Module 4

Communication: A Tool for Sex Offender Management

Synopsis

The goal of this module is to provide information about communicating when working with sex offenders. Attention is given to communicating with sex offenders, victims, fellow probation officers, and other members of the supervisory network. Distinctions between rural and urban departments are addressed. Information on improving inter- and intra-agency communication is provided.

Learning Objectives

After completing this module, participants should be able to:

1. Describe three types of communication and why they are important to supervision and treatment of sex offenders.
2. Describe two differences between urban and rural departments that potentially shape communication.
3. Identify three things officers can do to improve their intra-agency communication.
4. Identify three things officers can do to improve inter-agency communication.

Participants Materials

Participant Manual
Handouts

Facilitate the Module

LCD projector and laptop
Flip chart and markers

Handouts

Handout D1	Communicating with Sex Offenders: Questions Pertaining to Sexual History Tool
Handout D2	Communication, General Prevention Tool
Handout D3	Things to Remember when Interviewing Sex Offenders
Handout D4	Communicating with Sex Offenders: Questions Pertaining to Sexual Offense Tool
Handout D5	Types of Denial used by Sex Offenders
Handout D6	Signs of Lying
Handout D7	Structured Sex Offender Treatment Review Tool
Handout D8	Accountability Tool
Handout D9	Safety Plan Tool
Handout D10	Tips for Communicating with Victims
Handout D11	Communicating with Sex Offenders: Checklist

Time Frame

Total 1 hour, 15 minutes

Module 4 At A Glance

Time	Description
5 minutes	Goal and Objectives
5 minutes	Communicating with Sex Offenders Activity
30 minutes	Communicating with Sex Offenders
5 minutes	SSTOR Tool Activity
5 minutes	Documenting Case Information
5 minutes	Communicating with Victims
10 minutes	Communicating within the Agency
5 minutes	Communicating between Agencies
5 minutes	Summary

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Orlando, D. (1998). *Sex offenders*. Washington, DC: U.S. Federal Judicial Center.

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Communication and Sex Offenders

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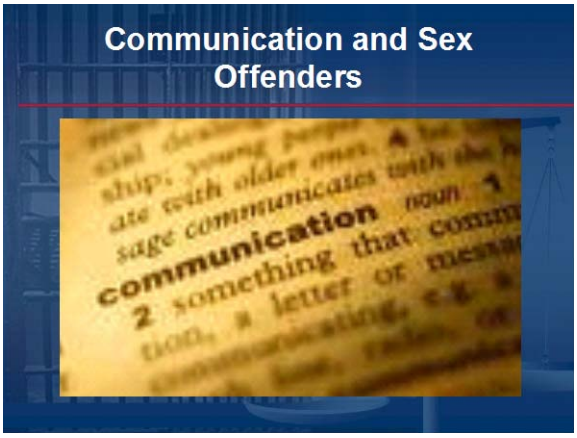
Trainer's Note: Introduce module 4 as covering issues related to necessary communication for sex offender supervision.



Communication and Sex Offenders

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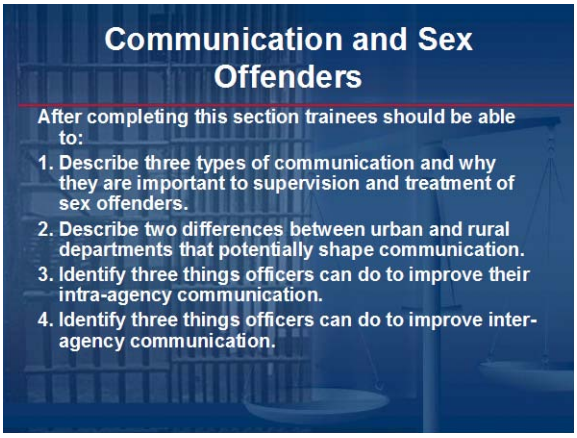

Trainer's Note: Review the objectives of this session.

1. Describe three types of communication and why they are important to supervision and treatment of sex offenders.
2. Describe two differences between urban and rural departments that potentially shape communication.
3. Identify three things officers can do to improve their intra-agency communication.
4. Identify three things officers can do to improve inter-agency communication.

