

People with special needs and sexual behaviour problems: balancing community and client interests while ensuring effective risk management

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Abstract Deinstitutionalisation movements of the mid-1900s led to changes in policy and practice in the management of people with special needs (defined for this article as people with severe and persistent mental illness, intellectual disabilities and high levels of personality factors that interfere with treatment participation). Although the majority of clients with special needs receive care in community settings and interact more with family, friends and others in the community, some such clients require more rigorous case management. For clients who have offended, especially sexually, community-based services are scarce, and concerns regarding reoffence potential often supersede traditional understandings of diminished capacity. Recent reports suggest that jails and prisons have replaced hospitals as the institutions-of-choice for clients with special needs who engage in inappropriate conduct. This paper examines policies and practices regarding community risk management of people with special needs who have sexually offended. Vignettes are provided to illustrate how some clients and agencies have been affected, and suggestions are made to ensure best practices in risk management and public safety.

Keywords Special needs; offenders; civil commitment; sexual abuse; community; risk management