


TEXAS CIVIL COMMITMENT OFFICE

 POLICY AND PROCEDURE	NUMBER:	3.4
	EFFECTIVE DATE:	7/9/2024
	SUPERCEDES:	11/1/2017

SUBJECT: APPROVAL OF CONTACTS AND CHAPERONES

PURPOSE: To establish guidelines for approving contacts and chaperones for Texas Civil Commitment Office (TCCO) clients. Any exceptions or deviations from this policy require the approval of the Executive Director or designee.

DEFINITION:

“Legally recognized parent” is the mother, a man presumed to be the father, a man legally determined to be the father, a man who has been adjudicated to be the father by a court of competent jurisdiction, a man who has acknowledged his paternity under applicable law, or an adoptive mother or father, as defined in Section 101.024, Texas Family Code; or where the client has been appointed legal guardian of said child.

PROCEDURE:

I. Approving Contacts

- A.** A client may be approved for in person, telephonic, written or video contact with a person with whom the client has an established relationship or with whom the client anticipates developing an association.
- B.** The Case Manager shall enter a potential contact as “Active” in the Reference section of the Person screen in the case management automated system within two (2) working days of receiving a Request for Contact Form (TCCO-07-16) from a client.
- C.** The Case Manager shall process the request within fourteen (14) calendar days of receipt. If additional time is needed, the Case Manager shall request approval from the Director of Case Management Services (DCM) or designee.
- D.** To determine if contact with a person will be approved:
 - 1.** The Case Manager shall meet face-to-face with the person, when possible, to determine if the person will be a pro-social support to the client’s ability to meet treatment and supervision requirements and expectations. If a face-to-face meeting is not possible,

the Case Manager shall conduct a comprehensive telephonic interview with the person.

The Case Manager shall:

- a. Utilize the Collateral Contact Questionnaire form (TCCO-14-17) when interviewing the person. The Case Manager shall ask additional questions as they deem to be appropriate.
 - b. Provide the person the client's signed Civil Commitment Rules (TCCO-04-16) and the Collateral Contact Rules Acknowledgment Form (TCCO-01-24) requesting the person acknowledge the rules, sign and return the form prior to allowing contact.
 - c. Scan the TCCO-14-17 into the case management automated system within two (2) working days of completion.
 - d. Scan the signed TCCO-01-24 into the case management automated system within two (2) days of receipt.
 2. For clients residing in the Texas Civil Commitment Center (TCCC), the Case Manager shall review the request with the Treatment Provider to determine if the Treatment Team will approve the person. The Treatment Provider may meet or speak with the person if additional information is needed to determine the appropriateness of the contact.
 3. For clients who reside outside the TCCC, the Treatment Provider shall meet face-to-face with the person, when possible, to determine if the person will be a pro-social support to the client's treatment. If a face-to-face meeting is not possible, the Treatment Provider shall conduct a comprehensive telephonic interview with the person. The Treatment Provider is responsible for determining if the potential contact has ever been victimized by the client or is currently at risk for being victimized or sexually exploited by the client.
- E. When a person is approved, the Case Manager and Treatment Provider shall determine the type of contact i.e., in person, telephonic, video, written, and/or supervised.
 1. Within two (2) working days of approval and the signed TCCO-01-24 has been received, the Case Manager shall:
 - a. Update the contact as "Approved" and enter the date it was approved in the comment section in the Reference section of the Person screen in the case management automated system; and
 - b. Complete the Visitor Contact List (TCCO-17-16) if the client resides at the TCCC, Community Residential Facility (CRF), or nursing home and enter comments or special instructions on the TCCO-17-16 regarding the contact, if applicable, and submit it to the designated TCCC, CRF or nursing home coordinator.
 2. Return a copy of the completed TCCO-07-16 to the client notifying them of the approval as soon as practicable either during the next visit or via communication form.
- F. When a person is not approved, the Case Manager shall:
 1. Inform the person of the reason for the denial.
 2. Return a copy of the completed TCCO-07-16 to the client notifying them of the denial as soon as practicable either during the next visit or via communication form.
 3. Update the contact as "Denied" and document the reason for the denial in the Reference section of the Person screen in the case management automated system within two (2) working days.
- G. The TCCO Executive Director may approve contacts on a case-by-case basis.