Trainer's Note: Introduce training activity by asking participants to divide themselves into groups of two for a role-playing exercise. Tell them to pick someone of the same gender that they do not know. Ask them to retrieve Handout D1 (Communicating with Sex Offenders: Questions pertaining to Sexual History Tool). Tell the participants that one of the group members should be the supervising officer and the other should be the offender. Have them go through the questions with the "offender" making up answers. Give them about five minutes to go through the questions.

After five minutes, ask all participants their reaction to the exercise. Tell them that sex offenders will need to be asked these sorts of questions and this list of questions provides a tool they can use to lead their discussions with sex offenders.

Tell participants that this module focuses on the importance of communication in supervising sex offenders. The focus is not just on communicating with sex offenders, but rather on communicating with several different parties involved in supervising sex offenders.

Containment Approach

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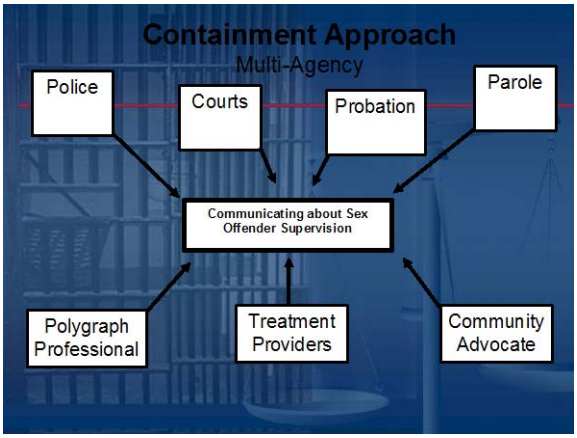

Trainer says about:
Community corrections officers cannot rely solely on offender's self reports to gather the information necessary to effectively supervise sex offenders. "All parties involved in the supervision of sex offenders, including probation officers, treatment providers, prosecutors, defense attorneys, and the judge must stay in regular communication concerning the offender's current status, risk factors, and progress in treatment. Each party provides essential information that must be reviewed and updated to continually re-evaluate the offender's progress and potential for recidivism. It is the role of the officer to coordinate the flow of information between the parties and to act as the point person to be contacted when new facts emerge concerning the sex offender's status. The probation officer must not only integrate reports about the offender, but must also keep open the dialogue about whether modifications should be made in the offender's treatment and supervision plan based on new findings" (Jenuwine et al., 2003, p 22).

Why Communication is Important

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Trainer says about:
Effective communication is important for several reasons. First, effective communication provides for a better relationship with the sex offender. Positive social bonds between offenders and officers are more likely to result in productive adjustment to the supervisory process (Hepburn-Griffin, 2004). Second, effective communication increases the possibility that an individualized supervision plan can be successfully developed. Third, effective communication is likely to result

in an individualized treatment plan for sex offenders (Turner et al., 2005).

In essence, probation officers must coordinate information processing between all of the representatives involved in the containment response to sex offenders. Through communicating with several parties, probation officers can design "individualized supervision plans for adult sex offenders according to their particular risk factors" (English et al., 1997, p. 9).

Trainer's Note: Ask participants, "What is communication?" Write their ideas on the flip chart. After about two minutes, review their answers.

Trainer says about:
Often individuals think that communication is about talking, speaking, and writing. It is also important to recognize that communication involves speaking, watching, and listening.

Refer participants to Handout D2 (Communication, General Prevention Tool).

Tell participants that this tool provides all parties useful tips for improving communication. Officers must make sure they (1) listen, (2) are patient with offenders, (3) make eye contact with offenders, (4) are honest, (5) are sensitive to cultural issues, and (6) respectful. Officers should also give offenders a chance to talk and provide feedback to the offenders' comments. Specific tips for listening are provided on the handout (e.g., stop talking, give small verbal cues, ask questions, tell the other person what you've heard).

Communication Barriers are Different in Rural Areas

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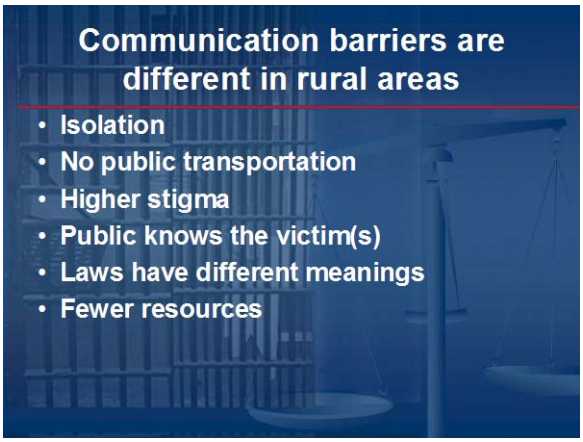
Trainer says about:
While these tips are useful, we must stress that communication and information sharing is influenced by the community context in which the supervision is occurring. For example, information sharing is different in rural communities than it is in urban communities.



