



SEXUALLY VIOLENT PREDATOR (SVP) CONDITIONAL RELEASE PROGRAM (CONREP)

Fast Facts

- SVP CONREP is a step-down program between inpatient commitment and unconditional release that facilitates safe transition back to the community.
- The process of placing a patient committed as an SVP in the community is strictly regulated by law.
- The court determines whether a patient is eligible for conditional release and where the patient will live. Due to placement limitations, housing is found on a case-by-case basis. Community safety is the top priority.
- To date, no participant has perpetrated a sexual contact offense in SVP CONREP.
- About 5% of patients committed to the Department of State Hospitals (DSH) pursuant to the SVP Act have achieved conditional release through SVP CONREP.
- A patient may not enter the SVP CONREP discharge pathway until the court fully commits them as an SVP for at least one year. Until they are fully committed, they are legally classified as civil detainees.

Overview

The Forensic Conditional Release Program (CONREP) is DSH's statewide system of community-based services for court-ordered individuals. Mandated as a state responsibility, CONREP began on January 1, 1986. It operates according to the law, pursuant to Welfare and Institutions Code (WIC) section 4360.

In 1996, the Sexually Violent Predator (SVP) Act (WIC section 6600, et. seq.) went into effect. It is a civil law, not a criminal

law, which means its purpose is treatment and rehabilitation, not punishment; and is applied after the person completes their prison sentence. Together with the support and safety measures of CONREP, an individual committed as an SVP can safely transition back to being a fully functioning member of the community.

The SVP commitment process begins at the time an individual is pending release from prison or jail. If the required legal criteria for commitment are met, the court orders the transfer of the individual at the end of their prison term to DSH for sex offense treatment, although participation in treatment is voluntary. DSH's Sex Offense Treatment Program (SOTP) is designed to be administered through four sequential inpatient modules followed by a conditional release component, CONREP, that is delivered in the community. Civil detainees are legally ineligible to be conditionally released through CONREP.

The SVP Act governs all SVP commitments and releases. Releases from the hospital to the community are either unconditional (direct community discharge) or conditional through CONREP and are court-ordered. CONREP is an intensive community-based treatment, and 24 hours per day monitoring program with gradual steps toward increased community re-entry depending on treatment progress. DSH contracts with Liberty Healthcare to provide SVP CONREP services across the state.

SVP CONREP is designed in accordance with best practice standards, called the Risk, Needs, and Responsivity Principles. Research shows that interventions with sex

offenders that follow these principles have the greatest reduction in re-offense rates. Interventions are coordinated through the Collaboration Model of sex offender management that relies on cross agency teamwork and a broad range of services that are flexibly applied in response to patient's risk profiles and treatment needs. This model of sex offender treatment holds patients accountable by the combined use of the patient's internal controls, developed during inpatient treatment, and the use of external tools, including polygraph examinations, surveillance, and electronic monitoring. It is victim-centered, focusing on community safety as the primary goal. Close collaboration and communication by all parties participating in the patient's community treatment and supervision are essential. The ideal evidence-based discharge pathway for SVP patients is as follows:

Community Placement Process

The process of CONREP placement starts when the court determines the patient meets the legal criteria for CONREP (WIC section 6608) and the terms and conditions for the patient's participation are set. The court then orders CONREP to locate a residence for the patient in their county of domicile, which is legally determined by the court. The county of domicile is typically the same county that handles the patient's SVP commitment proceeding. Placements to other counties are rare and only occur in extraordinary circumstances, when court ordered. The court identifies the county or counties in which CONREP is ordered to search for placement. CONREP does not search in counties outside of the court's ordered locations.

SVP CONREP screens housing sites pursuant to the court's orders and the individual patient's current needs and risk factors, as identified by the state hospital and CONREP. Housing assessments consider Jessica's Law compliance (Penal Code section 3003.5) and SVP Act

residency restrictions (WIC section 6608.5), including proximity to schools and parks where children regularly gather. It considers clinical risk factors, treatment progress, protective factors, victim profiles and locations to ensure community and patient safety. The county designated housing agency pursuant to WIC section 6608.5, assists SVP CONREP in identifying suitable housing.

After seeking input from the designated county agency, SVP CONREP submits potential residences to the Court for approval. Court authorization is sought to hold a residence for potential placement of the CONREP-ready SVP patient. The court then orders DSH to provide official notice to the community pursuant to WIC section 6609.1. This notice is provided to the District Attorney and local law enforcement in the community where the individual is to be released, where they maintained their last residence, and in the county that filed for their civil commitment (if different). The law provides a 30-day timeline for public notification with case specific information including: name, proposed placement address, date of commitment, county of commitment, hearing date, time and location and other court-ordered specifics. This is the period where any member of the public, including victims, may provide their opinion on the prospective placement to the District Attorney or law enforcement who then provide the community's feedback to SVP CONREP for consideration. After the 30-day public notification period and related hearing, the court may order placement of the patient to the proposed residence identified in the public notice. From start to finish, the housing search and placement process can take up to one year or longer.