II. Denying Contact and Exceptions

- A. Contact with a client shall be denied if the person:
1. Does not want to have contact with the client;
 2. Is required to register as a sex offender;
 3. Is an inmate;
 4. Is on community, parole or Federal supervision or has pending criminal charges unless a letter is provided by the supervising officer approving the contact and the Executive Director has approved the contact;
 5. Is a former TCCO client, unless specifically authorized for contact by the Executive Director;
 6. Is a former TCCO employee or employee of a vendor that provided services to TCCO;
 7. Has behaviors or attitudes that are not consistent with pro-social supports;
 8. Has a criminal history that would be disruptive or contrary to the client's success in the program;
 9. Is in need of stabilization (e.g., actively psychotic, abusing legal or illegal substances, etc.). Once the person is stabilized, the Case Manager and Treatment Provider may reevaluate the person for possible contact;
 10. Is under eighteen (18) years of age;
 11. Was a co-defendant;
 12. Was victimized by the client (adjudicated or unadjudicated);
 13. Encouraged, had knowledge of, or participated in behaviors with the client that were rule breaking or law violations;
 14. Is no longer an appropriate collateral contact; or
 15. Is a family member or a collateral contact of another client, unless approved by the Executive Director.
- B. If a person is being denied or removed because the person encouraged, had knowledge and did not report rule breaking behaviors to TCCO, or participated with a client to violate program rules and/or the law, maintaining or regaining contact may be possible if:
1. The person is an immediate family member (spouse, parent/step-parent, sibling/step-sibling, grandparent/step-grandparent, grandchild/step-grandchild, or child/step-child);
 2. The person may request contact by undergoing supplemental education and training. If the Treatment Team agrees allowing contact could be beneficial to the client, the Case Manager shall meet with the DCM and the Clinical Director or the Treatment Provider if the client does not reside at the TCCC;
 3. The DCM shall coordinate with TCCO management, the Treatment Team and the Clinical Director and/or Treatment Provider, to determine a plan. The plan may include, but is not limited to, requiring the person to:
 - a. Attend Chaperone Classes provided by a Licensed Sex Offender Treatment Provider (LSOTP), approved by TCCO. Completion of Chaperone Class is for educational purposes only and **does not** permit the person to be a chaperone at that time.
 - b. Attend individual session(s) with a LSOTP, approved by TCCO, as determined by the Treatment Team and the LSOTP.
 - c. Attend family session(s), as determined by the Treatment Team.
 - d. Attend or participate in educational session(s), as determined by the Treatment Team, regarding the importance of positive support for clients.

- e. Sign a release of confidentiality form with the LSOTP, which will allow the LSOTP to communicate progress to the Treatment Team and provide recommendations about the appropriateness of allowing contact.
 - f. Sign an agreement outlining the expectations of the person to continue or resume contact and ongoing expectations of the person while being a collateral contact.
 - g. Obtain a criminal history background check via fingerprints.
 - h. Pay for the Chaperone Classes, individual sessions, criminal history background checks and other required activities.
4. Sign the Collateral Contact Agreement (TCCO-03-24), if applicable, outlining the expectations of the person to continue or regain contact.
 5. Once the person has completed the plan that was outlined by the Treatment Team, the Case Manager shall request a letter from the client's Treatment Provider and the Treatment Provider who is providing the services to the person, if applicable. The letter shall include the progress made by the person as well as a recommendation regarding whether the person can provide appropriate support in order to allow contact with the client.
 6. Persons may be required to attend individual sessions or refresher classes in order to maintain approval to have contact as determined by the Treatment Team.
- C. If the requested contact is being denied for any reason except encouraging, participating in, or failing to report rule breaking or violation behavior, the Executive Director may approve the contact if the Treatment Team anticipates the contact would be beneficial to the client. If the Treatment Team determines a person who otherwise does not meet the criteria would be beneficial for a client, the Case Manager shall submit a Collateral Contact Exception Request form (TCCO-02-24).
- D. In the event a victim who is now eighteen (18) years of age or older, requests contact and the Case Manager and Treatment Provider agree the contact could be therapeutic to the client and the victim, the victim may submit a written request to the TCCO Executive Director. In some cases, court approval is required prior to any contact with a victim. If the contact is approved by the court, if applicable and the Executive Director:
1. Every contact requires prior written approval from the Executive Director.
 2. The client shall sign an agreement that any unsupervised or unapproved contact will be a violation and subject to prosecution.
 3. In-person or verbal contact shall be in the presence of the Treatment Provider or Case Manager. Written contact shall be reviewed and requires approval from the Case Manager and Treatment Provider prior to the written communication being delivered.
- E. If a guardian of a child under eighteen (18) years of age requests the child have contact with a client and the Treatment Team anticipates the contact could be beneficial, an exception may be considered if:
1. The child was not the victim of the client's offenses (adjudicated or unadjudicated);
 2. It has been established by birth certificate or official documents that the client is the legally recognized parent; and
 3. The Executive Director has approved the contact.
 - a. If the Executive Director approves the contact, a staff member shall be present for the verbal and in-person contact. The guardian or another approved adult collateral contact shall also be present. Written contact shall be reviewed and approved by the Case Manager and Treatment Provider prior to the written communication being delivered;

