



DEVELOPMENTAL DISABILITIES ADMINISTRATION
Olympia, Washington

TITLE: COMMUNITY PROTECTION STANDARDS POLICY 15.03
FOR EMPLOYMENT PROGRAM SERVICES

Authority: [Chapter 71A RCW](#) *Developmental Disabilities*
[Chapter 388-825 WAC](#) *Developmental Disabilities Services*
[Chapter 388-831 WAC](#) *Community Protection Program*
[Chapter 388-850 WAC](#) *County Plan for Developmental Disabilities*

Reference: DDA Policy 15.01, *Community Protection Program Identification and Eligibility*
DDA Policy 15.02, *Community Protection Program Services*
DDA Policy 15.04, *Standards for Community Protection Residential Services*
DDA Policy 15.05, *Community Protection Program Exit Criteria*

PURPOSE

This policy establishes guidelines for serving persons identified as Developmental Disabilities Administration (DDA) Community Protection Program (CPP) participants in supervised employment program settings in a manner consistent with the values described in the [DDA County Guidelines](#), [DDA Policy 5.14](#), *Positive Behavior Support*, and [DDA Policy 6.13](#), *Provider Qualifications for Employment and Day Program Services*.

SCOPE

This policy applies to DDA Field Services staff and the following contracted providers:

- Employment services
- DDA certified residential services providers supporting persons who are currently receiving Community Protection Program services

DEFINITIONS

Community Protection Employment Program means services specifically designed to support persons with community protection issues as defined in [DDA Policy 15.01](#), *Community Protection Program Identification and Eligibility*, and in “CPP Participant” below.

Community Protection Program (CPP) Participant means a person eighteen (18) years of age or older who meets one or more of the following criteria and is receiving CPP services:

- (1) Has been convicted of or charged with a crime of sexual violence as defined in Chapters [9A.44](#) and [71.09](#) RCW, including, but not limited to, rape, rape of a child, and child molestation, and constitutes a current risk to others as determined by a qualified professional (Note: excluding charges or crimes that resulted in acquittal).
- (2) Has been convicted of or charged with sexual acts directed toward: strangers; individuals with whom a relationship has been established or promoted for the primary purpose of victimization; or persons of casual acquaintance with whom no substantial personal relationship exists; and constitutes a current risk to others as determined by a qualified professional (Note: excluding charges or crimes that resulted in acquittal).
- (3) Has not been charged with or convicted of a crime, but has a history of violent, stalking, sexually violent, predatory, and/or opportunistic behavior which a qualified professional has determined demonstrates a likelihood to commit a violent, sexually violent and/or predatory act; and constitutes a current risk to others as determined by a qualified professional. (Note: “violent” includes fire-setting behaviors where the intent is to hurt or damage someone or property.)
- (4) Has committed one or more violent offenses, such as murder, attempted murder, arson, first degree assault, kidnapping, or use of a weapon to commit a crime ([RCW 9.94A.030 \(45\) and \(54\)](#)).

CRM means the Developmental Disabilities Administration (DDA) Case Resource Manager.

Disclosure means notification of parties responsible for supervision of current risk and issues related to community protection for the purpose of securing employment. This will include the CPP participant self-disclosing. It may also include sharing copies of professional assessments, incident reports, legal documents, and other verbal or written information pertaining to community protection issues as determined in coordination with therapist. Typically, polygraph and plethysmograph reports are excluded from disclosure.

Specialized Support means supervision in a structured manner specifying rules, requirements, restrictions, and expectations for personal responsibility in order to maximize community safety.

Supervision Level means the level of supervision that is defined in the person’s treatment plan, and may be specific to the setting (home, work, community). Supervision level includes specific recommendations such as line-of-sight (within direct field of vision), arm’s length (within close physical proximity), auditory (within earshot), and/or use of alarms to alert staff to movement.

Treatment Plan means an individualized plan written by a qualified professional/therapist for a client that includes the following, at a minimum:

- Specific time-limited goals and objectives based upon evaluation data;
- Specific therapeutic services proposed, include frequency and duration of services and methods to be used;
- Recommendations for supervision and any other restrictions and/or restrictive procedures;
- A description of how client progress will be assessed; and
- Treatment discharge criteria.

Treatment Team means the CPP participant and the group of people responsible for the development, implementation, and monitoring of the person's individualized supports and services. This group may include, but is not limited to, the case resource manager, therapist, residential provider, employment program provider, and the CPP participant's legal representative and/or family.

POLICY

- A. Individuals who receive employment program services must agree to comply with the specialized supports and restrictions specified in their Individual Support Plan (ISP) and treatment plan, including recommendations from psychosexual and risk assessment evaluations, and Positive Behavior Support Plans (PBSP).
- B. Employment Program Services shall provide:
1. An opportunity for CPP participants to work successfully in the community;
 2. Environmental and programmatic safeguards and structures which enhance the protection of others from behaviors that endanger people or property and/or interfere with the rights of others; and
 3. Specialized supports to assist CPP participants to make positive choices to reduce the behaviors that require intensive intervention and supervision.
- C. When segregation of CPP participants and restrictions to their freedom of movement, association, communication, and access to goods or services are necessary to enhance public safety, the least restrictive interventions that effectively meet the goal of public safety must be used. Any restrictions must meet all requirements of [DDA Policy 5.15](#), *Use of Restrictive Procedures*.