In rural communities, the closest treatment services might be 100 to 300 miles away. There is no public transportation, and the offender has different needs, partly because of the higher degree of stigma for offenders in rural communities. In rural areas, it is more likely that the community members will know about the offense and who the victim was. In addition, laws have different meanings in rural areas. Supervising officers will need to make sure that sex offenders understand the laws, their implications, and the influence the laws will have on their family members (Elbogen, Patry, and Scaloa, 2003).

This is not to suggest that it is more difficult or worse to supervise sex offenders in one community as opposed to another. Instead, the intent is only to suggest that differences exist.

Availability of Resources

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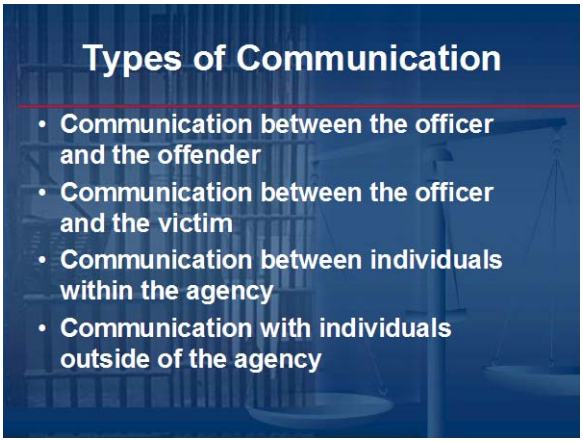
Trainer says about:
Also, in most cases, fewer resources are available in rural communities. The availability of resources is related to:

- Differences in treatment availability
- Time it takes to access offenders
- Community support
- Educative opportunities for offenders
- Advocacy for victims
- Internet access

Each of these would be less available in rural communities.

As an illustration, one program reviewer described the following experience as part of a review of services for sex offenders in Western North Carolina:

"As part of the review, I accompanied a senior probation officer on a routine field supervision of sex offenders. During this particular field supervision, which spanned one 8-hour workday, we were scheduled to see two sex offenders and one sex offender treatment provider. In order to accomplish this, we had to drive approximately 240 miles, and we still were able to make face to face contact with two of the three people we sought to see…For many officers supervising sex offenders…in rural or remote locations, this is part of their 'routine'" (Baerga-Buffler, 2006).



With this as a backdrop to communication, let's turn to a discussion about types of communication. For the rest of this module, we will focus on:

- Communication between the officer and the offender
- Communication between the officer and the victim
- Communication between individuals within the agency
- Communication with individuals outside of the agency

Within the containment approach, probation officials will be communicating with each of these parties on a regular basis.

Goals of Communication

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Trainer says about:
Let's talk about communicating with sex offenders. The goal of communicating with sex offenders for probation and parole officers is to gain insight into the offender's life. This is done by developing a structured relationship with the offender. As noted in the introduction to this module, the importance of maintaining a high quality relationship with offenders is significant. Officers can use the insight they gather to supervise sex offenders and maintain public safety.

Often times it may be difficult to know what to ask sex offenders. They must be asked about their offenses, their sexual history, and their sexual activities.

Trainer's Note: Refer participants to Handout D3 (Things to Remember When Interviewing Sex Offenders). Briefly review these tips with participants:

- In the initial stages of supervision, ask the offender for details about the offense, the offender's high-risk behaviors, and the typical risk situations preceding the offender's abuse.
- Specifically tell the offender the kinds of behaviors to avoid.
- Make sure that offenders know that "No Contact" means "No Contact" as offenders will rationalize that "No Contact" means "No Sexual Contact."
- Make sure the offender knows the consequences of failing to complete treatment.
- Anticipate that the offender may deny or minimize the sexually deviant behavior.
- When dealing with denial, avoid questions that require a yes or no response.
- Also, ask questions that require the offender to discuss what happened, not why it happened.
- If the offender is providing inconsistent information, seek clarity by asking something like "Do you remember when you said…" or saying "Your statements are confusing me; first you said…then you said…"
- Mix supportive comments with confrontation. Although sex offenders must be held accountable for their actions, it is helpful to acknowledge the difficulty of being honest about hidden sexual abuses and to offer supportive comments when the offender accepts responsibility for his or her behavior…Your objective is to show that you have some understanding of their perceived plight without endorsing or buying into their distortions.

