



To: Texas Judges Who Hear CPS Cases

From: The Honorable Robin Sage, Jurist in Residence, Office of Court Administration

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RE: Information about Youth Sex Offenders

The Department of Family and Protective Services (DFPS) and child advocates often recommend that youth in care, including those with sexual behavior problems, be placed in care as close to home as possible. Of course, placing a child in foster care close to home is ideal and is usually in the child's best interest. Benefits include an increased likelihood of contact with parents and siblings, attending the same school, and being close enough to court to participate in the hearings about their case. While placement close to home is very desirable, it may not always be beneficial to youth with sexualized behavior treatment needs, and in many cases, can prove unsafe and counterproductive.

It is also important for professionals involved in the case to evaluate whether or not a youth with maladaptive sexual behaviors is displaying sexual predator behavior or inappropriate sexualized behavior. According to treatment providers, maladaptive sexual behavior is where a child has learned that deviant sexual behavior within the family is "normal" and therefore replicates this in any placement the child lives. Inappropriate sexualized behavior is blurred boundaries by a child, such as fondling or grooming behavior, but not intercourse. Sexual predator behavior is actively seeking out someone to victimize.

Q: What should courts consider when making placement decisions for foster youth with sexual behavior issues?

A: There are two primary concerns first, the safety of the offender's victim and any potential victims and second, appropriate treatment of the youth with sexual predatory behavior and inappropriate sexualized behaviors. According to experts, the majority of sexual abuse is perpetuated by offenders who know the people they victimize. Typically this means siblings, cousins, other family members, other foster children in the home, neighbors, and close family friends. When abuse occurs within the context of the home and family system, it often requires the offender to be removed from the home setting to ensure the safety of the victim and potential victims.

Q: What kind of treatment and services are required?

A: Placement in a highly restrictive correctional setting such as Texas Juvenile Justice Department in order to maintain safety and security is not advised as many youth in highly restrictive settings are not afforded developmental opportunities that a typical adolescent needs. Activities, such as sports, camping, and school-related events, serve to promote pro-social development and a positive use of recreation and leisure time.

In contrast, outpatient treatment in the community is not ideal either. Rather, sexually abusive youth should receive treatment in a highly structured – not restrictive – setting staffed by specially trained professionals. Placement in a residential sexual behavior treatment program that employs specially trained and licensed

sexual offender treatment providers, direct care workers, teachers, case managers, and other supportive staff who are on-site 24/7 and who have knowledge and expertise in working with this unique population is best. It is often difficult to achieve this close supervision in a family or foster home type setting. The good news is that a youth without a prior history of criminal behavior is often successfully treated and able to eventually return to society to live as a citizen who does not pose a further threat to society.

Q: Are these programs available in Texas?

A: Specialized residential sexual behavior treatment programs are limited in number and are challenging to operate. Consequently, there aren't many in the state so treatment close to home may not always be feasible. When specialized care is not available close to home, be sure to investigate whether the treatment program can provide individualized services to ensure that parents and guardians remain involved in treatment through family therapy and visits facilitated by video technology, when needed.

Licensed Placements currently available to provide treatment to youth with sexual predatory and inappropriate sexualized behaviors:

Pegasus Schools Incorporated	Lockhart, Texas
Willow Bend Center	Tyler, Texas
Pathways 3 Ranch	Mountain Home, Texas

For more information, please link to this [FAQ on youth with sexual behavior problems](#).