- b. For visits occurring at the TCCC, arrangements shall be made that the child does not have contact with or is in view or sound of any other TCCO clients; and
- c. Each in person contact requires prior written approval from the Executive Director or designee.

III. Selecting a Chaperone

- A. A chaperone is a responsible person who has been approved by the Treatment Team to accompany and supervise the client during approved activities. A chaperone, on a case-by-case basis, may take the client to appointments, to and from work, and other outings as approved by the Treatment Team.
- B. The assigned Treatment Provider shall meet with the potential chaperone(s) to determine if the person can function as a chaperone (e.g., able to hold the client accountable, is not intimidated or controlled by the client, and has pro-social attitudes).
- C. A potential chaperone shall:
 - 1. Be a current approved contact;
 - 2. Agree to obtain and pay for criminal history background checks via fingerprints. The criminal background checks are required prior to approval. The criminal background checks may be paid for by the client or the potential chaperone;
 - 3. Provide a copy of their current driver's license or state identification;
 - 4. Agree to attend and complete the chaperone training paid for by the client or the potential chaperone;
 - 5. Be aware of the nature of the client's sexual offending behavior and shall not deny or minimize the behavior;
 - 6. Be willing to maintain open communication with the Case Manager and Treatment Provider and other TCCO staff to include reporting inappropriate or high-risk behaviors, and violations committed by the client; and
 - 7. Be willing to perform the duties of a chaperone.

IV. Disqualification of a Chaperone

- A. A person shall not be approved as a chaperone if the person:
 - 1. Is an inmate, on community, parole/mandatory, or Federal supervision, on civil commitment or has pending criminal charges;
 - 2. Has a prior adjudication or deferred adjudication for a sex offense or an offense against a person, including Burglary with Intent to Commit an Offense against a person. If a person otherwise meets the qualifications to be a chaperone and the Case Manager and Treatment Provider considers the person to be an appropriate chaperone regardless of the prior offense against a person, the Case Manager may request approval from TCCO management. Any potential chaperone with a felony conviction requires approval from the TCCO Executive Director.
 - 3. Has behaviors, attitudes, or a history that would be harmful or does not support the client's completion of the program;
 - 4. Is unable to perform the duties required of a chaperone;
 - 5. Was abused, neglected or sexually exploited by the client;

6. Has the following qualities that would make it difficult for the person to function effectively as a chaperone:
 - a. Cognitive or intellectual impairments;
 - b. Mental health issues;
 - c. Current substance abuse problems; or
 - d. Health or physical limitations.
7. Encouraged, had knowledge and did not report rule breaking behavior to TCCO, or participated with a client to violate program rules and/or the law.

- B. If the Treatment Team determines the person cannot be a chaperone, the Case Manager shall inform the client and person the reason for denial. If the reasons are due to qualities listed in IV.A.5-6, the Case Manager shall use discretion when providing the reason(s). The Case Manager shall document the reason for the denial in the Reference section of the Person screen in the case management automated system within two (2) working days.
- C. If a person remediates the reason(s) for denial, they may be reconsidered for approval upon completion of steps noted in Section II.B. Some reasons cannot be remediated such as being victimized or exploited by the client or if the person participated in offending behaviors with the client.