- Ask questions about planning, selection of victims, and grooming or stalking that preceded the offense, as well as questions about the offense itself. How offenders talk about their offense indicates the degree of responsibility they are taking for their actions; how the offender chooses to offend will help you make decisions about the risk and supervision conditions.
- Although many officers are uncomfortable doing so, it is important to ask questions about the offender's deviant and nondeviant sexual history…

Source: Orlando, Dennise. (1998). "Sex Offenders." *Special Needs Offenders Bulletin: A Publication of the Federal Judicial Center*. Washington D.C.

It is often difficult to communicate about sexual activities with offenders, particularly for officers who do not routinely talk about this topic with offenders. Handout D4 (Communicating with Sex Offenders: Questions Pertaining to the Sexual Offense Tool) lists specific questions that supervising officers can ask sex offenders. While asking questions, it is useful to pause during moments of silence. The natural response is for interviewers to immediately ask the next question when the interviewee is done talking. If the interviewer pauses long enough, the interviewee will elicit additional information.

Reducing Influence of Manipulation

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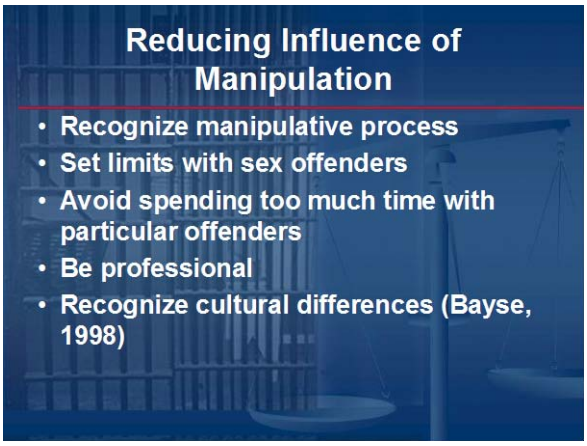


Trainer says about:
As we discussed in the introduction of this course, sex offenders are notorious for being deceitful, manipulative, and secretive. One parole supervisor told researchers, "Being pulled into an offender's manipulation is the biggest problem. Because offenders are so manipulative, officers need constant training" (English et al., 1997, p. 8).

Officers can use a variety of strategies to reduce the influence of manipulation. In addition to (1) simply recognizing the manipulative process, (2) officers must set limits with sex offenders. Also, officers must make sure they are (3) not spending too much time with particular offenders, as compared to other offenders. (4) Being professional and (5) recognizing cultural differences is also useful in reducing the effects of manipulation and denial.

Reducing Manipulation

Trainer's Note: This slide utilizes Handout D5.

Display with slide #4-10

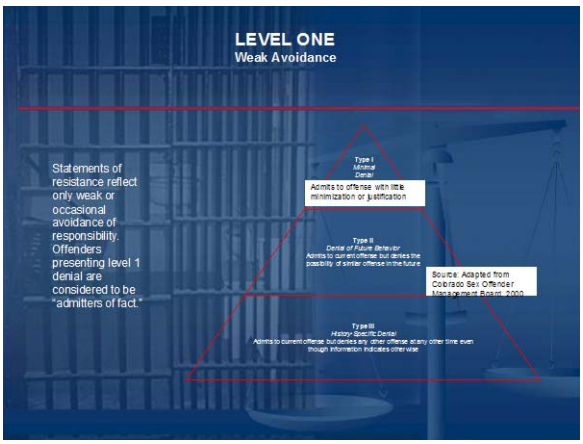
Trainer says about:
Officers can also guard against manipulation by identifying (1) distortions, (2) rationalizations, and (3) excuses. Distortions are exaggerations or lies that offenders tell. Technically speaking, sociologists define rationalizations as statements that offenders make that allow them to commit an offense even before the offense has been committed. In turn, excuses are statements that offenders make after they have already committed their offenses.

