be a cost for certification?

A No charge is planned at this time.