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

Council on Sex Offender Treatment
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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

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Number of Providers</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2006</td>
<td>362</td>
</tr>
<tr>
<td>FY 2007</td>
<td>427</td>
</tr>
<tr>
<td>FY 2008</td>
<td>460</td>
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<td>FY 2009</td>
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<td>FY 2011</td>
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<td>FY 2012</td>
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<td>FY 2013</td>
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<tr>
<td>FY 2014</td>
<td>543</td>
</tr>
<tr>
<td>FY 2015</td>
<td>557</td>
</tr>
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<td>FY 2016</td>
<td>569</td>
</tr>
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</table>

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