

Working with YPSB Placed on Legal Diversion

Presented by:

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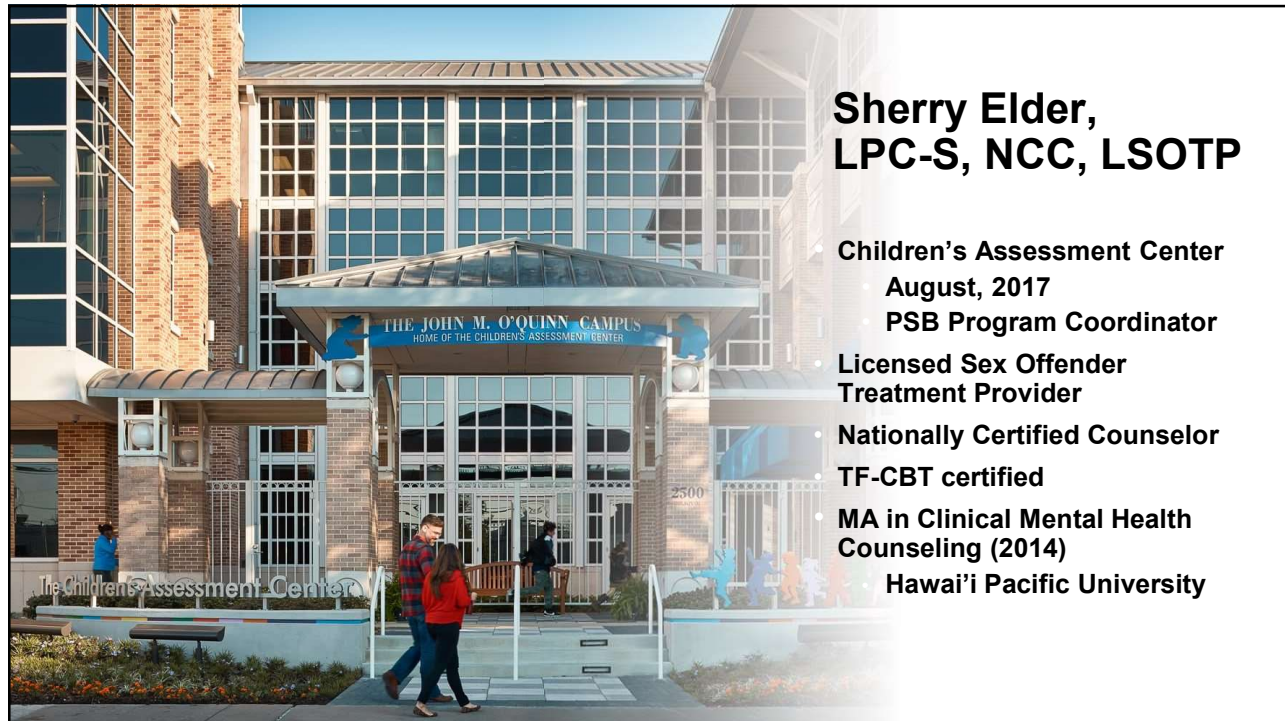
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JOHN JORDAN

- **Current Executive Bureau Chief of Operations for Harris County**
 - oversees the overall operations of the office, focusing on optimizing efficiency and effectiveness
- **Previous Felony Trial Bureau Chief**
 - supervised more than 100 prosecutors assigned to 29 Felony District Courts, as well as the Homicide Division
- **Prior Division Chief of the Juvenile Division**
 - From 2018 to 2022, John expanded Harris County's Diversion programs from one to six
- During his more than 25 year career with the HCDAO, John has also been over Police Intake, Grand Jury, and Misdemeanor divisions, as well as the Child Exploitation Section.

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Sherry Elder, LPC-S, NCC, LSOTP

- Children's Assessment Center
August, 2017
PSB Program Coordinator
- Licensed Sex Offender
Treatment Provider
- Nationally Certified Counselor
TF-CBT certified
- MA in Clinical Mental Health
Counseling (2014)
Hawai'i Pacific University

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Objectives

- 1) Participants will learn how The Children's Assessment Center and Harris County District Attorney's Office runs their YPSB legal diversion program.
- 2) Participants will receive an overview of the benefits and challenges that take place while running a legal diversion program for YPSB.
- 3) Participants will receive suggestions on how to establish similar legal diversion programs within their communities.



