

# Department of Youth Services Sex Offender Unit and Special Sex Offender Dispositional Alternative Program

Report No. 93-6

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## INTRODUCTION AND BACKGROUND

The audit of the Department of Youth Services (DYS) Sex Offender Program was requested by the King County Council and was included in the Auditor's Office 1993 work program.

The Department of Youth Services established the Sex Offender Unit (SOU) to administer the Sex Offender Program in 1983. The Sex Offender Program was implemented due to a large

increase in the number of adolescents referred to Juvenile Court for sex offenses. According to the Department of Youth Services, data available at that time suggested that early intervention by specially trained professionals would prevent subsequent re-offending as well as provide a cost-effective treatment approach.

In 1990, the Washington State Legislature passed the Community Protection Act (CPA). The new law allowed first time and non-violent juvenile sex offenders to receive a suspended sentence provided that they agreed to comply with a community-based, offense-specific treatment program for up to two years, in addition to other conditions mandated by the court. This option, termed the Special Sex Offender Dispositional Alternative or SSODA, became effective July 1, 1990.

The Community Protection Act provided funds for the implementation of SSODA at a rate determined by the state. For the contract period July 1991 to June 1993, the Department of Youth Services was allocated a total budget of \$952,884 (\$382,170 for the first year and \$570,714 for the second year).

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## OBJECTIVE AND SCOPE

The audit objective was to assess Department of Youth Services SSODA program policies, procedures, practices, and controls which specifically bear on the attainment of the goals and objectives specified by RCW 13.40.160(5) of the Community Protection Act of 1990.

The audit reviewed compliance with Department of Youth Services policies and procedures.

DYS SSODA program policies were considered by the audit as control objectives. Given the control objectives, the audit identified control elements. Control elements are factors which, if present or performed, are considered to provide reasonable assurance of program accomplishment. Existence of and compliance to the control elements were reviewed. The audit does not provide an opinion regarding the quality of the evaluation or the appropriateness of the treatment recommended or given.

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## SUMMARY STATEMENT OF FINDINGS

The audit conclusion was that the SSODA program generally meets its goals and objectives. The audit, however, noted that

- (1) caseload, case file, and treatment monitoring could be improved,
- (2) evaluation and treatment plans provided by Sex Offender Therapists were general in nature (not offense-specific), making juvenile sex offender progress difficult to determine; and
- (3) the SSODA program staffing level is not based on operational effort.

## MAJOR FINDINGS AND RECOMMENDATIONS

Finding 1. Procedures for assigning cases to the Sex Offender Unit are reasonable.

Audit review of case flow and case assignment process indicated that there was ample opportunity for the correct identification of sexual offense cases which should be handled by the Sex Offender Unit since the deputy prosecuting attorney, defense attorney, and Juvenile Court judge were involved in the case review process.

Finding 2. Audit review of Juvenile Sex Offender (JSO) files indicated that all files reviewed included an evaluation and treatment plan and were generally in conformance to the elements specified by SSODA.

The Juvenile Probation Counselors' (JPCs) methodology of keeping track of assigned cases varied, making caseload monitoring and supervision difficult. It is audit staff's opinion that caseload monitoring should be standardized so that the Sex Offender Unit Supervisor or any other juvenile probation counselor may determine the status of any active case without the need for the assigned JPC's assistance in interpreting his/her case monitoring system.

SSODA Project Best Practices Guidelines established by DSHS suggest a 20:1 juvenile sex offender to juvenile probation counselor ratio. The Department of Youth Services (DYS), according to the Sex Offender Unit Supervisor, has a caseload maximum of 30 pre-adjudicated and 20 post-adjudicated juvenile sex offenders per juvenile probation counselor. Audit analysis of caseload assignments from DYS monthly statistics showed that in 1992, the average caseload of all Sex Offender Unit JPCs was 23.5. The average caseload of JPC/Intake was 16.08 while the average caseload for JPC/Supervision was 24.11.

*The audit recommended that:*

- (1) DYS, in addition to documenting frequency of contact as required by its policies and procedures, require JPCs to record the amount of time spent by contact code (e.g., O/V:Office, H/V:Home, F/V:Field, T/C:Telephone, C/C:Case Conference, D/V:Detention, etc.);
- (2) After a sufficient amount of data is collected, DYS should develop time standards for each contact type;
- (3) Using the contact time standards, DYS should determine staffing requirements given contact frequency required by the court and by DYS monitoring policy; and
- (4) DYS should periodically evaluate contact time standards to determine whether they reasonably reflect current operations.

*The audit also recommended that:*

- (1) The Sex Offender Unit should develop a PC (personal computer)-based caseload management and reporting system to keep track of cases by assigned JPCs;

- (2) The system should provide information and projection of case milestones (e.g., arraignment date, evaluation, sentencing date, SSODA start/end date, etc.);
- (3) The system should provide status reports on a monthly basis and on an as needed basis. The reports should be disseminated regularly to the Sex Offender Unit Supervisor and all juvenile probation counselors; and
- (4) The Sex Offender Unit should include, in the next RFP process, a required evaluation and treatment plan reporting format to improve readability. The topics covered should be specifically defined and minimum content requirements explained.

