

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Treatment Division: Programs for Youth with Specialized Treatment Needs Rule: Sex Offender Risk Assessment ACA: N/A Statute(s): Code of Criminal Procedure §62.007	Effective Date: 5/15/15 Page: 1 of 1 Replaces: GAP.380.8787, 11/15/11
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RULE

(a) **Purpose.**

The purpose of this rule is to ensure compliance with Chapter 62 of the Texas Code of Criminal Procedure, regarding the assignment of a risk level for sex offenders who are in the custody of the Texas Juvenile Justice Department (TJJD).

(b) **Applicability.**

This rule applies to youth who have been adjudicated for a sex offense that requires sex offender registration.

(c) **Definitions.**

As used in this rule, the following terms have the following meanings, unless the context clearly indicates otherwise.

- (1) **Risk Assessment Review Committee (RARC)**--A statutorily mandated committee created to oversee the assignment of sex offender risk levels. The committee is administered by the Texas Department of Criminal Justice.
- (2) **Sex Offender Risk Assessment**--The validated instrument used to determine the risk for sexual re-offending.

(d) **Risk Assessment.**

Each youth adjudicated for a sex offense that requires sex offender registration must have a risk assessment completed by trained staff prior to the youth's release from a secure facility operated by or under contract with TJJD. The youth is then assigned a risk level based on the risk assessment instrument(s) approved by the RARC.

(e) **Overrides.**

If a risk level is not believed to be an accurate prediction of the risk the youth poses to the community, TJJD may override the risk level or submit a request to the RARC for an override decision. The justification for a decision to override a risk level must be documented and filed in the youth's case file.

(f) **Notifications.**

TJJD notifies the youth and, if the youth is under 18 years of age, the youth's parents/guardian, of the result of the risk assessment and the outcome of any override requests.

See [CMS.05.61](#) for implementation procedures.