



Sexual Violent Predators (SVP)

SVP 6600 WI

SVP refers to 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 they will engage in sexually violent criminal behavior again.

The SVP process: As a person nears the end of their prison term, the Prison Board looks to see if that person was convicted of a sexually violent offense. If so, that person is referred for an evaluation by two mental health experts who must concur the person has a diagnosed mental disorder and will likely engage in acts of sexual violence without the appropriate treatment and custody. Those who meet the criteria are referred by the director of the Mental Health to the District Attorney's Office of jurisdiction requesting a Petition of "SVP" commitment. The District Attorney's Office, Sex Crimes Division files a petition which blocks the incarcerated individual's release on parole. They are then transported to the county jurisdiction.

The petition requires a trial in order to prove the person is in fact a "SVP" who should be civilly committed to a state hospital (Atascadero) for treatment in a locked setting. Although the "SVP" trial is considered civil and not criminal in nature, the law requires the DA prove the case beyond a reasonable doubt. If the DA is successful, the defendant is then committed to a state hospital for a period of two years.

When processing these individuals into Sheriff's custody from a state Institution follow the procedures contained in the Pre-book Manual BMH.

Once an incarcerated individual appears in court on the petition the jail will receive a court document. The court document will identify the case(s) and charge(s) which qualify the incarcerated individual as an SVP. The incarcerated individual's custody records will be updated in the maintenance navigator to include the charges listed on the court document. The Charge of WI 6600 will not be removed and will remain as the first charge.