

Policy 3.52– Establishing Risk Level for Youth who Sexually Offended Summary

- Establishes practice for meeting the legal requirements for risk leveling of youth that sexually offended (YSO).

Background:

The existing policy was up for a regularly scheduled sunset review.

Policy Summary

The policy establishes expectations for the mandatory sex offender risk level classification requirements for youth who sexually offended prior to the planned release, authorized leave or transfer to a minimum security facility. All YSO must be assessed using the Washington State Sex Offender Risk Level Classification (WSSORLC) assessment tool to determine the risk level classification. The classification will be recommended by the JR Risk Level Classification Committee (RLCC) and documented in ACT. The policy establishes a timeline for the risk level classification process, identifies circumstances where a special review may be needed, and identifies specific situations where the risk level will be used to manage YSO. Mandatory notifications for YSO are outlined in JR Policy 1.80.

Changes from Current Practice

- There are no changes from current practice

Policy Effective Date: September 8, 2017

POLICY 3.52 ESTABLISHING RISK LEVEL FOR YOUTH WHO SEXUALLY OFFENDED

Policy Committee Chair

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Approved



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9/1/2017

Authorizing Sources

RCW 4.24.550
RCW 4.24.5501
RCW 13.40.217
RCW 72.09.345

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Effective Date (Technical Edit 5/20/2021)¹
9/15/2017

Sunset Review Date
9/15/2021

I. PURPOSE AND SCOPE

This document establishes expectations for meeting the mandatory sex offender risk level classification requirements for youth or young adults (referred to as “youth”) who sexually offended prior to the planned release, authorized leave or transfer to a minimum security facility.

All staff, contractors, volunteers, and interns working in or for Juvenile Rehabilitation (JR) are responsible for reviewing and complying with JR policies.

II. POLICY

1. JR will assess youth who sexually offended (YSO) to assist in determining their risk level classification.

- 1.1. JR will use the Washington State Sex Offender Risk Level Classification (WSSORLC) assessment tool to determine the risk level classification for YSO. The WSSORLC has been authorized by JR in collaboration with the End of Sentence Review Committee (ESRC).
- 1.2. Superintendents, Regional Administrators, or designees must ensure that the YSO Treatment Coordinator (YSOTC) completes the WSSORLC for the Risk Level Classification Committee (RLCC) review and approval.

¹ 12/12/19 Technical Edit: Updated DSHS references to DCYF.

Policy 3.52, **Establishing Risk Level for Youth who Sexually Offended** 9/15/2017**END OF SENTENCE REVIEW – JUVENILE SUBCOMMITTEE****2. The JR Risk Level Classification Committee (RLCC) is a formal subcommittee of the Department of Corrections End of Sentence Review Committee (ESRC) in accordance with RCW 72.09.345.**

- 2.1. The JR RLCC will follow the standards for conducting the risk level review process and for necessary documentation in accordance with the Department of Corrections ESRC “Rules of Order”.
- 2.2. The JR YSO Program Administrator will chair the RLCC.
- 2.3. The RLCC has final authority on recommending a risk level for a YSO.
- 2.4. Local law enforcement has ultimate authority to assign the risk level.

3. Upon request, designated JR staff may participate in local risk level classification committees conducted by law enforcement for collaboration and communication.

- 3.1. Members who participate on local committees will abstain from voting on cases related to active JR youth.
- 3.2. Upon request, JR will provide law enforcement with documentation regarding offense specific behavior from the offender’s case file.

COMMITTEE REVIEW PROCESS**4. The Risk Level Classification Committee must review and approve risk level classification recommendations for YSO.**

- 4.1. RLCC reviews must occur prior to:
 - 4.1.1. Issuing a Notification of Sex Offender Release form (DCYF Form 09-747A) for the discharge, parole, authorized leave, or other planned release of a YSO from a residential facility; or
 - 4.1.2. Transfer of a YSO to a minimum security facility.
- 4.2. The risk level classification review will be documented in the Automated Client Tracking System (ACT).

