



**ATAP Code of Ethical Conduct
March 2010**

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INTRODUCTION AND APPLICABILITY

The Association of Threat Assessment Professional's Code of Ethical Conduct (hereinafter referred to as the Ethics Code) consists of an Introduction and specific professional conduct standards for ethical practice. The Introduction discusses the intent, organization, procedural considerations, and scope of application of the Ethics Code. This Ethics Code sets both aspirational goals, to guide Association Members (hereinafter referred to as Members) toward the highest ideals of violence risk assessment, also referred to as threat assessment; and violence risk management, also referred to as threat management; as well as providing enforceable expectations of appropriate conduct in certain areas of practice. Most of the Ethics Code is written broadly, in order to apply to members in varied roles, although the application of an Ethics Code may vary depending on the context. The Ethics Code is not exhaustive. Conduct not directly addressed by the Ethics Code has not been determined as ethical or unethical.

This Ethics Code applies only to Members' activities that are part of their scientific, educational, or professional roles as violence risk assessment/threat assessment and management professionals. Areas covered include but are not limited to research; teaching; public service; policy development; development of assessment instruments; conducting assessments; developing or delivering intervention or case management plans; organizational consulting; forensic activities; program design and evaluation; and administration. This Ethics Code applies to these activities across a variety of contexts, such as in person, postal, telephone, internet, and other electronic transmissions. These activities shall be distinguished from the purely private conduct of Members, which is not within the purview of the Ethics Code.

Membership in the ATAP requires a commitment from Members and student affiliates to comply with the standards of the ATAP Ethics Code and to the rules and procedures used to enforce them. Lack of awareness or misunderstanding of the Ethics Code is not itself a reasonable defense to a charge of unethical conduct.

The procedures for filing, investigating, and resolving complaints of unethical conduct are described in the current Rules and Procedures of the ATAP Ethics Committee. ATAP may impose sanctions on Members who violate the standards of the Ethics Code, including termination of ATAP membership, and may notify other bodies and individuals of its actions. In addition, ATAP may take action against a Member for other mis-conduct, as outlined in the Association Bylaws.

The Ethics Code is intended to provide guidance for Members and standards of professional conduct that can be applied by the ATAP. The Ethics Code is not intended to be a basis of civil liability. Whether a Member has violated the Ethics Code standards does not, by itself, determine whether the Member may have any legal liability, whether in a court action, the enforceability of a contract, or other legal or regulatory actions.

The modifiers used in some of the standards of this Ethics Code (e.g., *reasonably*, *appropriate*, *potentially*) are included in the standards when they would (1) allow professional judgment on the part of Member, (2) eliminate injustice or inequality that would occur without the modifier, (3) ensure applicability across the broad range of activities conducted by Member, or (4) guard against a set of rigid rules that might be quickly outdated. As used in this Ethics Code, the term "*reasonable*" means the prevailing professional judgment of violence risk assessment (threat assessment) and management professionals engaged in similar activities in similar circumstances, given the knowledge the Member had or should have had at the time.

It is recognized that Members represent, and also integrate, a range of professional backgrounds (e.g. law, medicine, law enforcement, behavioral science, security, human resources, etc.). In the process of making decisions regarding their professional behavior, Members must also consider this Ethics Code in addition to applicable laws during the performance of their professional duties. In applying the Ethics Code to their professional work, Members may consider other materials and guidelines that have been adopted or endorsed by scientific and professional organizations and the dictates of their own conscience, as well as consult with others within the field.¹ If this Ethics Code establishes a higher standard of conduct than is required by law, Members must attempt to meet the higher ethical standard. If Members' ethical responsibilities conflict with law, regulations, or other governing legal authority, Members make known their commitment to this Ethics Code and take steps to resolve the conflict in a responsible manner. If the conflict is irresolvable via such means, Members may adhere to the requirements of the law, regulations, or other governing authority.

¹ It is understood that each profession represented within the ATAP membership enumerate core competencies and standards in explicit and implicit ways. Such competencies and standards may be enumerated in a variety of manners, including but not limited to profession-based ethical standards, professional or specialty guidelines, statutory and regulatory sources as well as informally defined standards of practice. Therefore, it is also understood that each Member will need to consider these other elements in any decision regarding their conduct as well.

