Ethical Issues in the Treatment of Adolescents with Illegal Sexual Behavior

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Key Ethical Principles

- Beneficence
- Nonmalfeasance
- Respect for autonomy
- Justice
Ethical Principles vs Practice Standards

- Ethical Principles:
  - Broad, abstract, aspirational
  - ex: Do no harm.

- Practice Standards:
  - Limited, practical, concrete, obligatory, prescriptive
  - ex: Do not have sexual relations with clients.
Some Key Elements that May Complicate Ethics in AISB Services

- Coerced treatment population
- Minors and prisoners
- Legal involvement
- Issues of community safety
- Obligations to the court and public
- Limited research to guide assessment and treatment
Areas of Ethical Concerns

- Competency of clinician
- Informed clients
- Limits of confidentiality
- Developmental and gender issues
- Assessment and treatment issues
- Conducting risk assessments
- Use of intrusive procedures
- Use of anti-androgen medications
Competency of Clinician

- Recommendations:
  - Licensed mental health professional
  - High level of knowledge and experience
  - Work under supervision
  - Use consultation
  - Join professional organization (ATSA)
Informed Clients

- Recommendations
  - Explain difference in standard mental health care and court ordered program
  - Give clear verbal and written description of program
  - Provide list of requirements for program completion
  - Explain group format, exercises used, expectations for participation
Limits of Confidentiality

- Recommendations:
  - Obtain signed release of information for family members, probation officer, attorney
  - Explain mandatory reporting and duty to warn
  - Clarify program policy on reporting of previous illegal sexual behavior
Developmental and Gender Issues

- Recommendations:
  - Experience with adolescents’ developmental expectations
  - Differences in male and female AISB
  - Limited information on assessment and treatment of female AISB
Clinical Assessment

- Recommendations:
  - Fully inform client and guardians
  - Assess cognitive, overall psychological functioning, amenability to treatment, required level of care
  - Established goals and objectives
  - Conduct after adjudication and before disposition
Treatment Issues

- Recommendations:
  - Comprehensive, individualized plan
  - Convey respect and potential for positive change
  - Do not utilize coercive or punitive approaches
  - Utilize least restrictive environment
Recommendations:

- Knowledgeable about current risk assessment instruments
- No current risk assessment procedure can reliably predict recidivism
- Any assessment should clearly explain limitations
- Exercise caution in rendering opinions regarding risk
- Remain current with emerging research
Use of Intrusive Procedures

- Recommendations:
  - Carefully review research before utilizing intrusive approaches
  - Have specialized training in use of intrusive procedures
  - Use with limited number of adolescents
  - Use less intrusive methods if available
Use of Anti-Androgen Medications

- Medications that block male sex hormones
- Used with limited group of adult clients
- No research on use with adolescents
- Consider with utmost caution
- Obtain specific informed consent
- Fully inform youth and guardians
Vignette 1

The prosecutor refers a teenager who has been accused of a sex offense and is awaiting a court appearance. The youth and his family maintain that he is innocent. You are asked to determine if his case fits the profile of an adolescent with illegal sexual behavior.

– What are the ethical issues involved?
– What does the relevant science suggest?
– What are the courses of action?
A registration petition has been filed for a youth and you are asked to conduct an evaluation in order to advise the court about the youth’s risk. The judge’s wife is a counselor. The judge wants you to administer a Rorschach, a human figure drawing, and an MMPI-A to the youth, as part of your evaluation.

- What are the ethical issues involved?
- What does the relevant science suggest?
- What are the courses of action?
Vignette 3

You are referred a 16 year old girl who was recently reported to have touched her 4 year old brother when she was 12. There have been no problematic sexual behaviors in the past four years. The assessment indicates that she does not need sex offender treatment. The girl’s attorney tells you that if you don’t accept her in an outpatient program, she will be placed in a lock-up program.

– What are the ethical issues involved?
– Is there relevant science to consider?
– What are the possible courses of action?
You are a private provider using “sex-offender specific group therapy” which is mandated for AISB in your county. You strongly believe in relapse prevention, cycles, and thinking errors. You read a study which demonstrates that these approaches did not impact recidivism. Other studies which found that a shorter term and family therapy approach has better results for the type of AISB you see.

- What are the ethical issues involved?
- Is there relevant science to consider?
- What are the possible courses of action?
Dealing with Ethical Problems

- Review available Ethical Standards
- Consult with colleagues
- Consult with Ethics Committees of state professional organizations
- Consult with experts in the field
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<th>Professional Area</th>
<th>Organization Name</th>
<th>Address</th>
<th>Phone Numbers</th>
<th>Websites</th>
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</thead>
<tbody>
<tr>
<td>Social Work</td>
<td>National Association of Social Workers</td>
<td>750 First St, NE Suite #700, Washington, DC 20002-4241</td>
<td>(800) 638-8799, <a href="http://www.socialworkers.org">www.socialworkers.org</a></td>
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<tr>
<td>Psychology</td>
<td>American Psychological Association</td>
<td>750 First St, NE, Washington, DC 20002</td>
<td>(800) 374-2721, <a href="http://www.apa.org">www.apa.org</a></td>
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<td>Nursing</td>
<td>American Nurse Association</td>
<td>600 Maryland Ave, SW, Suite 100, Washington, DC 20024</td>
<td>(202) 651-7000, <a href="http://www.ana.org">www.ana.org</a></td>
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<tr>
<td>Physician/Medical</td>
<td>American Medical Association</td>
<td>515 North State Street, Chicago, IL 60610</td>
<td>(800) 621-8335, <a href="http://www.ama-assn.org">www.ama-assn.org</a></td>
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<td>Marital and Family Therapy</td>
<td>Association of Marital and Family Therapy Regulatory Boards</td>
<td>1843 Austin Bluffs Pkwy, Colorado Springs, CO 80918</td>
<td>(719) 388-0615, <a href="http://www.amftrb.org">www.amftrb.org</a></td>
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<td>Licensed Professional Counselor</td>
<td>American Counseling Association</td>
<td>5999 Stevenson Ave., Alexandria, VA 22304</td>
<td>(800) 347-6647, <a href="http://www.counseling.org">www.counseling.org</a></td>
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<td>Licensed Behavior Practitioner</td>
<td>North American Association of Masters in Psychology</td>
<td>P.O. Box 721270, Norman, OK 73070,</td>
<td>(405) 329-3030, <a href="http://www.enamp.org">www.enamp.org</a></td>
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## Specific Guidelines for AISB Treatment Providers

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<th>Association for the Treatment of Sexual Abusers, 4900 S.W. Griffin Dr, Suite 274, Beaverton, OR  97005, (503) 643-1023, <a href="http://www.atsa.com">www.atsa.com</a></th>
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Conclusions

- Goal of ethical practice: “Do no harm.”
- Treatment of AISB involves unique ethical issues
- Providers need to be licensed, competent, and use consultation to resolve ethical dilemmas