PROCEDURES

A. Employment services must include, but are not limited to:

1. Security precautions reasonably available in the workplace to enhance protection of community members, children, vulnerable adults, animals and property;
2. Participation in the integration of treatment goals and objectives, and therapeutic interventions to assist CPP participants to function safely in society and avoid offending or re-offending;
3. Collaboration and coordination between DDA staff, residential providers, therapists, families/legal representatives, and other agencies and individuals, such as law enforcement, schools, employers, and mental health workers;
4. Facilitation of discussion with therapist to develop a plan and support the client in making necessary disclosure pertaining to Community Protection issues to employer/potential employer; and
5. Program designs that promote habilitation and avoid punitive attitudes.

B. Administration

Employment Program service providers must:

1. Maintain commercial general liability insurance of at least \$1,000,000 per occurrence and \$3,000,000 in the aggregate; and
2. Have written agency policies and procedures for serving individuals with community protection issues that include, but are not limited to:
 - a. Program description and admission criteria and process;
 - b. Communication between the employment program, other treatment team members, and other persons and agencies as appropriate;
 - c. Staff participation as a member of the treatment team including attending quarterly team meetings;
 - d. The development of a written plan of service for each CPP participant that reflects the person's CPP status and addresses the following:
 - 1) Any treatment plan restrictions and measures applicable to employment program services;

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- 2) Staff roles and responsibilities, including the entity responsible (i.e., residential service provider, employment provider) for the CPP participants' identified supervision needs of CPP participants at job sites or other program settings. This includes line-of-sight or arm's length distance supervision, etc., consistent with the CPP participant's treatment plan.
 - 3) Transportation to and from the employment program setting; and
 - 4) Disclosure requirements and procedures. Note: The nature and timing of disclosure is a treatment team decision.
- e. Confidentiality and release of information, including maintaining program confidentiality with regard to disclosure of information related to the community protection designation of the CPP participant;
- f. CPP participants' rights and grievance procedures as they relate to specialized environments and use of any restrictive measures per [DDA Policy 5.15](#), *Use of Restrictive Procedures*;
- g. Response and contingency plans for:
- 1) Emergency staffing in the event changes are required to protect staff or others;
 - 2) Situations which may be potentially dangerous (e.g., where the gender of staff working alone may cause them to be at risk or when the CPP participant obsesses about or makes threats to a specific staff person); and
 - 3) General emergencies.
- h. Serious Treatment Violations, including procedures to notify the following parties within 24 hours when a CPP participant refuses to abide by restrictions, supervision requirements, treatment recommendations and/or supervision.
- 1) DDA;
 - 2) the residential provider;
 - 3) county;
 - 4) therapist; and
 - 5) law enforcement as appropriate.

Refer to [DDA Policy 6.08](#), *Mandatory Reporting Requirements for Employment and Day Program Services Providers*, for additional guidance on incident reporting requirements.

C. Staff Training

1. Employment Program service providers must ensure that their employees receive training, at a minimum, in the following:
 - a. The [DDA County Guidelines](#);
 - b. The CPP participant's Functional Assessment (FA) and Positive Behavior Support Plan (PBSP);
 - c. Orientation specific to community protection behavior issues and the needs of CPP participants (such as the DDA Community Protection Orientation Video and Training Manual) covering the following topics:
 - 1) Supervision;
 - 2) Staff and/or victim grooming and manipulation techniques;
 - 3) Triangle relationships (e.g., CPP participant/therapist/provider);
 - 4) Emotional responses of staff;
 - 5) Offense patterns;
 - 6) Awareness of power and control over individuals in a subordinate role;
 - 7) Ways to develop mutually respectful and trusting relationships while guarding against potentially manipulative behaviors of some CPP participants;
 - 8) Expectations for collaboration and cooperation with therapists which may include treatment team meetings and having joint training with therapists;
 - 9) Coordination and communication protocols with case resource managers, families/legal representatives, residential providers, schools, employers, and other community supports;

- 10) Security procedures for the safety of CPP participants, staff, and the community;
 - 11) Procedures regarding maintenance of confidentiality and appropriate disclosure of personal information;
 - 12) Legal issues relating to CPP participants; and
 - 13) Incident reporting procedures.
2. Employment services providers working with CPP participants must receive community protection specific training prior to working alone with a CPP participant.

D. Client Records

In addition to general record standards, records of CPP participants must include the following documents written by either a Certified Sex Offender Treatment Provider (C-SOTP), or a Affiliate SOTP (A-SOTP) working under the supervision of a C-SOTP for persons with sexual deviancy issues, or by another qualified treatment professional (i.e., a licensed psychologist or psychiatrist) for individuals with no history of sexual deviancy:

1. Psychological and/or psychosexual evaluations and risk assessment(s);
2. Current treatment and support recommendations;
3. Current treatment plan, including the written Positive Behavior Support Plan (PBSP) and any approved restrictive procedures;
4. Copies of any exceptions to policy (ETP) for the use of restrictive procedures; and
5. Documentation of all agreements, plans and/or understandings with other agencies or individuals who support the CPP participant, including the person's legal representative and/or family. These must include requirements for supervision of the person when program employees are not present.
6. Documentation of any disclosures.
7. Documentation of appropriateness of the employment site as defined by the treatment team.

TITLE:

COMMUNITY PROTECTION STANDARDS
FOR EMPLOYMENT PROGRAM SERVICES

POLICY 15.03

EXCEPTIONS

Any exceptions to this policy must have the prior written approval of the Deputy Assistant Secretary.

SUPERSESION

DDA Policy 15.03
Issued July 1, 2013

Approved: /s/ Donald Clintsman
Deputy Assistant Secretary
Developmental Disabilities Administration

Date: July 1, 2015