Policy

A. The Department will provide counseling programs and services to prisoners in need in all facilities. Provision of counseling may be on an individual or group basis dependent upon the need that has been identified.

B. The Department will provide counseling services in all facilities that include, at a minimum, crisis intervention services, substance abuse counseling, educational and vocational counseling, religious counseling, and prerelease counseling. The Department will also provide sex offender treatment, anger management, and other counseling programs where and as deemed appropriate by the Commissioner.

Procedures

A. Personnel. The Department will ensure that the counseling services are under the institutional direction, oversight, or coordination of a person(s) who have at least a degree in the social or behavioral sciences such as psychology, social work, counseling, or related fields. The Department may substitute experience for educational requirements, or waive this degree requirement to accommodate affirmative action requirements, however, this waiver of the degree requirement does not apply to the provision of clinical oversight in program areas for which there are established training and education requirements under state and/or federal laws. The Department will provide statewide oversight and coordination for court-ordered treatment programs, mental health programs, and other rehabilitation programs through administrators in either the Programs Component or the Inmate Health Component of the Division of Institutions. See also policy #807.13, Mental Health Administration and Services.

1. Program Staff. Program staff include probation officers, mental health clinicians, psychological counselors, education coordinators, designated correctional officers and other staff, contractors, and volunteers. Community and volunteer resources may supplement the counseling services offered by correctional staff.

2. Contact Providers. The Department will establish procedures to ensure that contract providers are certified and/or licensed in accordance with applicable state and federal requirements.

3. Program Staff Training. The Department will provide training programs for program staff through the Correctional Training Center, in-service sessions, or professional training sessions. Professional treatment staff, including contractual staff, are required to meet any applicable continuing education standards that have been established by their respective licensing/certification bodies and/or by their clinical supervisors. Examples of these staff include licensed psychologists and clinical social workers, as well as certified substance abuse counselors and state-credentialed teachers.

B. General. A prisoner has the right to refuse to participate in any counseling, rehabilitation, vocational, educational, pre-release program, medical, psychological, or psychiatric treatment except as provided for by applicable policy to protect the prisoner or others. See policy #807.16, Involuntary Administration of Psychotropic Medications and #807.03 Use of Restraints and Seclusion for Therapeutic Purposes. The Department may require a prisoner to participate in a program ordered by the sentencing court. If a prisoner refuses to participate in a court-ordered treatment program, staff will adhere to the policy and procedures outlined in policy #811.16, Court Ordered Treatment Programs.
C. Counseling Service Planning
   1. The Department will establish specific counseling programs based on prisoner needs. Court-ordered treatment programs may be limited to specified institutions based on the overall need for the program services and resources of the Department.
   2. Each institution is responsible for assigning prisoners to programs that meet their individual needs, including arranging transfer of prisoners to another appropriate facility when a program's availability is limited. Central Classification will make every reasonable effort to insure the timely transfer of prisoners when treatment at another facility is recommended.
   3. Within each institution, the delivery of counseling services may be accomplished through the use of a treatment team, unit team, or other organized body of clinical and correctional professionals who are in charge of monitoring a prisoner's progress in officers, mental health clinicians, therapists, the education coordinator, or other employees and contractors involved in delivering institutional programs.

D. Emergency Counseling
   1. Staff shall immediately notify the shift supervisor if they observe a prisoner in a mental or emotional condition that indicates a need for supportive, emergency, or crisis counseling services. See also policies #807.13, Mental Health Administration and Services and #807.20, Suicide Prevention and Awareness.
   2. The shift supervisor shall assess the prisoner's status and contact the appropriate program staff member, if necessary, using established institutional procedures.

E. Evaluation of Counseling Program
   1. The Director of Institutions or designee shall develop procedures to evaluate the counseling programs. Evaluation of programs shall include addressing any state and federal requirements that exist. Program reviews should include review of statistical data, case records, and other program records, as well as interviews of relevant institutional staff and prisoners as indicated by the program design.
   2. Institutional program staff shall solicit the security staff's recommendations regarding counseling services on an ongoing basis and use this information when coordinating program development with Division of Institution's administrators.

Authority

Cleary v. Smith Final Order, 3AN-81-5274 CIV, Sept. 1990