

TEXAS CIVIL COMMITMENT OFFICE



POLICY AND PROCEDURE

NUMBER:	4.1
EFFECTIVE DATE:	09/22/2020
SUPERCEDES:	01/14/2020

SUBJECT: TIERED PROGRAMMING AND MOVEMENT BETWEEN TIERS

AUTHORITY: Health and Safety Code §§ 841.0831, 841.0832, 841.0834, 841.141(b)3.

PURPOSE: To provide guidelines for the tiered program and establish criteria for movement between the tiers.

POLICY: Pursuant to the Health & Safety Code §§ 841.0831, 841.0832, 841.084 and 841.141(b)3, the Texas Civil Commitment Office (TCCO) shall develop a tiered program for treatment and supervision of a committed person to include criteria for movement between the tiers.

PROCEDURE:

I. Tiered Treatment Program

- A.** The Texas Civil Commitment Office (TCCO) treatment and supervision program consists of five treatment tiers with Tiers One through Four occurring while the client resides at the Texas Civil Commitment Center (TCCC), a community residential facility, treatment facility, or other supervised housing designated by the TCCO. Clients who have progressed to Tier Five are placed in the community for continued treatment and supervision.
- B.** The TCCC is designated to serve as the intake and orientation facility for clients released from a secure correctional facility, state hospital, state supported living center, or placed there by the TCCO. All clients shall initially reside in the Texas Civil Commitment Center (TCCC) unless otherwise designated by the TCCO.
- C.** The tiered program shall provide a seamless transition from total confinement to less restrictive housing and supervision based on the client's individual behavior and progress in treatment.
- D.** The tiered program consists of group and individual treatment. The client will attend group as required by the Individual Treatment Plan or by the program design. In the event

a client cannot attend group or individual treatment for a TCCO approved reason such as Treatment Provider approved training, natural disaster, medical isolation, pandemic or other approved reason, the Treatment Provider shall provide the client with treatment assignments commensurate with the number of groups or individuals not attended. The treatment assignments shall be reviewed by the Treatment Provider when groups and individuals resume.

- E. The tiered program consists of the following tiers:
1. Tier One – Responsibility. Includes curricula that will help the client with building problem solving skills and will teach the client how good decisions are made. This tier addresses the client’s individual needs and considers the level of skill the client has for managing their life. The goals of Tier One include: attending and actively participating in treatment; understanding cognitive behavior therapy and thinking errors; demonstrating honesty, accountability, readiness for change; and understanding healthy sexuality.
 2. Tier Two – Awareness and Discovery. The client will participate in disclosure group, which includes curricula that covers offending behavior; relationships; and sexual history. The client works on developing behaviors toward establishing a balanced, self-determined lifestyle that is free from offending behavior. The goals of Tier Two include: admitting to the offenses; understanding their offense cycle; being accountable for the choices they have made; identifying risk; and continuing to demonstrate an understanding of healthy sexuality.
 3. Tier Three – Healthy Relationships and Empathy. The client will learn to control their risk factors and build relationship skills. This tier assists the client to understand and share with others in a more empathic and emotionally healthy manner through on-going development and supervised practice of self-control behaviors, thoughts, and emotions. The goals of Tier Three include: being able to identify high-risk situations; increasing social support; gaining skills in recognizing healthy relationships; and creating a maintenance plan for managing risk.
 4. Tier Four – Preparation for Community Reintegration. The client will receive support and guidance to enforce and support the new skills learned in treatment. The client will also prepare to return to the community through individually tailored curriculum using offense-focused group presentation, cognitive restructuring, role play, and life planning. Tier Four also includes an Advanced Group Environment (AGE) for clients who have progressed significantly in Tier Four and are being considered for Tier Five. This environment emphasizes an increase in independent living skills and personal responsibility that is similar to community living. The goals of Tier Four include: being financially and emotionally responsible and developing a discharge and safety plan for community living.
 5. Tier Five – Community Treatment. A client who has completed all of the goals in Tiers One through Four of the sex offender program or the equivalent and have been approved to live in less restrictive housing in the community are placed in Tier Five. The client’s placement in Tier Five must be in the best interest of the client and conditions shall be imposed that adequately protect the community. Sex offender treatment will continue in Tier Five utilizing the cognitive behavioral model incorporating the Good Lives and Risk-Need-Responsivity Model. The client will

continue to receive treatment and supervision that will reinforce the skills learned in treatment. The goals for Tier Five are for the client to continue to build healthy relationships and social support systems, identify high-risk situations, and to be a productive citizen who is free from offending behavior with the ultimate goal of no more victims.