Together, we can view rationalizations and excuses as forms of denial. Sex offenders are notorious for engaging in different types of denial. Researchers and experts have described sex offenders' denial techniques differently. Handout D5 shows 13 types of denial that sex offenders have been known to demonstrate. Some offenders deny they did anything wrong. Others deny responsibility for their actions, while others say that the behavior was not sexual. Some offenders deny that their crimes were wrong and others say that the victim was not truly harmed. Some sex offenders refer to the specific sexual nature of the act in demonstrating denials. They either deny that they were aroused or they deny gratification. Others minimize both past and future events, while some will say that they did not realize they committed a crime.

Level One: Weak Avoidance

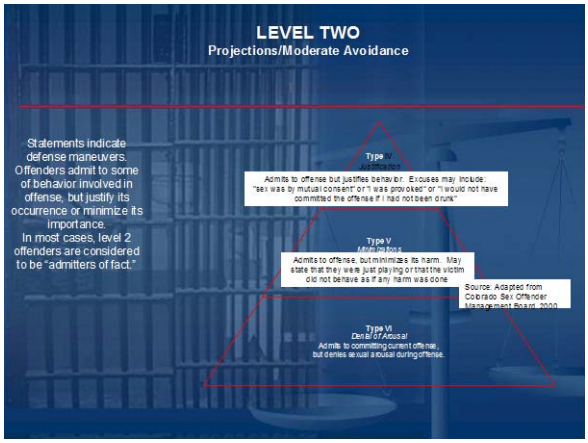
Display with slide #4-11

Trainer's Note: Slides 4-11 through 4-14 are four slides that explain four levels of avoidance or denial by sex offenders.



Trainer says about:
Another way to consider denial and sex offenders, and perhaps more useful for probation officers, is to consider the level of the denial. Experts cite four levels of denial. The first is called weak avoidance (see slide 10). This level of denial refers to statements in which the offender demonstrates only minor types of denial. The offender admits committing the crime, but may deny some tangential element related to the crime.

Level Two: Projection/Moderate Denial



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Trainer says about:
The second level of denial is called projection/moderate denial (see slide 11). This level refers to cases in which offenders admit that they did some of the things they were accused of, but they justify the behavior or minimize the consequences.

Level Three: Projections/Strong Avoidance

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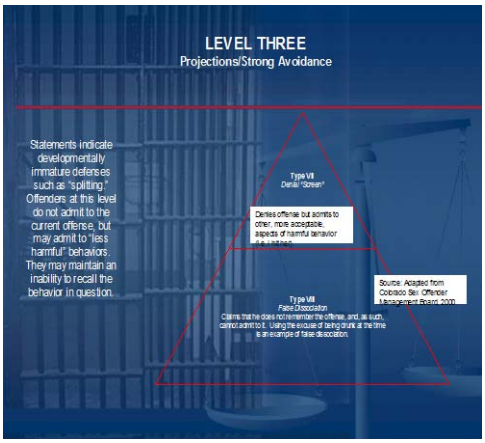

Trainer says about:
Projections/strong denial is the third level of denial. This level of denial refers to situations when the offender denies the sexual offense, but admits to doing something less harmful to the victim.

Level Four: Primitive Denial/Severe Avoidance

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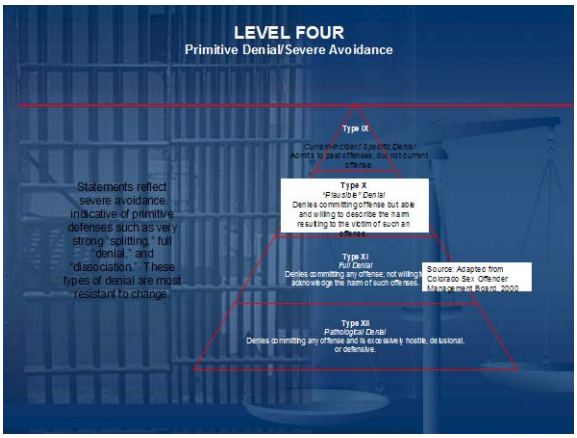

Trainer says about:

The fourth level of denial is primitive denial/severe avoidance. Offenders exhibiting this level of denial are most resistant to change. While some at this level may admit past misconduct, all offenders at this level deny their current offense (CSOM, 2005).