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A collage of images. On the left is a portrait of a man in a suit. In the center is the logo for "The CAC" with the text "30 YEARS OF HOPE AND HEALING" below it. To the right of the CAC logo are two more portraits of men. Below the CAC logo is the logo for the "OFFICE OF DISTRICT ATTORNEY KIM OGG HARRIS COUNTY, TEXAS". On the right side of the collage is a black box with the text "The Origins of B.A.S.E" in white.

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Building Appropriate Sexual Education: B.A.S.E.

The Children's Assessment Center, in collaboration with the Harris County District Attorney's Office, offers a pre-adjudicated diversion program for youth who have engaged in problematic sexual behaviors that could result in criminal charges.



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What is a pre-adjudicated diversion program?

Adjudicated Youths: A youth who has been found by a judge in juvenile court to have committed a violation of the criminal law, that is, a delinquent act. The judge can formally adjudicate the youth as an initial step before imposing a disposition (a sentence or punishment), or the judge can decide not to adjudicate the youth and instead impose conditions that, if met, will result in dismissal of the charges (placed on legal diversion)

Pre-adjudicated youth: Pre-adjudication diversion is defined as providing opportunities for youth who would otherwise face formal processing in the court system. The goal is to avoid an adjudication of delinquency or conviction for a summary offense.



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Our Pre-adjudicated youth:

- Never see a court room
- No lawyer fees
- No probation officers
- Juvenile Record only showing investigation and alleged offense
 - Not listed as guilty
- No Sex Offender Registration
- No ongoing court trauma
- Minimizing the self- fulfilling prophecy



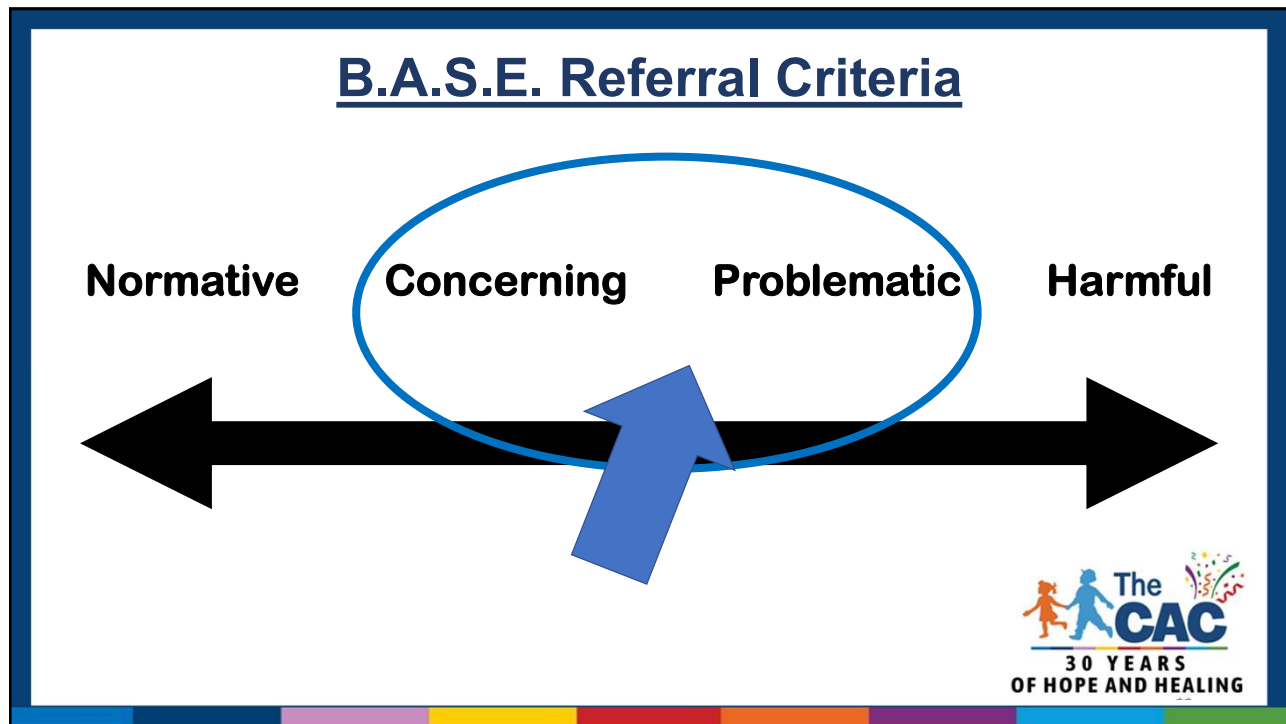
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B.A.S.E. Referrals