II. Movement Between Tiers

- A.** A client in Tier One or Two may progress to the next tier (Tier Two or Three respectively) upon:
1. Successfully completing all assigned curriculum and assignments;
 2. Successfully meeting and maintaining all of the treatment goals;
 3. Consistently demonstrating through their behavior that they have engaged in treatment and are utilizing the strategies learned in a positive pro-social manner; and
 4. The Treatment Team recommending the client progress to the next tier.
- B.** A client in Tier Three may progress to Tier Four upon:
1. Successfully completing all assigned curriculum and assignments;
 2. Successfully meeting and maintaining all of the treatment goals;
 3. Consistently demonstrating through their behavior that they have engaged in treatment and are utilizing the strategies learned in a positive pro-social manner;
 4. The client participating in the Panel Review as described below;
 5. The Treatment Team recommending the client progress to Tier Four; and
 6. The TCCO Executive Director or designee approving the client to progress to Tier Four.
- C.** A client in Tier Four may be considered to move to the AGE when the client:
1. Is systematically completing the assignments and achieving the goals of Tier Four;
 2. Has a home plan in development;
 3. Is compliant with supervision and treatment rules;
 4. Has had no reported violations within the last six (6) months;
 5. Has no significant responses to deviant stimuli on the most recent valid plethysmograph (PPG) or is currently working on sexual arousal management;
 6. Has no deception indicated on the most recent maintenance polygraph;
 7. Has at least two (2) months of living expenses saved for the community;
 8. Has participated in the Panel Review;
 9. The Treatment Team agrees; and
 10. The TCCO Executive Director approves the client to move to AGE.
- D.** A client in Tier Four may progress to Tier Five with approval of the TCCO Executive Director upon:
1. Successfully completing all assigned curriculum and assignments in Tiers One – Four;
 2. Successfully achieving and maintaining all of the treatment goals;
 3. Consistently demonstrating through their behavior that they have engaged in treatment and are utilizing the strategies learned in a positive pro-social manner;

4. TCCO determining that the transfer to less restrictive housing is in the best interest of the client and conditions can be imposed that can adequately protect the community;
 5. Completion and approval of the client's High-Risk and Safety Plans;
 6. The Treatment Team's recommendation; and
 7. Investigation and approval of a home plan.
- E. A client who demonstrates a regression in treatment or behavior may be reduced in tier as determined by the Treatment Team. If a client is participating in a Behavior Management Review (BMR), a tier reduction shall not occur during the review. The participants in the BMR include but are not limited to the client, representatives from clinical, security, and TCCO case management. The participants may recommend a tier review during the BMR; however, the Treatment Team shall make the final decision regarding the tier assignment.
- F. On a case-by-case basis, a client may remain in their current tier in sex offender treatment group but have a reduced tier assignment with regard to housing and privileges if behavioral or treatment issues need to be addressed as determined by the Treatment Team. The Case Manager shall document the privilege restriction on the Review/Change in Tier form (TCCO-05-19) and enter the information in the comments and enter the restriction on the Referral/Restriction section of the Sanctions screen of the case management automated system within two (2) days of the decision. Once the restriction is completed, the Case Manager shall enter the completion date in the "discharge date" of the Referral/Restriction section of the Sanctions screen in the case management automated system and enter the reason within two (2) days of the restriction being completed.
- G. The Treatment Team may approve a client to advance to the next tier in treatment while remaining in the lower tiered housing and privileges if the client has completed all of the assignments and has met all of the goals of the tier but remains noncompliant in some areas of supervision. The Case Manager shall staff the case with the Civil Commitment Manager (CCM) prior to approving the client to move to the next treatment tier. The Case Manager shall document the housing restriction on the Review/Change in Tier form (TCCO-05-19) and enter the information in the comments. The Case Manager shall document the staffing as a Case Conference and enter the restriction in the Referral/Restriction section of the Sanctions screen in the case management automated system within two (2) days of the decision. Once the restriction is completed, the Case Manager shall enter the completion date in the "discharge date" of the Referral/Restriction section of the Sanctions screen in the case management automated system and enter the reason within two (2) days of the restriction being completed.
- H. Without approval from the TCCO, a client may file a petition with the court of commitment for transfer to less restrictive housing and supervision. A client who files a petition for less restrictive housing shall also provide a copy to the TCCO Central office. Pursuant to § 841.0834 of the Health and Safety Code, the court shall grant the transfer if the court determines that the transfer is in the best interest of the client and conditions can be imposed that adequately protect the community.

