



DIVISION OF DEVELOPMENTAL DISABILITIES  
Olympia, Washington

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TITLE: COMMUNITY PROTECTION STANDARDS POLICY 15.03  
FOR EMPLOYMENT/DAY PROGRAMS

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Authority: Chapter 71A RCW Developmental Disabilities  
Chapter 388-825 WAC DD Services Rules  
Chapter 388-850 WAC County Employment and Day Programs

PURPOSE:

It is the intent of the Division of Developmental Disabilities (DDD) to serve persons identified as Community Protection Program (CPP) participants in supervised day program settings. In doing so, it is the division's expectation that each participant will be supported in a manner consistent with the values outlined in the County Guidelines and procedures encompassed in DDD Policy 5.14, *Positive Behavior Support*, DDD Policy 6.13, *Day Program Provider Qualifications*, and all other applicable division policies, to the maximum extent possible.

SCOPE:

This policy applies to DDD Field Services staff, county providers, and DDD certified residential providers serving persons who meet the community protection definition as described in this policy, and who are receiving, or being referred to, employment/day program services.

DEFINITIONS:

**Community Protection Employment/Day Program** means services specifically designed to support persons with community protection issues as defined in DDD Policy 15.01, *Community Protection Program Identification and Eligibility*, and in "Program Participant" below.

**Community Protection Program Participant** means a person who meets one or more of the following criteria and is receiving CPP services:

- (1) Has been convicted of or charged with a crime of sexual violence as defined in Chapter 71.09 RCW, including, but not limited to, rape, statutory rape, rape of a child, and child molestation;
- (2) Has been convicted of or charged with acts directed toward: strangers, individuals with whom a relationship has been established or promoted for the primary purpose of victimization, or persons of casual acquaintance with whom no substantial personal relationship exists;
- (3) Has been convicted of or charged with a sexually violent offense and/or predatory act, and may constitute a future danger;
- (4) Has not been convicted and/or charged, but has a history of stalking, sexually violent, predatory, and/or opportunistic behavior which demonstrates a likelihood to commit a sexually violent and/or predatory act based on current behaviors that may escalate to violence; and/or
- (5) Has committed one or more violent crimes, such as murder, attempted murder, arson, first degree assault, kidnapping, or use of a weapon to commit a crime.

**Treatment Team** means the program participant and the group of people responsible for the development, implementation, and monitoring of the person's individualized supports and services. This group may include, but is not limited to, the case resource manager, therapist, residential provider, employment/day program provider, and the person's legal guardian and/or family.

**Specialized Support** means supervision in a structured manner specifying rules, requirements, restrictions, and expectations for personal responsibility in order to maximize community safety.

POLICY:

- A. Individuals who receive employment/day program services must agree to comply with the specialized supports and restrictions specified in his or her Individual Service Plan (ISP), treatment plan, including recommendations from psychosexual and risk assessments, and positive behavior support (PBS) plans.
- B. CPP participants may receive non-work related day program services such as Community Access, Individual and Family Assistance, and Person to Person, only with the prior approval of the Field Services Administrator (FSA).

- C. Employment/Day Program Services shall provide:
1. An opportunity for CPP participants to work successfully in the community;
  2. Environmental and programmatic safeguards and structures which enhance the protection of others from behaviors that endanger people or property and/or interfere with the rights of others; and
  3. A specialized environment in which CPP participants are supported to make positive choices to reduce the behaviors that require intensive intervention and supervision.
- D. When segregation of CPP participants and restrictions to their freedom of movement, association, communication, and access to goods or services are necessary to enhance public safety, the least restrictive interventions that effectively meet the goal of public safety must be used. Any restrictions must meet all requirements of DDD Policy 5.15, *Use of Restrictive Procedures*.

PROCEDURES:

A. Agency Support Structure

Agency services must include, but are not limited to:

1. Security precautions reasonably available to enhance protection of community members, children, vulnerable adults, and animals;
2. Participation in the integration of treatment goals and objectives, and therapeutic interventions to assist CPP participants to function safely in society and avoid offending or re-offending;
3. Collaboration and coordination between DDD staff, residential providers, therapists, families/guardians, and other agencies and individuals, such as law enforcement, schools, employers, and mental health workers; and
4. Program designs that avoid dehumanization or punitive attitudes.