Officers must make sure that they do not allow offenders to deny their offenses, or at the very least officers must not buy into the offenders' denials and manipulation. In some situations, offenders can have their probation revoked for

failing to admit the offense if admission of behavior is part of the treatment plan and treatment is a condition of probation.

Some experts offer tips for watching for signs of denial. Handout D6 (Signs of Lying) provides a list of seven signs of lying. If offenders do not make eye contact, change their voices, demonstrate unusual body language, say things that sound fishy, are overly defensive, changes subjects quickly, or using humor or sarcasm, it is possible that the offender is not telling the truth.

Different tools are available to monitor denial and reduce its influence in conjunction with supervising and addressing other aspects of the sex offender's treatment needs. The Structured Sex Offender Treatment Review is one such tool (refer participants to Handout D7). There are two versions of this tool—one for supervising officers and one for treatment providers. The tool includes sections focusing on (1) getting offenders to accept responsibility for their actions, (2) efforts by the offender to make the public safer, and (3) collateral changes in the offender's lifestyle.

When administered over time, officers can monitor whether offenders' levels of denial are changing.

Trainer's Note: Have participants divide in groups of two. Ask them to role play filling out the form. Give them five minutes to complete and review the form.

After five minutes, ask participants if they have any questions about the form. Ask participants how the form might be modified based on offense type, offender type, or locality (e.g., rural versus urban communities). Write their answers on the flip chart.

Trainer says about:
The use of tools like the SSTOR is particularly beneficial because such tools provide an easy way for officers to keep records of the supervision process. The entire purpose of communicating with sex offenders is to gather information so that officers can monitor the offender's activities and make sure that public safety concerns are addressed. Supervising officers must make sure that information such as case notes, chronological reports, and the NCIC is up-to-date for each sex offender. Doing so is useful for several reasons. These reports can provide assistance in court. They also are useful for collaborative meetings and discussions between officers and other members of the containment team. Collectively, the records can be seen as a flexible journal that can be modified to particular case plans.

Pre-Sentence Report

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Trainer says about:
Officers should also make sure that the presentence investigation

report provides a solid form of communication for all members of the containment team. Beyond providing parties an initial glimpse of the offender, the presentence reports can be the foundation of the supervisory process.

For the presentence reports, officers should collect information on the offender's:

- Criminal history
- Education
- Employment
- Financial status
- Assaultiveness
- Residence
- Leisure/recreation
- Companions
- Alcohol/drug problems
- Emotional/personal problems
- Attitudes/orientation
- Family, marital, and relationship issues
- Offense patterns and victim grooming behaviors
- Mental health sex offense-specific evaluation report
- Victim impact (Colorado Sex Offender Management Board, 2000).

Based on the information gathered from the presentence report, the probation officer should make a recommendation about conditions of supervision. Even though the presentence report can be quite thorough, officers must still perform intake risk assessments for all sex offenders adjudicated to probation or parole.

If the offender is placed on community supervision, the officer should give the sex offender "a copy of the required disclosure/advisement form and should have the offender sign for receipt of the forms." This form tells offenders and others about different requirements the offender will have to meet (Colorado Sex Offender Management Board, 2000). After the offender is made aware of the probation requirements, the officer should develop an accountability tool that parallels the probation requirements. An example of such a form is included in Handout D8, (Accountability Tool).

Case Management Software

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Trainer says about:
In collecting and organizing the information from communicating with sex offenders, officers are encouraged to select some form of case management software. Several different versions are available. There are several advantages to using case management software. In addition to saving space in

probation/parole agencies and creating a detailed picture of the offenders' behaviors, the software allows officers to consistently supervise offenders and provides a tool that ensures that all types of necessary information are collected from all offenders. In addition, if caseloads are reassigned, the consistency of the software makes it easier for officers to take on offenders who were supervised by another probation or parole officer. Finally, such software provides a database that can easily be used for evaluation purposes.

Among the possible disadvantages is the possibility of coding errors, technological problems, depersonalization, and an over-reliance on technology for gathering and interpreting information.