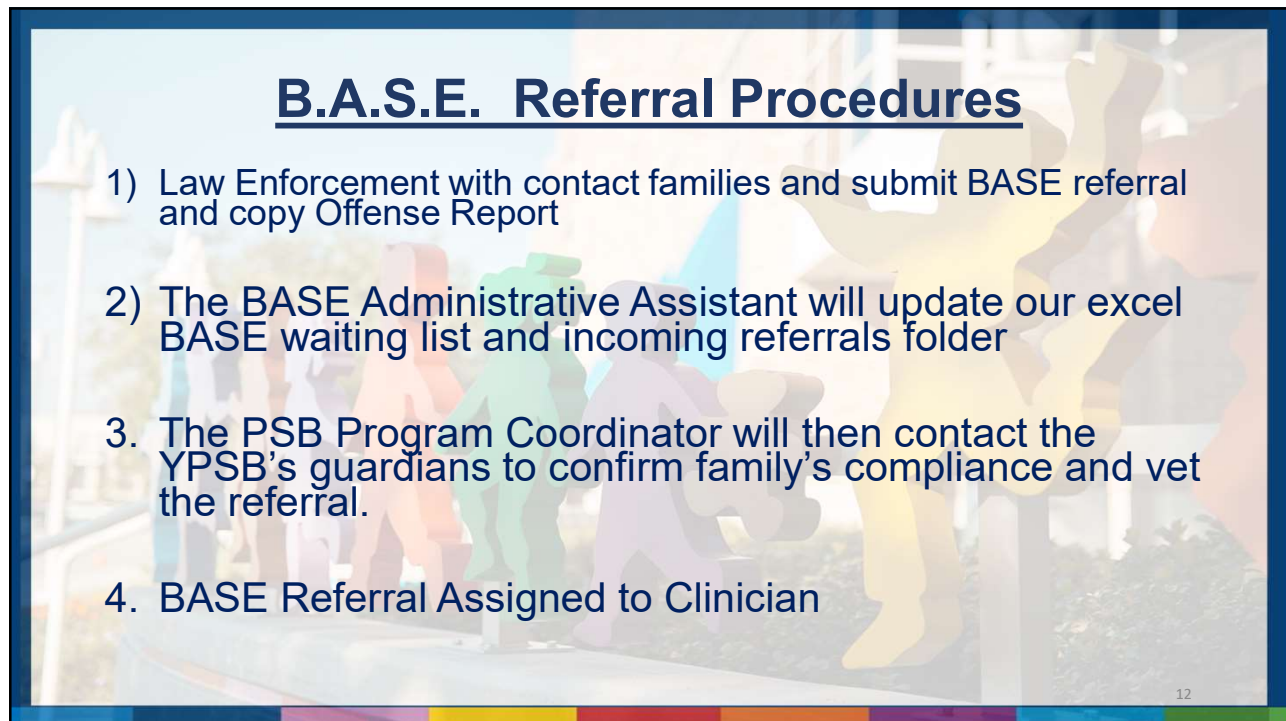
- **Harris Country District Attorney Juvenile Sexual Assault Intake Panel**
- Meets every Friday morning via Zoom
- Law enforcement to contact: Administrative Assistant to schedule a time to present
- Panel will make one of the following decisions regarding each case:
 - Decline Charges
 - File Charges
 - Request additional information from LE
 - Refer to the BASE Program for treatment



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B.A.S.E. Program Staff

- Sherry Elder, LPC-S, NCC, LSOTP
 - BASE Therapist and PSB Program Coordinator
- Chastidy Malone, LPS-C, LSOTP
 - BASE Therapist
- Bill Schmidt, Ph.D, LMFT, LMSW, LCDC, LPC-S, LSOTP-S, CSAT-S
 - BASE Contractor Therapist
- Jenna Turner, Psy.D., ASOTP
 - Staff Psychologist
- Stephanie Rodriguez-Morales, Psy.D, LPC
 - Bilingual Therapist
- Anita Jaffer, Psy.D.
 - Director of Therapy & Psychological Services
- BASE Administrative Assistant



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B.A.S.E. Treatment Goals

- Enhance Empathy for Victim
- Recognize Offense Cycle
- Develop Coping Strategies
- Create a safety plan to decrease likelihood of re-offending
- Receive evidence-based therapy for youth's victimization history (if applicable)

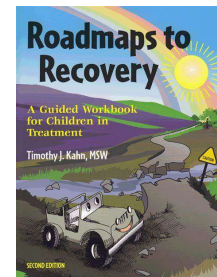
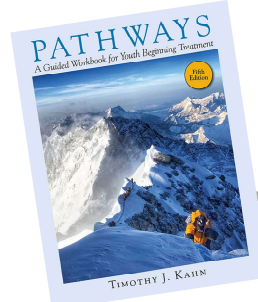


