

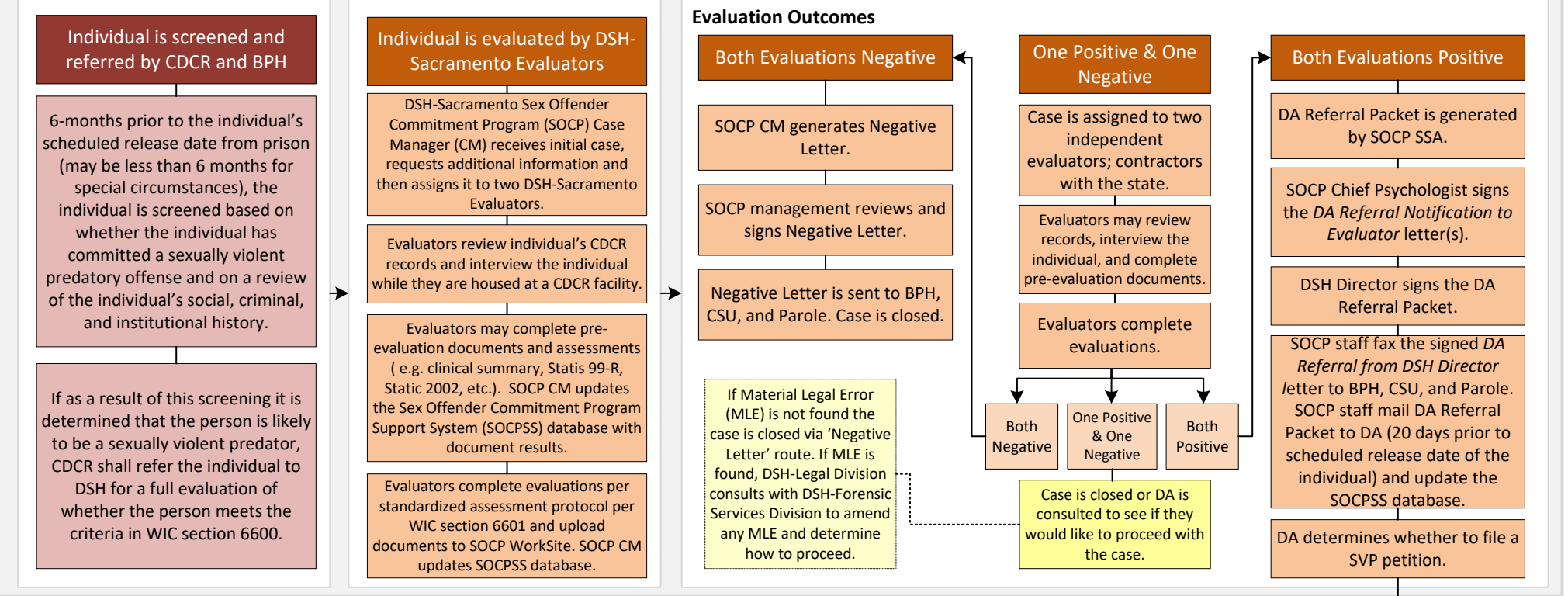
Sexually Violent Predator (SVP): SVP patients are individuals who are convicted of a sex offense and also found to have a mental disorder that makes him/her a danger to others in that they will likely engage in sexually violent criminal behavior. DSH admits SVP patients under Welfare and Institutions Code (WIC) sections 6602 and 6604. Prisoners are screened by CDCR and Board of Parole Hearings (BPH) and referred to DSH for full evaluation to determine whether the individuals meet the criteria of a SVP before the completion of their prison term. DSH refers the SVP petition to the county of commitment 20 days prior to the prisoner's release date. If/when the District Attorney (DA) files a SVP petition, the prisoner is transferred to county jail pending the WIC section 6602 probable cause hearing. DSH only houses SVPs once there is a WIC section 6602 finding of probable cause. A commitment trial is then held and, if adjudged to be a SVP under WIC section 6604, the individual is committed to a state hospital for an indeterminate period of time. SVPs can petition for release, be recommended for outpatient status by DSH, or be found to no longer meet the SVP criteria by DSH.

WIC section 6600: "Sexually violent predator" means a person who has been convicted of a sexually violent offense against one or more victims and who has a diagnosed mental disorder that makes the person a danger to the health and safety of others in that it is likely he/she will engage in sexually violent predatory criminal behavior without appropriate treatment and custody. DSH-Coalinga shall be used whenever a person is committed to a secure facility for mental health treatment pursuant to this article.

WIC section 6601.3: Upon a showing of good cause, the BPH may order that a person referred to the DSH for SVP evaluation remain in custody for no more than 45 days beyond the person's scheduled release date for full evaluation.