Communicating with Victims

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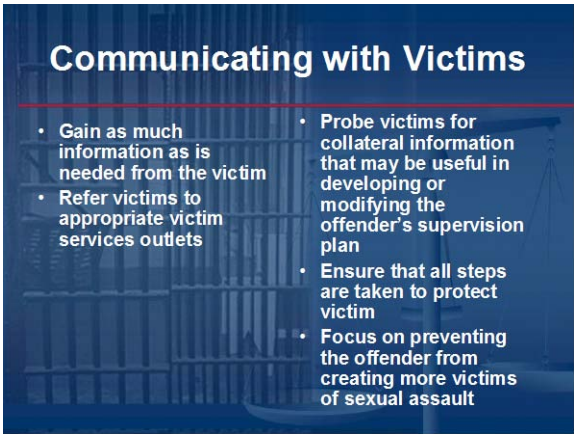

Trainer says about:
Let's shift gears and talk about communicating with victims. Probation and parole officers might communicate with victims at several points during the supervisory process. During the presentence investigation, the officer preparing the presentence report will need to contact the victim to gather information needed to complete the report. The officer may need to provide the victim important information as the case develops. After sentencing, the officer may receive calls from victims or may want to contact victims to ensure that the offender is abiding by the conditions of probation or parole. Also, because victims can communicate with the sex offender registry, officers may receive requests for information from victims through the registry. For those who are not familiar with it, officers should refer victims to the National Victim Notification Network (VINE). This tool provides victims updated and reliable information about criminal cases and the custody status of offenders across the United States. Victims can access the tool by phone, email, or the Internet. For more information, victims should go to www.vinelink.com.

Officers should keep five goals in mind when communicating with victims. First, they should focus on gaining as much information as is needed from the victim. Second, they should make sure they are able to refer victims to appropriate victim services outlets that are available to help victims. Third, officers must probe victims for collateral information that may be useful in developing or modifying the offender's supervision plan. Fourth, officers must ensure that all steps are taken to ensure that the victim is protected from the abuser. Finally, the officer must focus on preventing the offender from creating more victims of sexual assault.

Trainer's Note: Handout D9 is a Safety Plan tool that some probation officers use to make sure that the offender's contact with potential victims is closely monitored. The tool includes four pages of instructions and rules. The aim is to describe strategies to make sure that the offender is never alone with children. For this particular tool, the supervisor would likely be the child's legal guardian or a child protective services worker.

It is clear that officers must wear different hats when talking with victims versus offenders. They will use different strategies to communicate with victims, and officers must be sensitive to the victim's plight. Handout D10 (Tips for Communicating with Victims) provides some tips that officers can keep in mind when talking with victims. Officers can do certain things to strengthen the communication process with victims. They must demonstrate that they trust and support the victim and offer comfort to victims. Officers should watch for things victims aren't saying and follow-up as needed. In addition, officers should offer encouragement to victims without being unrealistic. Finally, officers should make sure they are familiar with various referral sources available to sexual assault victims.

Officers must not blame or second guess the victim. It is wrong to try to compare your own experience with victims' experiences as individuals experience things differently. Don't make choices for victims, be defensive, or try to treat them. Handout D10 also includes specific comments that officers can make to victims over the telephone. Training participants are encouraged to refer to that list at a later time.

Communicating Within the Agency

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Trainer says about:
As we've discussed, by talking with one another we are able to learn a lot about supervising sex offenders. Because of this, it is extremely important that officers communicate with their colleagues and supervisors about this topic. The ultimate goals of inter-agency communication is to share information to avoid mistakes and improve supervision. Officers, for example, could share information about treatment providers, particular offenders, and law enforcement contacts.

Management and staff must understand the dynamics of sexual offending. They should also foster "an emotionally safe environment for personal discussions of all aspects of sexual assault and offender management" (English et al., 1997). Those who don't work with sex offenders must open the lines of communication to those who do work with sex offenders and recognize the potential of burnout from working with this offender group. These open communication lines also reduces isolation between probation officers (English et al., 1997)

It is useful for officers to recognize the sources of stress in probation, which typically include heavy caseloads, paperwork, and deadlines. Each of these relates to a lack of time for workers to complete their tasks and communicate with fellow officers (Finn and Kuck, 2003). As an aside, one study found that 87% of probation officers did not like their supervisors. Having animosity between staff and supervisors creates a barrier to open communication about ways to work with

sex offenders. Supervisors must make sure that they have a climate that encourages open and empathetic communication between staff and supervisors.

