

## Sex Offenders in the Schools

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### Agenda

- Facts & Figures
- Adjudicated students
  - SB 1092 reporting requirement
  - School safety plans
- Nonadjudicated students
  - Child abuse reporting
  - Sexual incident response protocol

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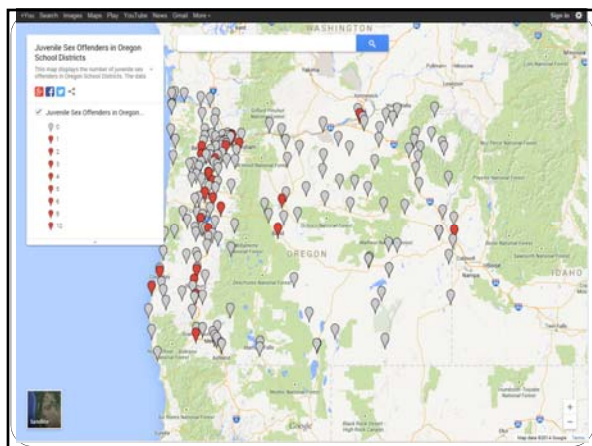
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### Facts & Figures

- In a 2009 study of 13,471 juvenile sex offender cases revealed that in **88.2%** of reported incidents, the victim was either a family member or acquaintance.
- Despite the increase in publicity of sexual crimes, from 1995 to 2010, the estimated annual rate of female (age 12 or older) rape or sexual assault victimizations has **declined 58%**.

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### Facts & Figures

- Despite public awareness and education about sexual offenses, between 2005-2010, victim surveys show that **64%** of such incidents **go unreported**.
- Youth who commit sex offenses are highly unlikely to commit another sexual offense.
  - Fiscal year 2011 – 36 month follow up on juvenile sex offenders under OYA supervision:
    - SO Probation youth – **7.1% recidivism** (person crimes = 26.1% / property crimes = 27.2%)
    - SO Parole youth – **10.7% recidivism** (person crimes = 19.2% / property crimes = 26.2%)

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### Adjudicated Students: Notice

- District administrator receives notice of criminal charges against and/or conviction of student from local district attorney within 5 days of occurrence pursuant to ORS 339.317-339.319.
- District administrator receives notice of release from custody within 15 days pursuant to ORS 339.323.
- District administrator notified of crime and conditions of release.

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### Adjudicated Students: Notice

- District administrator must notify school personnel within 48 hours who need the information in order to:
  - Safeguard the safety and security of the school, students and staff;
  - Arrange appropriate counseling or education for the student;
  - Notify district employees if the charge has been set aside; instruct to destroy all information regarding charges.
- Information can only be redisclosed for these purposes.
- If student is not enrolled in administrator's school but in another school, must notify that school's administrator (e.g. private school, charter school)

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### In a "Perfect" World...

- Youth is taken into custody by law enforcement and lodged in detention.
- Youth remains in detention until a psycho-sexual evaluation is completed to determine risk level and appropriate placement.
- Juvenile Department has time to gather "team" to develop school safety plan prior to youth being released.



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### In a "Perfect" World...

- The "team" would include: youth, youth's parents, school admin., school counselor, juvenile PO, law enforcement, treatment provider, and victim / victim's parents who all have input into safety plan.
- Youth abides by safety plan throughout course of school year.
- Modifications are made as treatment progress allows and all members of "team" are consulted.



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**“Worst Case” Scenario**



- Youth is taken into custody by law enforcement and lodged in detention.
- Youth is conditionally released from detention by the Court prior to any evaluations being completed.
- Youth re-enters school immediately upon release.

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**“Worst Case” Scenario**



- Juvenile Dept. does NOT have time to assemble a “team” to do proper safety planning.
- School calls Juvenile Dept. to find out what’s going on?!?
- Juvenile Dept. meets with school admin. and youth to put together a “generic” safety plan.
- School counselors, law enforcement, treatment providers, victim, victim’s parents are left out of the loop.

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**“Worst Case” Scenario**



- Juvenile Dept. contacted by victim’s parents demanding action be taken to protect victim or siblings of victim.
- Youth struggles to comply with safety plan due to perceived lack of support.
- Youth violates conditional release and ends up back in detention.

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Adjudicated Students: Safety Plan

- Review safety plan with parole officer
- Implement safety plan:
  - Communicate with staff with a need to know to implement plan.
  - Do not believe that a failure to implement the plan provides the student a “clean slate.”

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Safety Planning:  
To and From School



- Door to door
- Escorted to and from bus
- Escorted to and from office
  - In the event that the student walks to school or is transported by parents
- Bus supervision
  - Driver must be able to perform duties and provide supervision or you need an escort

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Safety Planning:  
Degree of Supervision

- Man-to-man or Zone Defense
  - Line-of-Sight
    - Needed when intent is strong and access/opportunity are ever present
  - Arms-Reach
    - Needed when student is also very impulsive, coercive, or sneaky
  - Earshot



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### Safety Planning: Areas to watch

- Lunch/Breaks/Recess/Assembly
  - Hands above the table
  - Be wary of hiding spots
  - Be thoughtful about seating
- Seating Assignment
  - Near supervision
  - Away from potential targets
- Bathroom use
  - Single stall
  - Bathroom clears



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### Safety Planning: More Areas to Watch

- After School Activities
  - Need a safety plan too
  - Be thoughtful about the environment
  - Is there a need to change clothes
- Academic Restrictions
- Technology



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### Safety Planning: Situational Concerns