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B.A.S.E. Services

- Group Therapy
- Caregiver Groups/consults
- Individual Therapy
- Family Therapy
- Psychological Evaluations
- Psychiatric Services



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Additional Disclosers During Treatment

PSB Disclosers

Victimization

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B.A.S.E. Graduation



- Celebration Graduation Session
 - Food
 - Family
 - Graduation gift
 - Certificate
 - Thumbprint Tree
 - Program Survey
 - Referrals (if needed)
 - UoH Flyer to seal juvenile criminal record
- BASE Administrative Assistant provides HCDAO with Termination Summaries

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What is a Juvenile Record?

A "juvenile record" is information relating to a juvenile delinquency proceeding. It is the equivalent of a criminal record. If you've been taken into custody by the police you likely have a juvenile record, which is a permanent record with the State of Texas and the FBI. This applies to all juvenile records, even if your case was dismissed.

What can I do about it?

Isn't my juvenile record automatically sealed?

NO. The law in Texas was recently changed to put a system in place to do sealings for individuals who are 19 or older, but there is a huge backlog, so most records are NOT automatically sealed. To seal a record, an attorney must go into court to file an application, and then a judge must grant the application to seal your record.

Could I get my record sealed?

YES. Very likely! Most juvenile records are eligible for sealing. If you are not eligible right now, you will probably be eligible soon, depending on the kind of offense, how much time has passed since you completed probation, and how old you are right now.

What happens when it is sealed?

After an agency receives the court order sealing your record, they have 61 days to follow the order and delete your files. After that, the only people who will know you have a juvenile record will be your lawyer, and the court. At that point, in most cases, you are legally allowed to act as if the record never happened and say "no" when asked if you have a criminal record.

Juvenile Record Sealing: Why it always matters

Will a juvenile record affect immigration?

YES. Certain adjudications such as drug or sex offenses can derail a legal immigration process. If the child is undocumented, even a single arrest or detention can jeopardize the child's status.

Can a juvenile record affect future court proceedings?

YES. Law enforcement agencies have access to juvenile records unless they are sealed. Juvenile records can be used as evidence for sentencing in certain criminal proceedings and in some civil proceedings.

Is it true that juvenile records begin "before" charges are even filed?

YES. A record begins as soon as detention. No charges necessary.

Can a juvenile record affect public benefits?

YES. A juvenile record, even before adjudication, can affect Section 8 housing, Medicaid, and SSI.

Can a juvenile record affect college?

YES. If an application asks students about an adjudication, students must answer this question in the affirmative UNLESS THEIR RECORD HAS BEEN SEALED.

Can a juvenile record affect my employment?

YES. A delinquency adjudication can interfere with jobs related to working with finances, children, vulnerable adults, law enforcement, security, the federal government, or the military, as well as registered licenses, or certified professions and trades.

Can a juvenile record affect my school?

YES. A school can remove children from their regular classes and place them in an alternative program if the child was found guilty of a felony, received a deferred prosecution for a felony, or the principal thinks that the child committed a felony.

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Unsuccessful B.A.S.E. Discharges



Closed B.A.S.E. Referrals: LE submitted referral following the HCDAO's panel decision, however, client never successful started treatment.



Discharged B.A.S.E. Referrals: BASE client began treatment with clinician but was unsuccessfully discharged for various possible reasons.



The PSB Program Coordinator represents all unsuccessful B.A.S.E discharges to the HCDAO panel, whereupon, the panel will make a decision to file charges or drop charges.

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B.A.S.E. Program Statistics

Referrals Assigned	Closed	Discharged	Graduated
242	24	24	177



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B.A.S.E. Program Statistics

	2 Year Follow Up		5 Year Follow Up		10 Year Follow Up	
Cohort	Nonsexual	Sexual	Nonsexual	Sexual	Nonsexual	Sexual
2019	0%	0%	Pending	Pending	n/a	n/a
2020	0%	0%	n/a	n/a	n/a	n/a
2021	9.25%	0%	n/a	n/a	n/a	n/a
2022	Pending	Pending	n/a	n/a	n/a	n/a
2023	n/a	n/a	n/a	n/a	n/a	n/a
2024	n/a	n/a	n/a	n/a	n/a	n/a



