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Pathways to Placement: Reforming California's Sexually Violent Predators Conditional Release Program

Policy Memo by Kaiana Koteri, 2025 Cal-in-Sacramento Fellow



(Residents of Poway protest the proposed placement of a Sexually Violent Predator (SVP) in their community, reflecting widespread public resistance that contributes to prolonged housing delays under California's CONREP program.)

EXECUTIVE SUMMARY:

California's Sexually Violent Predator (SVP) Conditional Release Program (CONREP) is a post-incarceration supervision initiative designed to support the community-reintegration of civilly committed, sexually violent individuals with a diagnosed mental disorder and assessed risk of reoffending. The program's purpose is to enhance public safety and reduce recidivism, placing eligible SVPs, those deemed no longer a threat after extensive hospital treatment, into court-approved housing with 24/7 GPS tracking, behavioral therapy, and tightly regulated movement. In spite of its proven effectiveness, the program has critical structural flaws—chief among them a severe housing placement crisis. Existing California law mandates placement within 30 days of court approval, however the average wait is 17 months, with some placements stretching beyond four years¹. These delays result from a shortage of legally compliant housing, intense public resistance, and the Department of State Hospitals' (DSH) sole reliance on Liberty Healthcare to secure placements. While eligible individuals wait, they remain confined in state hospitals, significantly increasing public funds and impeding proper care.

This report highlights programmatic reforms that can make SVP housing-placements cost effective, logistically plausible, and conducive to community engagement. The study will outline the outcomes for individuals committed under California SVP laws, and promote structural improvements cross-referenced with similar programs in Washington State. To improve California's SVP CONREP I recommend: (1) launching a five-year pilot transitional housing program, (2) authorizing external legal personnel to propose housing alternatives, and (3) adopting a Fair Placement County Act to prevent rural overconcentration. Implementing these reforms is crucial to reducing recidivism, improving reintegration pathways, decreasing unnecessary costs, and ensuring that California's SVP system serves both the community and the individuals it supervises.

BACKGROUND:

California's Sexually Violent Predator (SVP) Conditional Release Program (CONREP) is a critical tool for reintegrating high-risk individuals into society while safeguarding public safety. The program's purpose is to identify, civilly commit, and eventually release (under strict supervision) sexual offenders who are mentally ill and at risk of reoffending. These SVPs are medically assessed, identified with a mental disorder, then undergo intensive treatment in state hospitals before being considered for conditional release. Once a court deems them appropriate for reintegration, they are ideally placed into a highly structured, community-based program that implements GPS monitoring, mandatory treatment, and frequent check-ins, managed exclusively by Liberty Healthcare. The program's purpose is twofold: to promote public safety and reduce recidivism while providing individuals with rehabilitative support.

¹ California State Auditor. *Conditional Release Program for Sexually Violent Predators (CONREP)*, Report No. 2023-130, California State Auditor, Oct. 2024.

Since the SVP law's enactment in 1996, 1,000 individuals have been identified and committed as SVPs. From the 1,000 committed SVPs, only 54 people were granted participation in the SVP CONREP process. From the 284 SVPs unconditionally released, only 19 could participate in the CONREP process². State reports indicate that as of May 2025, there are currently 21 SVP CONREP participants, with an additional 14 pending placement³. The term "pending placement" refers to the gap between legal eligibility for release and the securing of appropriate housing.

Roughly 5% of all committed SVPs are able to participate in CONREP, with the remaining ~95% fully discharged without CONREP participation. This limited participation is not due to lack of eligibility alone, rather, deep structural bottlenecks. Individuals may be deemed eligible, but wait months or even years in state hospitals due to an inability to secure compliant housing. In extreme cases, SVPs have waited more than four years⁴. Those who do not enter CONREP either remain indefinitely committed in hospitals or are eventually directly discharged into communities with no supervision—often due to housing breakdowns or procedural lapses. Direct discharge, which dismisses GPS monitoring or structured treatment, carries significantly higher risks of reoffending. Studies from the Department of State Hospitals (DSH) show that directly discharged individuals are *4.5 times more likely to be rearrested* for sexual offenses within one year compared to those placed in CONREP⁵.

Housing is not just a logistical detail, it is the crux of CONREP's success or failure. The lack of accessible and legally compliant housing options prohibits eligible individuals from completing proper treatment even after receiving court approval. Moreover, community hostility and deliberately concentrated regional placements have led to disproportionate housing in rural counties, where fewer legal restrictions exist⁶. The lack of equitable distribution and the overreliance on one vendor (Liberty Healthcare) have made the system both financially unsustainable and functionally stagnant.