TIMELINE FOR REVIEW**5. JR Sex Offender Treatment Coordinators (YSOTC) will make an initial recommendation to the RLCC of a youth’s risk level classification within 30 days of intake.**

- 5.1. If a youth scores as a Risk Level III, the YSOTC will present the youth at the Risk Level Classification Committee (RLCC) no later than 60 days from the initial determination.

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- 5.2. Within 60 days prior to release, the YSOTC will update the initial risk level determination:
 - 5.2.1. In conjunction with completing law enforcement notification requirements outlined in Policy 1.80, *Notifying the Community of Youth Placement, Transfer or Release*, prior to an offender's discharge from commitment, release to parole, authorized leave, or other planned release from a residential facility
 - 5.2.2. Prior to an offender's transfer to a minimum security facility
- 5.3. When youth who are in JR on a short term commitment where these timelines are unable to be met, the YSOTC will notify the YSO Program Administrator immediately in order to schedule an expedited review.

CIRCUMSTANCES FOR SPECIAL REVIEW

6. **If a YSO is assigned a risk level classification on a previous commitment, the previous risk level tool and classification will be reviewed by the YSOTC to determine if a change in classification level is needed.**
7. **If a youth was classified as a risk level II or III on the risk level tool more than a year before their release, the case may be reviewed by the JR YSO Program Administrator to determine if the case should be referred back to the RLCC for review.**
8. **Any youth who engages in behavior that may impact their risk to sexually reoffend or which may affect level mitigation or aggravation will be referred back to the RLCC for review.**
9. **Youth eligible for civil commitment review will be handled in accordance with Policy 3.51, *Reviewing Youth for Civil Commitment*.**

MANAGING YSO BASED ON RISK LEVEL

10. **Risk level classifications determined by the RLCC will be utilized for management of the YSO population.**
 - 10.1. YSO classified by JR as a Risk Level III are not eligible for authorized leave (per Policy 6.40, *Managing Authorized Leave or Community Involvement Passes*) or transfer to minimum security facilities.
 - 10.2. Length of parole services are provided in accordance with Risk Level. Refer to Parole Standard 1, *Assigning Parole Aftercare Obligations*.

NOTIFICATIONS FOR YSO BASED ON RISK LEVEL

11. **JR must provide narrative notices in accordance with Policy 1.80, *Notifying the Community of Youth Placement, Transfer or Release*.**

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III. DEFINITIONS

Law Enforcement: The chief of police of the city, tribal law enforcement agency if applicable, and the sheriff of the county in which the sex offender will reside.

Risk level I: indicates a low risk of sexual reoffense within the community at large.

Risk level II: indicates a moderate risk of sexual reoffense within the community at large.

Risk level III: indicates a high risk of sexual reoffense within the community at large.

Risk Level Classification Committee (RLCC): An interagency subcommittee of the State’s End of Sentence Review Committee (ESRC) assigned to review and approve the risk level classification recommendations for youth who sexually offended.

Sex Offense: A crime defined by RCW 9.94A.030 or 9A.44.128.

Youth who Sexually Offended (YSO): A youth whose current term of incarceration includes a sex offense or who has a criminal history of a prior sex offense.

Youthful Sex Offender Treatment Coordinators (YSOTC): JR institution and regional staff assigned to manage YSO.

Washington State Sex Offender Risk Level Classification (WSSORLC): The tool utilized by JR and the Risk Level Classification Committee for assessing risk for sexual reoffense.

IV. REFERENCES

DOC End of Sentence Review Committee, Rules of Order JR Parole Standard 1

V. RELATED JR POLICIES


Policy 1.40 – Managing JR Juvenile and Operations Records

Policy 3.51 – Reviewing Youth for Civil Commitment

Policy 1.80 - Notifying the Community of Youth Placement, Transfer or Release

Policy 6.40 – Managing Authorized Leave and Community Involvement Passes

VI. FORMS AND DOCUMENTS

Document Title	Available In ACT	Link to Paper Form
Notification of Sex Offender Release		DCYF Form 09-747A
Washington State Sex Offender Risk Level Classification (WSSORLC) tool		SOST Tool
WSSORLC tool scoring instructions		SOST Tool Instructions