- Access
  - Be mindful of the target of interest
- Opportunity/Method
  - More likely to offend in times of emotional distress
- Other considerations:
  - Most kids don't like supervision
  - Supervision stays in place until intent is impacted
  - Important to maintain documentation
  - Good supervision protects staff, school, **and** the student of concern

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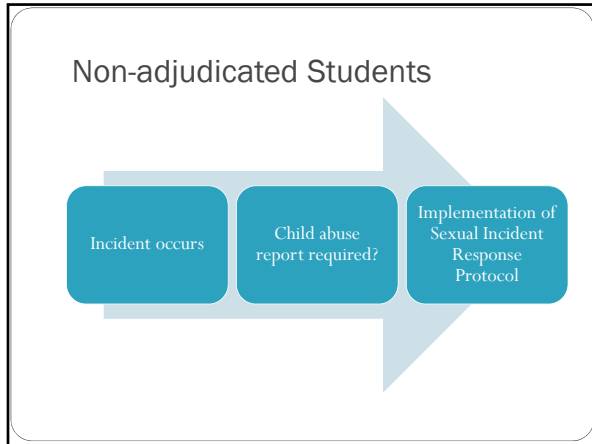
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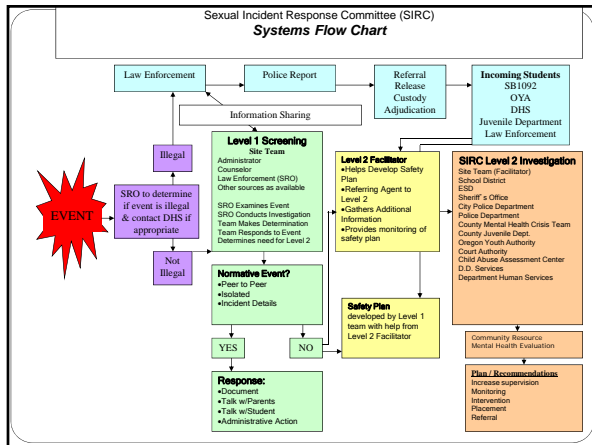
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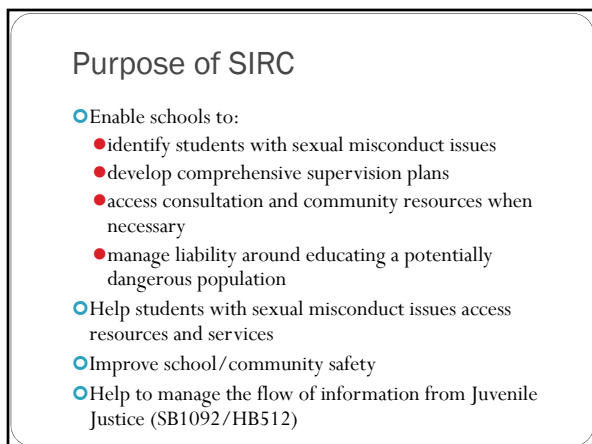
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### SIRC Level 1 Team



- Level 1 Team
  - Administrator
    - Acts as case manager
  - Counselor
    - Gathers data (academic, disciplinary, historical & interview)
  - SRO (as needed)
    - Gathers law enforcement information
  - Parents (via meeting participation or interview)
  - Other relevant parties are included as needed
    - Probation, therapist, DHS, teachers, SPED Case Mgr., etc.

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### Screening



- Peer to Peer
  - < 3 years difference in age and/or development
- Isolated
  - No history
- Incident Details
  - Consistent report among students
  - Not coercive
  - Developmentally normative sexual behavior
  - Not painful
  - No confusion
  - No power imbalance
  - No weapon present
  - No grooming
  - Not creepy
  - No discomfort

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### Sexual Behavior Continuum

Consider Age and Force as factors



- Flirting/Sexual Harassment
- Public kissing/hugging
- Peeping
- Sexual talk/drawing/gesturing
- Frotteurism toward an object
- Public masturbation
- Exposing sexual parts
- Over the clothes sexual touching
- Frotteurism toward a person
- Under the clothes non-penetrative genital touching
- Penetrative genital touching (oral, anal, vaginal)
- Penetrative sex (oral, anal, vaginal)

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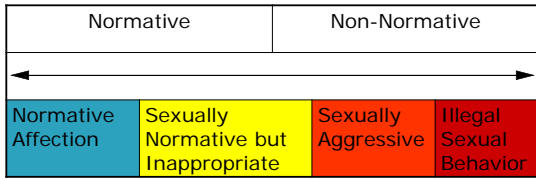
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On the basis of the aforementioned, the team makes a judgment regarding the level of concern about the sexual incident



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### Step 3: Response

- Green:** Continue to monitor through normal school protocol
- Yellow:** In most cases, unless the act is egregious, repetitive in spite of discipline, or developmentally unusual:
  - Talk with students
  - Talk with parents (and any others involved in the incident)
  - Execute administrative discipline
  - Document
- Orange:** Refer to Level 2 Facilitator and:
  - Talk with students
  - Talk with parents
  - Execute administrative discipline
  - Document
- Red:** Contact Police

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### Resources

- SIRC information from WESD: <http://www.wesd.org/Page/166>
- <http://www.cdc.gov/violenceprevention/pub/preventingchildabuse.html>
- [https://www.ncjrs.gov/html/ojjdp/report\\_juvsex\\_offend/sum.html](https://www.ncjrs.gov/html/ojjdp/report_juvsex_offend/sum.html)
- <http://www.oasotn.org/>
- <http://www.kempe.org/napn>

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