V. Process for Approving a Chaperone

- A. If, following a full file view, the Treatment Team agrees the person meets the qualifications to be a chaperone, the Case Manager shall complete Section A of the Chaperone Approval Form (TCCO-08-16). The Case Manager shall submit the TCCO-08-16 with a copy of the potential chaperone's current driver's license or state identification to the DCM within five (5) working days of receipt of a copy of the driver's license or state identification.
- B. The DCM shall review the TCCO-08-16 form within five (5) working days of receipt to determine if the potential chaperone may proceed with the fingerprinting process. The DCM shall complete Section B of the form and provide a copy to the Case Manager and the TCCO Executive Assistant. The Case Manager shall scan the TCCO-08-16 into the case management automated system within two (2) working days of receipt.
- C. If approved by the DCM, the Case Manager shall inform the person to contact the TCCO Executive Assistant via email to schedule a fingerprint criminal history background check.
- D. After the criminal history background check results have been received, the DCM shall complete Section C of the TCCO-08-16 form and provide it to the Case Manager within three (3) working days of receipt.
- E. If the DCM indicates the person may proceed, the Case Manager shall inform the person to coordinate with the TCCO-approved Treatment Provider regarding the chaperone training.

- F. If the chaperone trainer is not the client's Treatment Provider, the Case Manager shall provide the chaperone trainer with case file material to include the parole case summary and other relevant documents as determined by the Treatment Team. Once the person has completed chaperone training, the Case Manager and Treatment Provider shall determine if the person is an appropriate chaperone. If the chaperone trainer is not the client's Treatment Provider, the chaperone trainer shall participate in the Treatment Team to determine if the person may be approved as a chaperone.
- G. Within two (2) working days of determining the person is an appropriate chaperone, the Case Manager shall update the Reference section of the Person screen in the case management automated system to "Chaperone Approved," enter the date approved in the comment section and complete section D on the TCCO-08-16 form and submit it to the DCM.
- H. Once the Treatment Team has approved the client for activities with the chaperone, the Case Manager shall submit an updated TCCO-08-16 and scan into the case management automated system.
- I. If TCCO receives an alert regarding an updated criminal history background results indicating the person no longer meets the qualification, the DCM shall complete Section E of the TCCO-08-16 form within three (3) working days of receiving the results and send a copy to the Case Manager. The Case Manager shall update the Reference section of the Person screen in the case management automated system to "Chaperone Denied," enter the date and reason in the comment section within two (2) working days of receiving TCCO-08-16 from the DCM.
- J. At any time a chaperone no longer meets the qualifications, after consulting with the Treatment Provider, the Case Manager shall complete Section E of the TCCO-08-16 form, and submit it to DCM and inform the client and chaperone that the chaperone approval has been suspended.

VI. Chaperone Training

- A. The TCCO-approved Treatment Provider may conduct chaperone training on an individual basis or in a group setting i.e., one on one or train several potential chaperones at one time.
- B. Once the person completes the Chaperone training, they may be allowed to continue the chaperone process by attending a session with the Treatment Provider and the client. This session includes the client presenting the chaperone contract.
- C. After the person(s) has completed the Chaperone training and participated in all sessions in which the chaperone contract was presented, the Treatment Team shall determine if the person can begin chaperone activities.
- D. Each chaperone outing requires prior written approval by the DCM. The client shall maintain any chaperone logs required by the Treatment Provider.

SIGNATURE ON FILE

Marsha McLane
Executive Director

Associated Forms:

- Request for Contact Form (TCCO-07-16)
- Collateral Contact Questionnaire form (TCCO-14-17)
- Collateral Contact Rule Acknowledgment Form (TCCO-01-24)
- Civil Commitment Rules (TCCO-04-16)
- Approved Contact List (TCCO-17-16)
- Collateral Contact Exception form (TCCO-02-24)
- Collateral Contact Agreement (TCCO-03-24)
- Chaperone Approval (TCCO-08-16)