- I. The TCCO shall return a client who has been transferred to less restrictive housing and supervision to more restrictive housing and supervision if the transfer is considered necessary to further treatment and to protect the community, which may include transfer to the TCCC. The transfer must be based on the client's behavior or treatment progress.

III. Tier Assignment and Documentation

- A. A Treatment Provider shall complete an Initial Tier Assessment (TCCO-04-19) form for each client initially arriving at the TCCC. If a client had previously attended sex offender treatment while in prison or in the community, the Treatment Provider shall provide extensive justification if the client is placed in a tier lower than Tier Two. The Treatment Provider shall provide a copy of the Initial Tier Assessment to the Case Manager within two (2) days of assigning the client a tier.
- B. The Treatment Team shall discuss a client's tier change when a client has progressed in treatment to the point of advancing tiers or if the client has regressed.
- C. The Case Manager shall complete a Review/Change in Tier form (TCCO-05-19) each time a client's tier changes. In addition, the Case Manager shall complete a TCCO-05-19 at least annually to document the review of the client's current tier.
- D. The Case Manager or designee shall scan the TCCO-04-19 or the TCCO-05-19, whichever applies, into the TCCO case management automated system within two (2) working days of receipt or of the staffing.
- E. When a client is being considered for Tier Four or the Treatment Team is considering the client for the AGE, the Case Manager shall schedule a Panel Review with the CCM. The Panel Review participants include, at a minimum, the CCM, Unit Supervisor, Case Manager, a Treatment Provider, the Chief of Security or designee and the client.
 1. The Case Manager shall present the client's offenses, progress in treatment, completion of goals and behavior.
 2. The members of the panel shall ask the client questions to determine if the Treatment Team will recommend the client to move to Tier Four or AGE, whichever is applicable.
 3. If the Treatment Team agrees that the client is ready to move to Tier Four or AGE, the Case Manager shall submit the Decision Memorandum to the Unit Supervisor within three (3) working days of the Panel Review. The Unit Supervisor shall submit the Decision Memorandum to the CCM within ten (10) working days of the Panel Review.
 4. The CCM shall submit the Decision Memorandum to the Director of Program Operations for review within two (2) working days of receipt if the CCM concurs with the tier/housing change.
 5. The Director of Program Operations shall submit the Decision Memorandum to the Executive Director or designee within two (2) working days of receipt if the Director of Program Operations concurs with the tier/housing change.
 6. The Executive Director shall sign the Decision Memorandum approving or denying the tier/housing change.

7. The CCM shall inform the Case Manager of the Executive Director's decision and scan the signed Decision Memorandum in the case management automated system within (2) working days of the decision.
- F. The Case Manager shall complete and submit a Decision Memorandum when the Treatment Team determines the client's movement to Tier 5 should be considered. For information on home plan preparation, reference TCCO policy 5.2 *Transition to Home Plan*.
- G. The Case Manager shall enter the assigned tier in the case management automated system within two (2) working days of determining the client's tier and subsequent changes.

IV. Additional Programming

A. Study Hall

1. Clients in Tier One and Two residing at the TCCC are required to attend study hall.
2. Clients in Tier Three and Four shall attend study hall as identified in their Individual Treatment Plan or as instructed by any member of their Treatment Team.

B. Clients in Tier One through Four who do not have a verifiable high school education or General Educational Development (GED) and who are under the age of sixty (60) are required to attend GED classes at the TCCC as instructed by their Case Manager.

C. Clients in Tier One through Four may be required to attend classes offered at the TCCC as instructed by their Case Manager.

SIGNATURE ON FILE

Marsha McLane
Executive Director

Associated Forms

- Initial Tier Assessment form with Instructions (TCCO-04-19)
- Review/Change in Tier Level form with Instructions (TCCO-05-19)
- Decision Memorandum