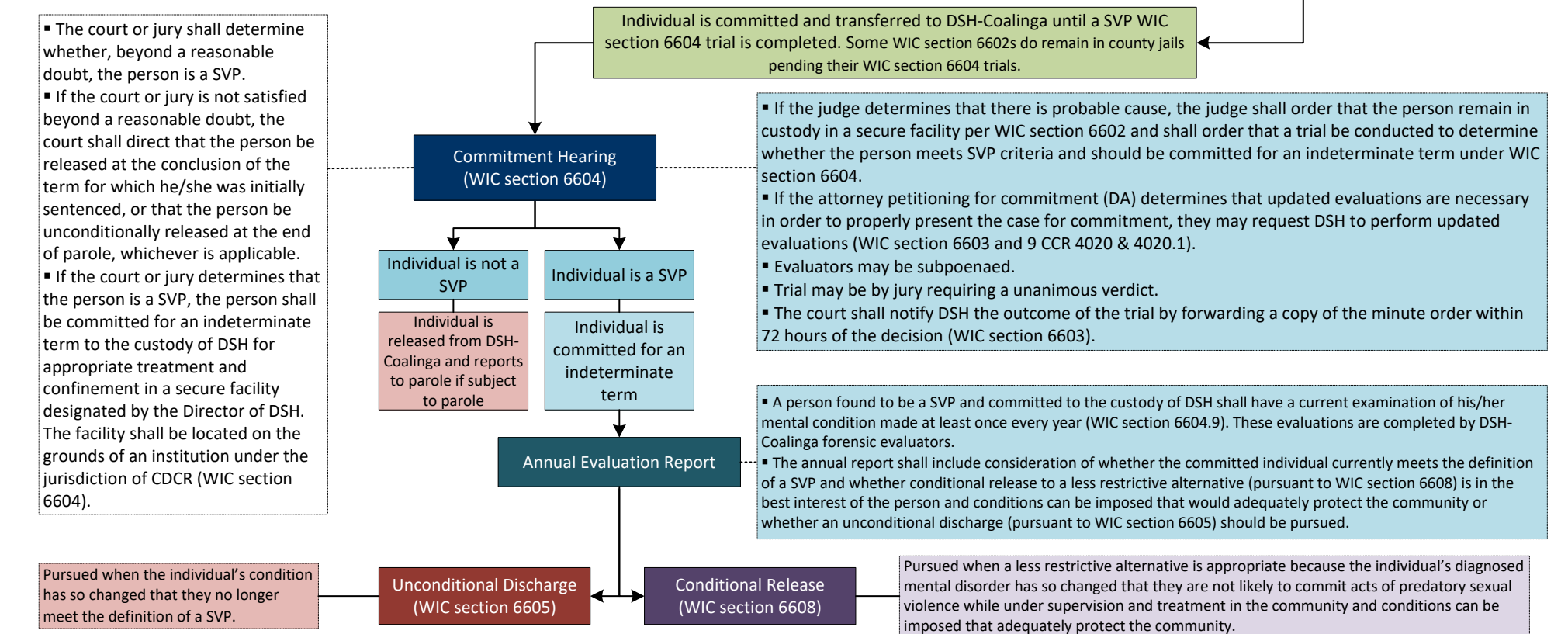
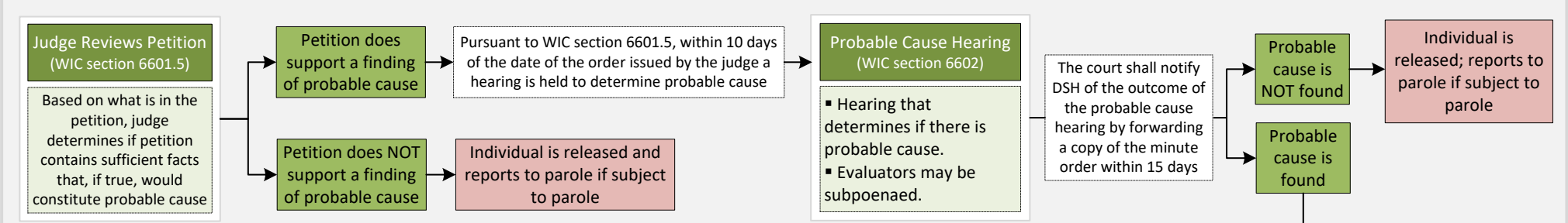
WIC section 6602.5: No person may be placed in a state hospital pursuant to the provisions of this article until there has been a determination that there is probable cause to believe that the individual is likely to engage in sexually violent predatory criminal behavior.

Individual begins in a CDCR facility

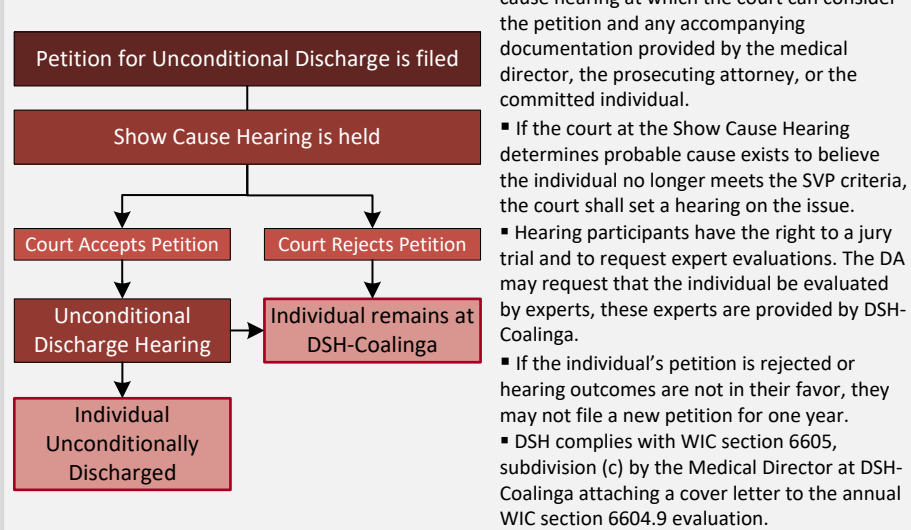


Probable Cause Process (WIC section 6601.5 & section 6602)

Upon filing of the petition and a request for review under WIC section 6601.5, a judge of the superior court shall review the petition and determine whether the petition states or contains sufficient facts that, if true, would constitute probable cause to believe that the individual is likely to engage in sexually violent predatory criminal behavior upon his/her release. If the judge determines that the petition, on its face, supports a finding of probable cause, the judge shall order that the person be detained in a secure facility (e.g. county jail) until a probable cause hearing can be completed pursuant to WIC section 6602.



WIC section 6605 – Petition for Unconditional Discharge



WIC section 6608 – Petition for Conditional Release