ETHICS CODE

1. Resolving Ethical Issues

1.01 Misuse of Members' Work

If Members learn of misuse or misrepresentation of their work, they take reasonable steps to correct or minimize the misuse or misrepresentation.

1.02 Conflicts Between Ethics and Law, Regulations, or Other Governing Legal Authority

If Members' ethical responsibilities conflict with law, regulations, or other governing legal authority, Members make known their commitment to the Ethics Code and take steps to resolve the conflict. If the conflict is irresolvable via such means, Members may adhere to the requirements of the law, regulations, or other governing legal authority.

1.03 Conflicts Between Ethics and Organizational Demands

If the demands of an organization with which Members are affiliated or for whom they are working conflict with this Ethics Code, Members must clarify the nature of the conflict and make known their commitment to the Ethics Code, and to the extent feasible, resolve the conflict in a way that permits adherence to the Ethics Code.

1.04 Informal Resolution of Ethical Violations

When Members believe that there may have been an ethical violation by another Member, they attempt to resolve the issue by bringing it to the attention of that individual, if an informal resolution appears appropriate and the intervention does not violate any confidentiality rights that may be involved. (See also Standards 1.02, Conflicts Between Ethics and Law, Regulations, or Other Governing Legal Authority, and 1.03, Conflicts Between Ethics and Organizational Demands.)

1.05 Reporting Ethical Violations

If an apparent ethical violation has substantially harmed or is likely to substantially harm a person or organization and is not appropriate for informal resolution under Standard 1.04, Informal Resolution of Ethical Violations, or is not resolved properly in that fashion, Members take further action appropriate to the situation. Such action might include referral to state or national committees on professional ethics, to state licensing boards, or to the appropriate institutional authorities. This standard does not apply when an intervention would violate confidentiality rights or when Members have been retained to review the work of another Member whose professional conduct is in question. (See also 1.02, Conflicts Between Ethics and Law, Regulations, or Other Governing Legal Authority, and 9.01 Reporting Ethical Concerns.)

1.06 Cooperating With Ethics Investigations and Committees

Members will cooperate in ethics investigations, proceedings, and resulting requirements of ATAP. In doing so, they will address any confidentiality issues. Failure to cooperate is itself an ethics violation. However, making a request for deferment of adjudication of an ethics complaint pending the outcome of litigation or related disciplinary process does not alone constitute noncooperation.

1.07 Improper Complaints

Members do not file or encourage the filing of ethics complaints that are made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

1.08 Unfair Discrimination Against Complainants and Respondents

Members do not deny persons employment, advancement, admissions to academic or other programs, tenure, or promotion, based solely upon their having made or their being the subject of an ethics complaint. This does not preclude taking action based upon the outcome of such proceedings or considering other appropriate information.

2. Competence

2.01 Boundaries of Competence

(a) Members provide services, teach, and conduct research in areas only within the boundaries of their competence or expertise, based on their education, training, supervised experience, consultation, study, or professional experience.

(b) Where scientific or professional knowledge in the discipline of violence risk assessment and threat assessment establishes that an understanding of factors associated with age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, or socioeconomic status is essential for effective implementation of their services or research, Members have or obtain the training, experience, consultation, or supervision necessary to ensure the competence of their services, or they make appropriate referrals.

(c) Members planning to provide services, teach, or conduct research involving populations, areas, techniques, or technologies new to them undertake relevant education, training, supervised experience, consultation, or study.

(d) In those emerging areas in which generally recognized standards for preparatory training do not yet exist, Members nevertheless take reasonable steps to ensure the competence of their work and to protect clients, research participants, and others from harm.

(e) When assuming forensic roles, Members are or become reasonably familiar with the judicial or administrative rules governing their roles.

2.02 Maintaining Competence

Members undertake ongoing efforts to develop and maintain their competence.

2.03 Bases for Scientific and Professional Judgments

Members' work is based upon established scientific and professional knowledge of the discipline. (See also 2.01, Boundaries of Competence)

2.04 Delegation of Work to Others

Members who delegate work to employees, supervisees; or research or teaching assistants; or who use the services of others, such as interpreters, take reasonable steps to (1) avoid delegating such work to persons who have a multiple relationship with those being served that would likely lead to exploitation or loss of objectivity; (2) authorize only those responsibilities that such persons can be expected to perform competently on the basis of their education, training, or experience, either independently or with the level of supervision being provided; and (3) see that such persons perform these services competently. (See also 3.05, Multiple Relationships; 4.01, Maintaining Confidentiality; 8.01, Bases for Assessments; 8.02, Use of Assessments; 8.03, Assessment by Unqualified Persons.)