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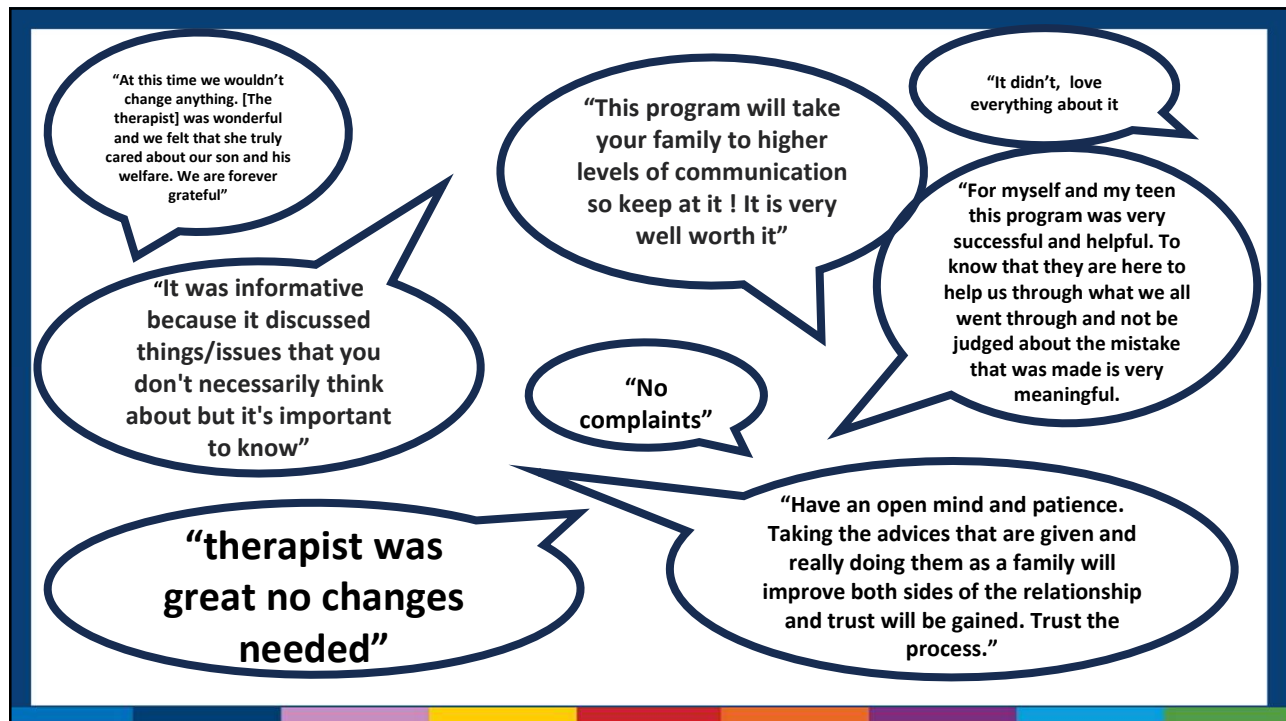
How does our PSB Program Compare?

- PSB-CBT Group Therapy - University of Oklahoma Health Sciences Center
 - 2-3 % sexual recidivism rates with PSB treatment
 - YPSB with PSB treatment showed no statistical differences with clinical comparison group
 - 11% sexual recidivism rates for YPSB randomized to play therapy groups
(<https://connect.ncsby.org/psbcbt/home>) (Carpentier, Silovsky & Chaffin, 2006).
- Multi-Systemic Therapy-Problem Sexual Behavior (MST-PSB)
 - 99% PSB Free
 - 94% arrest free
(<https://www.mstpsb.com/>) (*Outcomes from 2014-2019 for MST-PSB providers)
- Phased-Base Treatment (PBT)
 - initial clinical trials showed significant and large improvements for PSB
 - clinical trials of PBT are ongoing
(<https://research.med.psu.edu/pbt/>) (Allen et al., 2018)

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Pre-Adjudicated Diversion Program: Challenges

- Funding
- Establishing referral criteria
- Referral Delays
- MDT challenges
- Perceptions
- Referral restrictions
- Program development / procedure consistency
- Client's disclosing other PSB



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Pre-Adjudicated Diversion Program: Benefits

- Free treatment for YPSB
- Less Trauma (i.e., court, etc.)
- Dr. Lussier himself stated that adjudication itself can be a risk factor for recidivism
- Fighting self-fulfilling prophecy
- Receiving appropriate EBT PSB treatment
- Clients disclosing other PSB
- Healing from personal victimization (new disclosers)
- Reunification (victim and YPSB receiving services in same locations)



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**Establishing a
Pre-Adjudicated
Diversion Program in
your Community**

- Funding
- Start Small
- Communication with MDT
- Persistence

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Contact Information



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