Finding 3. Dispositional reports to the Court generally conformed with DYS policies and procedures.

Audit review of sample files indicated that dispositional reports to the court generally conformed with DYS policies and procedures regarding the subjects covered. However, the audit noted that the source of information in these reports was not always clearly identified. For example, whether a juvenile sex offender statement was from the police report and/or probation counselor interview and/or Sex Offender Therapist interview was not specified.

*The audit recommended* that DYS should consider including a requirement to identify the source or basis of information presented in its policies and procedures regarding the preparation and presentation of dispositional reports.

Finding 4. Only licensed and certified sex offender therapists are used.

Audit review indicated that there were sufficient controls to provide reasonable assurance that only licensed and certified sex offender therapists provided evaluation and treatment services.

Finding 5. Treatment recommendations presented by the JPC to the Court at disposition generally appear to be generic and do not appear to be offense-specific as required by SSODA Program requirements.

Review of the 21 cases sampled indicated that treatment plans appeared not to be offense-specific (we interpret offense-specific treatment as treatment tailored to a specific juvenile sex offender's behavior), but more generic in nature, i.e., group therapy, family therapy, etc. This observation was acknowledged by the State Division of Juvenile Rehabilitation (DJR) and by Sex Offender Therapists. However, the Sex Offender Therapists claim that a specific treatment plan could not be determined from the evaluation and that an individualized treatment plan is not determined until treatment has begun.

*The audit recommended* that

- (1) DYS should require service providers to include short and long-term goals, planned mode of intervention, target time frame for accomplishment, and measurement criteria in juvenile sex offender treatment plans. DYS should also require that specific treatment plans be provided within the first three months of treatment;
- (2) DYS should require service providers to include an evaluation of goal achievement or

accomplishment in the quarterly report; and

(3) DYS should expand JPC monitoring to include evaluation of Sex Offender Therapists' performance in accomplishing short and long-term goals.

Finding 6. Procedures could be improved to promote better accountability and controls.

The Department of Youth Services has developed procedures for the preparation, management, and maintenance of the social file. These procedures provided general guidelines as to what is to be included in the files. Review of a sample of JSO files maintained by the Sex Offender Unit indicated that report preparation and maintenance of records were not consistent from one juvenile probation counselor to another, making review and evaluation difficult.

Juvenile probation counselors keep track of the frequency and type of juvenile sex offenders' collateral contacts in their case notes. However, while this information is important and may satisfy community supervision standards, its value for management purposes is limited. The amount of time expended in the offender's supervision effort is important for management purposes. Although "Best Practices" guidelines provided by DSHS suggested a specific juvenile sex offender to probation counselor ratio, it does not consider the time required to supervise an offender. Thus, while the ratio may be acceptable, the fact is that the JPC may be overextended and may not be providing adequate supervision to the juvenile sex offender because of the time requirement. On the other hand, the JPC could also be underutilized. Information about the time required to supervise a juvenile sex offender may be a better gauge of staffing requirements than the staff-to-client ratio.

Juvenile probation counselors do not document time spent by case. JPCs, especially the JPC/Supervision, document frequency of contact or activities related to assigned cases. Supervision requires a certain frequency of contact with the juvenile sex offender. In addition, American Corrections Association (ACA) standards do not require documentation of time spent by case. The ACA only requires documentation of the frequency and type (e.g., face-to-face, etc.) of contact.

However, it is audit staff's opinion that documentation of time spent per case is more important and useful for management purposes than the frequency of contact. It is especially useful in developing standards for staffing purposes. It is also audit staff's opinion that basing staffing estimates on estimated time per case is much more useful than using a ratio of, for example, 1 juvenile probation counselor to 20 juvenile sex offenders since the time required by each offender may vary significantly. It might also be useful in dispelling possible allegations of inequitable attention spent by probation counselors on juvenile sex offenders based on race, sex, age, etc.

Procedures for monitoring staff performance were found to be adequate. For example, procedures were included for Sex Offender Unit Supervisor review of social files and review of the appropriateness of referral to the Sex Offender Unit. However, it is audit staff's opinion that monitoring procedures could be improved to promote better accountability and quality control.

For example, periodic review of juvenile sex offender social files for completeness and/or review of cases with the assigned JPC would be beneficial. A quality control review checklist could be developed and used to assure compliance. The review could be performed on a random basis by the Sex Offender Unit Supervisor or other JPC and included in the juvenile sex offender's file.

*The audit recommended that:*

- (1) DYS should expand procedures to include formal periodic supervisory review of case files;
  - (2) DYS should incorporate a control checklist in the social file to provide an easy way to review a chronological record of activities with references to supporting documentation; and
  - (3) DYS should expand social file maintenance procedures to include a chronological table of contents in the social file to facilitate location of file materials.
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