2.05 Personal Problems, Considerations, or Conflicts

(a) Members refrain from initiating an activity when they know or should know that there is a substantial likelihood that personal problems, considerations, or conflicts will prevent them from performing their work-related activities in a competent manner.

(b) When Members become aware of personal problems, considerations, or conflicts that may interfere with their ability to perform work-related duties adequately, they take appropriate measures, such as obtaining professional consultation or assistance, and determine whether they should limit, suspend, or terminate their work-related duties.

3. Human Relations

3.01 Unfair Discrimination

In their work-related activities, Members do not engage in unfair discrimination based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, socioeconomic status, or any basis proscribed by law.

3.02 Sexual Harassment

Members do not engage in sexual harassment. Sexual harassment is sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, that occurs in connection with the Member's activities or roles as a Member, and that either (1) is unwelcome, is offensive, or creates a hostile workplace or educational environment, and the Member knows or is told this or (2) is sufficiently severe or intense to be abusive to a reasonable person in the context. Sexual harassment can consist of a single intense or severe act or of multiple persistent or pervasive acts. (See also 1.08, Unfair Discrimination Against Complainants and Respondents.)

3.03 Other Inappropriate Conduct

Members do not knowingly engage in behavior that is harassing or demeaning to persons with whom they interact in their work, or in conjunction with their affiliation with the Association, based on factors which include, but are limited to, a persons' age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, or socioeconomic status.

3.04 Avoiding Harm

Members take reasonable steps to avoid harming their clients, students, supervisees, research participants, organizational clients, and others with whom they work, and to minimize harm where it is foreseeable and unavoidable.

3.05 Multiple Relationships

(a) A multiple relationship occurs when a Member is in a professional role with a person and (1) at the same time is in another role with the same person, (2) at the same time is in a relationship with a person closely associated with or related to the person with whom the Member has the professional relationship, or (3) promises to enter into another relationship in the future with the person or a person closely associated with or related to that person.

A Member refrains from entering into a multiple relationship if the multiple relationships could reasonably be expected to impair the Member's objectivity, competence, or effectiveness in performing his or her functions as a practitioner, or otherwise risks exploitation or harm to the person with whom the professional relationship exists.

Multiple relationships that would not reasonably be expected to cause impairment or risk exploitation or harm are not unethical.

(b) If a Member finds that, due to unforeseen factors, a potentially harmful multiple relationship has arisen, the Member takes reasonable steps to resolve it with due regard for the best interests of the affected person and maximal compliance with the Ethics Code.

(c) When Members are required by law, institutional policy, or extraordinary circumstances to serve in more than one role in judicial or administrative proceedings, at the outset they clarify role expectations and the extent of confidentiality and thereafter as changes occur. (See also 3.04, Avoiding Harm, and 3.07, Third-Party Requests for Services.)

3.06 Conflict of Interest

Members refrain from taking on a professional role when personal, scientific, professional, legal, financial, or other interests or relationships could reasonably be expected to (1) impair their objectivity, competence, or effectiveness in performing their functions as practitioners or (2) expose the person or organization with whom the professional relationship exists to harm or exploitation.

3.07 Third-Party Requests for Services

When Members agree to provide services to a person or entity at the request of a third party, Members attempt to clarify at the outset of the service the nature of the relationship with all individuals or organizations involved. This clarification includes the role of the Member (e.g., consultant, assessor, case manager, or expert witness), an identification of who is the client, the probable uses of the services provided or the information obtained, and the fact that there may be limits to confidentiality. (See also 3.05, Multiple Relationships, and 4.02, Discussing the Limits of Confidentiality.)

3.08 Exploitative Relationships

Members do not exploit persons over whom they have supervisory, evaluative, or other authority such as clients, students, supervisees, research participants, and employees. (See also 3.05, Multiple Relationships.)

3.09 Cooperation With Other Professionals

When indicated and professionally appropriate, Members cooperate with other professionals in order to serve their clients/patients effectively and appropriately. (See also 4.05, Disclosures.)