Community Safety Plan for Release

As the statewide SVP CONREP provider, Liberty Healthcare has the responsibility to ensure that the patient ordered to CONREP complies with the court-ordered and community safety plan and terms and

conditions of outpatient treatment. The court-approved plan outlines the conditions of outpatient treatment and supervision the individual must adhere to while in the community. They are extensive, detailed, and describe the intensive monitoring and supervision that SVP CONREP will provide.

The terms and conditions are developed by SVP CONREP staff while the patient is at the state hospital. These are tailored to the patient's individualized risk factors and treatment needs and include input from hospital staff and others who will be involved in the patient's treatment and monitoring while in the community. Violations of the terms and conditions are reported to the court and may result in consequences to the patient, including revocation of conditional release and a return to the hospital.

How SVP CONREP Works

Use of a Community Safety Team (CST), a standard practice for providing community supervision and treatment, is the method by which the principles of Risks, Needs, and Responsivity and the Collaboration Model are applied for each patient. Members of the CST include the following:

- CONREP Regional Coordinator
- CONREP Clinical Program Director
- Treatment Providers
- Victim Advocate
- Polygraph Provider
- Local law enforcement
- Defense attorney and deputy district attorney
- Others as needed for support, accountability, and/or clinical needs

The SVP CONREP program utilizes the following supervision and monitoring tools that are carried out by the CST:

- Unannounced and scheduled in person visits onsite and offsite from the residence
- Collateral contacts and chaperone training with significant people in the patient's life
- Covert surveillance
- 24-hour GPS monitoring
- Monitoring of approved electronics (i.e. phone, computer)

- Random urine screens for illicit substances
- Unannounced residence, vehicle, and personal property searches
- Banking and expense reviews
- Approval of schedules, locations of outings, and routes of travel for all time outside of residence. This is verified daily by review of GPS tracking. The GPS system also provides "real time" tracking with instant notification of any violations of the inclusion/exclusion zones developed for the patient.
- Life skills training, residential placement, and other services needed to support safe and successful community reintegration

Monitoring tools used in conjunction with sex offender treatment professionals include:

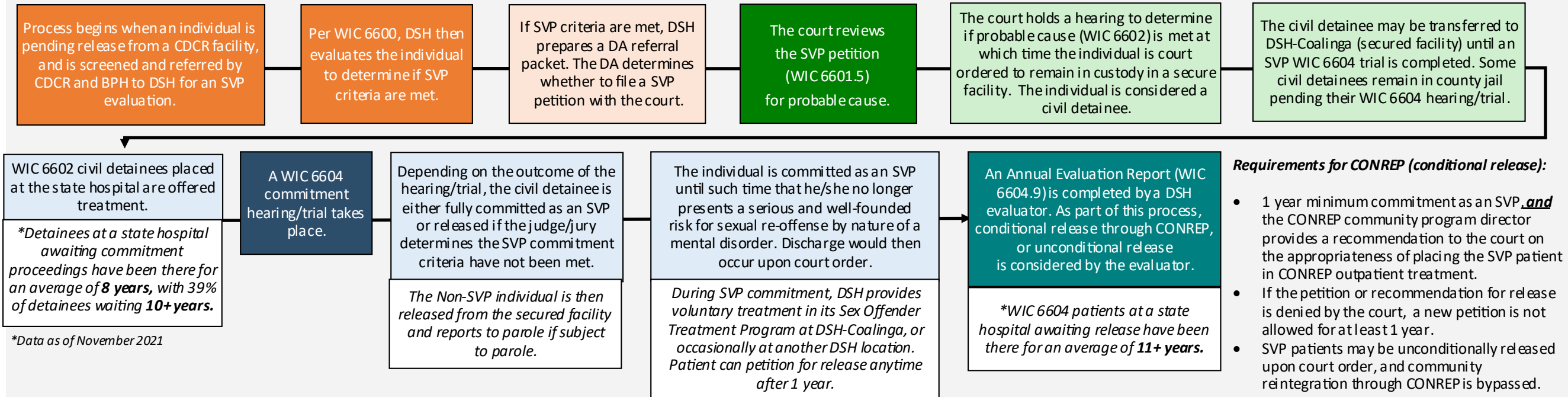
- Polygraph examination, including both sexual history (to obtain a reliable assessment of the patient's history of sexual behavior) and maintenance exams (to assess treatment progress and compliance with the terms and conditions of release).
- Physiological assessment of sexual arousal (Plethysmography).
- Assessment of sexual interest (i.e. Abel Assessments).

Service levels set minimum treatment and supervision activities for patients in SVP CONREP. Patients start at the intensive service level, and as they progress, they can move to the supportive and transitional levels of care, then to the point of readiness to discharge from CONREP. Evaluations and assessments are ongoing during the period of state hospitalization, upon entry into the community and throughout SVP CONREP treatment and supervision. Quarterly and annual progress reports are provided to the court pursuant to statute.

For more information regarding CONREP, visit www.dsh.ca.gov

SVP COMMITMENT & SVP CONREP HOUSING

SVP Referral & Commitment Process



CONREP Placement & Housing Search