B. Administration

Employment/Day Program service providers must:

1. Maintain commercial general liability insurance of at least \$1,000,000 per occurrence and \$3,000,000 in the aggregate; and
2. Have written agency policies and procedures for serving individuals with community protection issues that include, but are not limited to:
  - a. Program description and admission criteria and process;
  - b. Communication between the employment/day program, treatment team members, and other persons and agencies as appropriate;
  - c. Guidelines for choosing appropriate day program settings, which address:
    - (i) Involvement of guardian, family and friends as it relates to the day program; and
    - (ii) Definitions of staff roles and responsibilities, including the security and supervision of CPP participants in the workplace as well as transportation to and from the day program setting;
  - d. Confidentiality and release of information, including maintaining program confidentiality with regard to disclosure of information related to the community protection designation of the program participant;
  - e. CPP participants' rights and grievance procedures as they relate to specialized environments and use of any restrictive measures per DDD Policy 5.15, *Use of Restrictive Procedures*;
  - f. Response and contingency plans for:
    - (i) Emergency staffing in the event changes are required to protect staff or others;
    - (ii) Situations which may be potentially dangerous (e.g., where the gender of staff working alone may cause them to be at risk or when

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the CPP participant obsesses about or makes threats to a specific staff person); and

(iii) General emergencies.

- g. Incident reporting, including procedures to notify DDD, the residential provider, county, therapist, and law enforcement as appropriate, when a significant incident occurs or a CPP participant refuses to abide by restrictions, supervision requirements, treatment recommendations and supervision.

Refer to DDD Policy 12.01, *Incident Management*, and DDD Policy 5.13, *Protection from Abuse*, for additional guidance on incident reporting requirements.

C. Staff Training

Employment/Day Program service providers must ensure that staff receive training, at a minimum, in the following:

1. *The DDD County Guidelines* as related to or modified for serving people with community protection issues;
2. Positive behavior support (PBS) and functional assessment;
3. Behavioral issues and needs of CPP participants, including:
  - a. Supervision;
  - b. Staff and/or victim grooming and manipulation techniques;
  - c. Triangle relationships (e.g., participant/therapist/provider);
  - d. Staff emotional responses;
  - e. Offense patterns;
  - f. Awareness of power and control over individuals in a subordinate role;

- g. Ways to develop mutually respectful and trusting relationships while guarding against potentially manipulative behaviors of some CPP participants;
- h. Expectations for collaboration and cooperation with therapists which may include treatment team meetings and having joint training with therapists;
- i. Coordination and communication protocols with case resource managers, families/guardians, residential providers, schools, employers, and other community supports;
- j. Security procedures for the safety of CPP participants, staff, and the community;
- k. Procedures regarding maintenance of confidentiality and appropriate disclosure of personal information;
- l. Legal issues relating to community protection CPP participants; and
- m. Incident reporting procedures.

D. Client Records

In addition to general record standards, records of CPP participants must include the following documents written by either a certified sex offender treatment provider (SOTP) for persons with sexual deviancy issues, or by another appropriate treatment professional for individuals with no history of sexual deviancy:

- 1. Psychosexual evaluations and/or risk assessment(s);
- 2. Treatment and support recommendations;
- 3. Treatment plan, including the positive behavior support (PBS) plan and any prescribed restrictive procedures;
- 4. Copies of any exceptions to policy (ETP) for use of restrictive procedures; and
- 5. Documentation of all agreements, plans and/or understandings with other agencies or individuals who support the CPP participant, including guardians and families.

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These must include requirements for supervision of the person when day program staff is not present.

EXCEPTIONS:

Any exceptions to this policy must have the prior written approval of the Division Director.

SUPERSESION:

None.

Approved: /s/ Linda Rolfe  
Director, Division of Developmental Disabilities

Date: July 1, 2001