4. Privacy And Confidentiality

4.01 Maintaining Confidentiality

Members have a primary obligation and take reasonable precautions to protect confidential information obtained through or stored in any medium, recognizing that the extent and limits of confidentiality may be regulated by law or established by institutional rules or professional or scientific relationship. (See also 2.04, Delegation of Work to Others.)

4.02 Discussing the Limits of Confidentiality

(a) Members discuss with persons and organizations with whom they establish a scientific or professional relationship the relevant limits of confidentiality.

(b) Unless it is not feasible or is contraindicated, the discussion of confidentiality occurs at the outset of the relationship and thereafter as new circumstances may warrant.

(c) Members who offer services, products, or information via electronic transmission inform clients of the risks to privacy and limits of confidentiality.

4.03 Recording

Before recording the voices or images of individuals to whom they provide services, Members obtain permission from all such persons or their legal representatives if required by law and regulation in the jurisdiction in which they are conducting their work.

4.04 Minimizing Intrusions on Privacy

(a) Members include in written and oral reports and consultations, only information germane to the purpose for which the communication is made.

(b) Members discuss confidential information obtained in their work only for appropriate scientific or professional purposes and only with persons clearly concerned with such matters.

4.05 Disclosures

(a) Members may disclose confidential information with the appropriate consent of the client or another legally authorized person on behalf of the client unless prohibited by law.

(b) Members disclose confidential information without the consent of the individual only as mandated by law, or where permitted by law for a valid purpose such as to (1) provide needed professional services; (2) obtain appropriate professional consultations; (3) protect the client, Member, or others from harm; or (4) obtain payment for services from a client, in which instance disclosure is limited to the minimum that is necessary to achieve the purpose.

4.06 Consultations

When consulting with colleagues, Members do not disclose confidential information that reasonably could lead to the identification of a client, research participant, or other person or organization with whom they have a confidential relationship unless they have obtained the prior consent of the person or organization or the disclosure cannot be avoided, and/or they disclose information only to the extent necessary to achieve the purposes of the consultation. (See also 4.01, Maintaining Confidentiality.)

4.07 Use of Confidential Information for Didactic or Other Purposes

Members do not disclose in their writings, lectures, or other public media, confidential, personally identifiable information concerning their clients, students, research participants, organizational clients, or other recipients of their services that they obtained during the course of their work, unless (1) they take reasonable steps to disguise the person or organization, (2) the person or organization has consented in writing, or (3) there is legal authorization for doing so.

5. Advertising and Other Public Statements

5.01 Avoidance of False or Fraudulent Statements

(a) Public statements include but are not limited to paid or unpaid advertising, product endorsements, grant applications, licensing applications, other credentialing applications, brochures, printed material, directory listings, personal resumes or curricula vitae, or comments for use in media such as print or electronic transmission, statements in legal proceedings, lectures and public oral presentations, and published materials. Members do not knowingly make public statements that are false or fraudulent concerning their research, practice, or other work activities or those of persons or organizations with which they are affiliated.

(b) Members do not make false or fraudulent statements concerning (1) their training, experience, or competence; (2) their academic degrees; (3) their credentials; (4) their institutional or association affiliations; (5) their services; (6) the scientific or clinical basis for, or results or degree of success of, their services; (7) their fees; or (8) their publications or research findings.

(c) Members claim degrees as credentials only if those degrees (1) were earned from a regionally or nationally accredited educational institution or (2) were the basis for licensure by the state in which they practice.

5.02 Statements by Others

(a) Members who engage others to create or place public statements that promote their professional practice, products, or activities retain professional responsibility for such statements.

(b) Members do not compensate employees of press, radio, television, or other communication media in return for publicity in a news item. (See also 1.01, Misuse of Members' Work.)

(c) A paid advertisement relating to Members' activities must be identified or clearly recognizable as such.

5.03 Media Presentations

When Members provide public advice or comment via print, internet, or other electronic transmission, they take precautions to ensure that statements (1) are based on their professional knowledge, training, or experience in accord with appropriate literature and practice; (2) are otherwise consistent with this Ethics Code; and (3) do not indicate that a professional relationship has been established with the recipient. (See also 2.03, Bases for Scientific and Professional Judgments.)

6. Education and Training

6.01 Design of Education and Training Programs

Members responsible for education and training programs take reasonable steps to ensure that the programs are designed to provide the appropriate knowledge and proper experiences, and to meet the requirements for licensure, certification, or other goals for which claims are made by the program.

