

Date of Hearing: July 16, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 380 (Jones) – As Amended May 23, 2025

Policy Committee: Public Safety

Vote: 9 - 0

Urgency: Yes

State Mandated Local Program: No

Reimbursable: No

**SUMMARY:**

This bill requires, by January 1, 2027, the Department of State Hospitals (DSH) to analyze the benefits and feasibility of establishing transitional housing facilities for its sexually violent predator (SVP) conditional release program and requires the analysis be reported to the Legislature.

**FISCAL EFFECT:**

One-time costs (General Fund) to DSH to complete the study, likely in the hundreds of thousands of dollars. DSH anticipates costs of about \$479,000 for two limited-term, full-time equivalent positions to conduct the analysis, plus contract costs for experts about conditional release programs in other states that use transitional housing facilities. DSH estimates the study will take six to 12 months to complete.

Regardless of cost, consistent with Appropriations Committee rules and practice, this bill is eligible for placement on the suspense file because it has the primary purpose of creating a report.

**COMMENTS:**

- 1) **Background.** An SVP is a person who, after completing their incarceration in state prison for a sexually violent offense, must serve a civil commitment in DSH because a court has determined they are likely to engage in sexually violent criminal behavior upon release. Generally, once a person is deemed an SVP, they must remain in a state hospital for treatment and confinement until their condition has changed sufficiently that they no longer pose a significant risk to society. If an SVP's condition changes, DSH or the SVP may petition the court seeking the person's conditional release from custody. "Conditional release" means the SVP is released from state hospital custody but is still subject to intensive monitoring while they live in the community and participate in ongoing treatment. Existing law prescribes a multi-step process for evaluating an SVP seeking conditional release. If, at the end of the process, the court determines the SVP would not be a danger to others while under supervision and treatment in the community, the court must order the SVP's conditional release.

Existing law also prescribes a multi-step process for selecting and approving a community placement for an SVP whose conditional release has been ordered by the court. DSH submits a proposed community placement location to the court, and the court evaluates the

proposal and has the authority to order the SVP's final placement. State and county representatives participate in the process of evaluating and determining a proposed SVP placement, and proposed placements are discussed at public meetings to incorporate community input. Finding a suitable housing placement for an SVP is challenging and often contentious. There are numerous statutory restrictions on where an SVP may live, and members of the public often do not want an SVP to live in their community. DSH contracts with Liberty Healthcare to supervise, treat, and monitor all conditionally released SVPs.

In 2024, the State Auditor released a report about the SVP conditional release program. The report highlighted the low recidivism rates of SVPs in the program, how challenging it is for DSH and Liberty Healthcare to find suitable housing placements for program participants, and how costs for administering the program have increased significantly over time. The report noted:

Multiple other states have programs that are similar to California's program and that use state-owned, state-operated, or contracted transitional housing for participants who are no longer confined to state hospitals...Generally, such transitional facilities are less restrictive alternatives to a state hospital and provide supervision that is commensurate with the risk levels the residents may pose.

Among other recommendations, the report recommended DSH conduct an analysis of the benefits and feasibility of establishing transitional housing facilities in California for the SVP conditional release program. This bill implements that recommendation.

- 2) **Related Legislation.** SB 379 (Jones) states DSH is responsible for ensuring its vendors consider public safety when finding a placement for an SVP and requires DSH to approve the proposed placement of an SVP before the placement is proposed to the court. SB 379 is pending on this committee's suspense file.

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