As part of the inter-agency communication network, supervisors should also make sure that officers are aware of the safety issues that arise when working with sex offenders. Supervisors must require their workers to maintain contact with the agency by cell phones and pagers. Workers should call agencies before and after each home visit. Also, supervisors should ensure that workers have had the worker safety training that is needed.

Interagency Communication and Supervision Network

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Trainer says about:
As part of the containment approach to supervising sex offenders, probation officers must also work to develop effective communication and supervision network between the various agencies. The ultimate goal of this approach is to develop a web of practitioners involved in the supervision of sex offenders. Clearly, successful supervision is not accomplished by probation and parole alone. Other parties, including law enforcement, the courts, prosecutors, victim advocates, treatment providers, polygraphers, social services, child protective services, and so on also have a role in supervising sex offenders. Through communication, the likelihood that all justice system agencies are working towards the goals of reducing offending and increasing public safety.

Open communication between all of these agencies should enhance the external control that criminal justice agencies have over sex offenders' lives. Without such communication, less structure is provided to sex offenders, and the likelihood that mistakes and errors will result in cases falling through the gaps increases.

Communication Between Agencies

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Trainer says about:
One strategy to encourage open communication is to develop sex offender teams composed of individuals from each of the groups involved in the supervision and treatment network.

Members of the supervision and treatment network must develop a trusting relationship. Officials in the network use discretion about the

information they will share. Forming a trusting relationship will help parties to share information more openly (McGrath et al., 2002).

Another strategy is to develop formal law enforcement alerts that are routinely shared with members of the supervision and treatment network. Such alerts could be sent electronically or as newsletters. Law enforcement officers, for the most part, are interested in working with community corrections to know more about sex offenders in their jurisdictions. Community corrections officers have the advantage of knowing much more about an offender than law enforcement officers (e.g., risk assessments, collateral contacts, etc…).

Communication Between Agencies

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Trainer says about:

Members of groups involved in responding to sex offenders can also enhance ommunication by taking advantage of e-mail and list-serve capabilities. Members could use such list-serves as information outlet. Such an activity providers members of the network with open access to one another.

Probation and parole officers can also encourage open communication by participating in various activities administered by other members of the supervision and treatment network. Treatment providers feel more connected to probation and parole officers when they are willing to occasionally attend sex offender treatment sessions (McGrath et al., 2002). “Probation officers who familiarize themselves with the treatment goals and theory behind sex offender specific therapy are best able to manage the delineation of roles while seeing themselves as working in conjunction with therapists” (Jenuwine et al., 2003, p. 22).

Another thing supervising officers can do to encourage communication is to make sure they provide the necessary information that other members of the supervisory network require. The use of checklists can be helpful in making sure all necessary information is provided. Handout D11 (Communicating with Sex Offenders: Checklist Tool) shows the kinds of information that supervising officers should provide to treatment providers. In particular, officers should make sure that treatment providers have copies of police reports, victim impact statements, child protection reports, risk assessment reports, supervision records, the offender’s criminal history, and prior treatment records. By providing this information to treatment providers, probation and parole officers will be taking steps to maintain the open communication network with other members of the supervisory network.

Whatever strategy is used to encourage communication, it is imperative that the parties involved engage in ongoing communication about the sex offenders under their supervision or treatment. One survey found that 90% of treatment providers viewed open communication with probation

officers as "essential" (McGrath et al., 2002). Probation officers should maintain this open communication and make sure that they don't take the offender's words for treatment progress. Sex offenders some times engage in "splitting" by trying to pit probation officers against the therapists. By keeping the focus on the sex offender, supervising officers can keep the offender from creating communication problems between the groups (Jenuwine et al., 2003).

Community corrections officers should work to include institutional corrections in the communication network. Possible stages include:

- Making sure that institutional corrections receives the presentence reports.
- Providing institutional corrections to request of community corrections filings detailing past sex offenses.
- Receiving from institutional corrections records describing offender's institutional behavior, treatment participation in prison, specific conditions of parole, and indications of ongoing risk.
- Asking institutional corrections for a copy of the treatment discharge contract, a copy of the mental health sex offense-specific evaluation, and notification if the offender refused treatment (Colorado Sex Offender Management Board, 2000).

The key is for officers to keep communication channels open between all parties and avoid turf battles.

Trainer's Note: Conclude the module by telling participants that attention will now be given to treating sex offenders. There will be a 10 minute break and the final module will begin.