

AMENDED IN SENATE MAY 20, 2009

AMENDED IN SENATE MAY 5, 2009

AMENDED IN SENATE APRIL 2, 2009

SENATE BILL

No. 564

Introduced by Senator Hollingsworth

February 27, 2009

An act to add Section 6610 to the Welfare and Institutions Code, relating to sexually violent predators.

LEGISLATIVE COUNSEL'S DIGEST

SB 564, as amended, Hollingsworth. Sexually violent predators.

Existing law provides for the civil commitment of criminal offenders who have been determined to be sexually violent predators for treatment in a secure state hospital facility, as specified. Existing law also sets forth provisions governing the release of sexually violent predators from state custody.

This bill would require sexually violent predators who are released into a forensic conditional release program after January 1, 2010, to be placed in a reentry facility administered by the State Department of Mental Health until suitable housing is found; ~~but would~~ *the bill would, however,* preclude failure to be ~~plac~~ *placed* in a reentry facility from being grounds for preventing conditional release.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature hereby finds and declares the
2 following:

3 (a) The High Risk Sex Offender and Sexually Violent Predator
4 Task Force, in their December 2006 report, stated that, “[h]omeless
5 releases cause an unacceptable and unnecessary risk to the public
6 because the individual cannot be properly supervised and many
7 of the terms and conditions of release cannot be enforced (such as
8 global positioning satellite monitoring, curfews, and associations
9 with other felons). The Task Force believes that the release of ~~any~~
10 ~~SVP~~ *a sexually violent predator* without a home into the
11 community creates an unacceptably high risk to the public and the
12 ~~SVP~~ *sexually violent predator*.

13 (b) Therefore, it is the intent of the Legislature to provide
14 appropriate reentry housing for ~~SVPs~~ *sexually violent predators*
15 until suitable residential housing may be found.

16 SEC. 2. Section 6610 is added to the Welfare and Institutions
17 Code, to read:

18 6610. Notwithstanding any other law, ~~any~~ *a sexually violent*
19 *predator* who is released into a forensic conditional release program
20 after January 1, 2010, pursuant to this article shall be placed in a
21 reentry facility administered by the State Department of Mental
22 Health, *which may include either a new or existing facility*, until
23 suitable housing is found for the sexually violent predator. The
24 failure of the department to place a person in a reentry facility shall
25 not be grounds to prevent conditional release of the person who
26 has demonstrated that he or she would not be a danger to others
27 while under supervision and treatment in the community.

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