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Council on Sex Offender Treatment

P.O. BOX 12546

AUSTIN, TEXAS 78711-2546

Opinion Committee

TELEPHONE
(512) 463-2323

FACSIMILE
(512) 463-1985

May 14, 1997

RR-944

FILE # ML-39560-97
D.# 3560

Ms. Sarah J. Shirley, Chief
Office of the Attorney General
Opinion Committee
P.O. Box 12548
Austin, TX 78711-2548

Dear Ms. Shirley:

The Council on Sex Offender Treatment (CSOT) would like to request a legal opinion from the Office of the Attorney General. The CSOT is seeking clarification of Section 261.101 of the Texas Family Code, requiring all professionals to report suspected child abuse or neglect.

The statute, as interpreted by the CSOT, requires a Registered Sex Offender Treatment Provider (RSOTP) or an Affiliated Sex Offender Treatment Provider (ASOTP) to report all allegations of child abuse perpetrated by the client and disclosed to the provider, confessions of child abuse by the client made to the provider and/or suspicions the provider may have of child abuse perpetrated by the client against any child. In situations where information received by the RSOTP/ASOTP from the client is incomplete or dated, the CSOT has encouraged the use of good judgment on the part of the treatment provider in reporting to authorities.

Please advise if the CSOT's interpretation as outlined above is correct. If you have any questions I can be reached at the number above. I look forward to working with you and your staff on this matter.

Sincerely,

Grace L. Davis LMSW-A.C.P.

Grace L. Davis, L.M.S.W.-A.C.P.
Interim Executive Director