7. Research and Publication

7.01 Plagiarism

Members do not present portions of another's work or data as their own, even if the other work or data source is cited occasionally.

7.02 Publication Credit

(a) Members take responsibility and credit, including authorship credit, only for work they have actually performed or to which they have substantially contributed. (See also 7.02b, Publication Credit.)

(b) Principal authorship and other publication credits accurately reflect the relative scientific or professional contributions of the individuals involved, regardless of their relative status. Mere possession of an institutional position, such as department chair, does not justify authorship credit. Minor contributions to the research or to the writing for publications are acknowledged appropriately, such as in footnotes or in an introductory statement.

7.03 Duplicate Publication of Data

Members do not publish, as original data, data that have been previously published. This does not preclude republishing data when they are accompanied by proper acknowledgment.

8. Assessment

8.01 Bases for Assessments

(a) Members base the opinions contained in their recommendations, reports, and diagnostic or evaluative statements, including forensic testimony, on information and techniques sufficient to substantiate their findings. (See also 2.03, Bases for Scientific and Professional Judgments.)

(b) When Members conduct a record review or provide consultation or supervision and an individual examination is not warranted or necessary for the opinion, Members explain this and the sources of information on which they based their conclusions and recommendations.

8.02 Use of Assessments

Members administer, adapt, score, interpret, or use assessment techniques, interviews, tests, or instruments in a manner and for purposes that are appropriate in light of the research on or evidence of the usefulness and proper application of the techniques.

8.03 Assessment by Unqualified Persons

Members do not promote the use of assessment techniques by unqualified persons, except when such use is conducted for training purposes with appropriate supervision. (See also 2.04, Delegation of Work to Others.)

9. Procedure for Addressing Ethical Concerns

9.01 Informal Resolution

Members who have concerns about possible ethics violations on the part of another ATAP member are encouraged to first attempt to bring such concerns to the attention of that member in order that it might be resolved at the lowest level of intervention. It is the goal of the Association that the members would work together to resolve the raised concerns. (See also 1.04 Informal Resolution of Ethical Violations.)

9.02 Reporting Ethical Concerns

In any situation where the possible violation is unable to be resolved informally, is egregious in nature, poses a potential risk to the safety or well being of another person and/or poses risk to the reputation of the Association, the member who has identified the ethical concern must report the possible violation to ABOD Sergeant at Arms, or as an alternative the Association President, in a timely manner. Members making a report of ethics violation may request anonymity. While every attempt will be made to honor this request, it may become necessary to name a complainant in the course of due process. (See also 1.05 Reporting Ethical Violations.)

9.03 Report Screening

- (a) Upon receipt of a report of possible ethics violation, the ABOD Sergeant at Arms will evaluate the merits of the concerns contained in the report. If after review, and in consultation with the Association President, the nature of the allegation(s) requires additional investigation, the Sergeant at Arms will notify the Association Ethics Committee of the referral and facilitate any such investigation/action that may be necessary to adequately evaluate the concerns.
- (b) The Sergeant at Arms will attempt to work with involved parties to address the concerns in a manner which is satisfactory to those members as well as consistent with the Association Code of Ethics. In those cases where resolution is not reached, the Sergeant at Arms will refer the case, investigative notes and recommendations to the Association Ethics Committee.
- (c) In all cases reported to the Association, the Sergeant at Arms will maintain documentation related to the concerns raised, involved parties, investigation outcome and case disposition. Further, the Sergeant at Arms will provide semi-annual reports to the Association Ethics Committee. This documentation will be made available to ABOD upon request.

History and Effective Date Footnote

This document was created in this form and submitted to the ATAP Board of Directors for approval on March 1st, 2010. Portions of this content have been adapted with permission from the American Psychological Association's (APA's) Ethical Principles of Psychologists and Code of Conduct 2002, adopted by the APA's Council of Representatives on August 21, 2002. Copyright © 2002 by the American Psychological Association. APA has in no way provided endorsement for this use, or advised, assisted, or encouraged the Association of Threat Assessment Professionals (ATAP) to utilize the APA Code of Ethics. APA is in no way responsible for the decision of the ATAP to utilize the APA Code of Ethics, or for any actions or other consequences resulting from such use by the ATAP.

ATAP wishes to thank the APA for the support of our effort and for their work in promoting ethical professional conduct in professional practices.