The program's congested pathways for participants drive unnecessary fiscal spending and elevate the risk of direct discharge which inherently increases the likelihood of reoffending. Thus, without intentional programmatic reforms, California risks perpetuating a system that prioritizes legal containment over practical reintegration, ultimately undermining public safety and rehabilitation.

²California Sex Offender Management Board. *SVP CONREP Housing and Community Placement Issues*. Jan. 2023, https://casomb.org/pdf/SVP_CONREP_Housing_and_Community_Placement_Issues_01-2023.pdf.

³California Sex Offender Management Board. *SVP CONREP Housing and Community Placement Issues*. Jan. 2023, https://casomb.org/pdf/SVP_CONREP_Housing_and_Community_Placement_Issues_01-2023.pdf.

⁴California State Auditor. *Conditional Release Program for Sexually Violent Predators (CONREP)*, Report No. 2023-130, California State Auditor, Oct. 2024.

⁵California Department of State Hospitals. *Conditional Release Program (CONREP) Effectiveness Study*. California Department of State Hospitals, 2024.

⁶California Sex Offender Management Board. *SVP CONREP Housing and Community Placement Issues*. Jan. 2023, https://casomb.org/pdf/SVP_CONREP_Housing_and_Community_Placement_Issues_01-2023.pdf.

STATE COMPARISON - STRUCTURE & SEXUAL RECIDIVISM COMPARISON

Washington Housing Placement Process for SVPs

Once an individual is legally designated as a Sexually Violent Predator (SVP) in Washington, they are civilly committed, most often to McNeil Island's Special Commitment Center (SCC), for treatment with no minimum confinement period. Each year, the Department of Social and Health Services (DSHS) evaluates the SVP's progress. At any time, the individual may petition for conditional release to a Less Restrictive Alternative (LRA) or, once annually, for unconditional release. If approved for conditional release, Washington offers two pathways:

1. **Private Independent Housing**: After LRA approval, the SVP or their legal representative may propose a housing plan. While DSHS is expected to identify appropriate housing within 90 days, external parties (e.g., attorneys or community officers) may submit alternatives that meet strict legal criteria (e.g., distance from schools or parks). The court must confirm five statutory conditions (RCW 71.09.092): 1) verified treatment provider, 2) formal treatment plan, 3) secure and appropriate housing, 4) SVP's agreement to terms, and 5) DOC supervision plan. If satisfied, the court approves supervised placement. The long-term goal is to reduce recidivism through structured reintegration and eventual unconditional release.
2. **Secure Community Transition Facility (SCTF)**: Alternatively, SVPs may transition to a state-run SCTF. After a favorable evaluation, DSHS collaborates with the Department of Corrections (DOC) and treatment teams to develop a release plan. Once court-approved, the SVP enters a four-phase SCTF program focused on mental health treatment, supervision, and life skills. SCTF serves as a bridge toward independent housing or unconditional release, depending on clinical progress.

Washington Recidivism Rates & Placement Outcomes

Washington's Institute for Public Policy stated that by 2012, 86 residents were confined and released from the SCC. Of these, 32 were unconditionally released, having successfully progressed through treatment after civil commitment⁷. The other 54 were discharged from detainee status (i.e never formally civilly committed)⁸. From the 32 residents that were determined SVPs, (37% of SCC residents), none were rearrested for new convicted crimes, reflecting a 0% recidivism rate post-treatment in a SCC facility. While SVP-specific recidivism

⁷Washington State Institute for Public Policy. *Special Commitment Center for Sexually Violent Predators: Potential Paths toward Less Restrictive Alternatives*. Jan. 2013, https://wsipp.wa.gov/ReportFile/1118/Wsipp_Special-Commitment-Center-for-Sexually-Violent-Predators-Potential-Paths-toward-Less-Restrictive-Alternatives_Full-Report.pdf.

⁸ NOTE: The 54 detainees were individuals that had been found of probable cause at a detention hearing, but were later found ineligible or had their proceedings terminated before a formal commitment order. Operationally, their continued confinement ceased once it was determined that they were no longer eligible for SVP status, and that continued confinement was no longer legally or clinically justified.

data is limited, DSHS and court records have claimed that “no resident in the history of LRAs from SCC has committed a new crime.”⁹

Furthermore, a July 2022 DSHS legislative report claimed that 78 SVPs resided in community-based LRAs, spanning across six different counties¹⁰. Given that 78 individuals have progressed with a 0% recidivism rate, the overall consensus underscores the effectiveness of Washington’s treatment model and conditional release process. Zero new criminal offenses have occurred among SVPs placed in SCTFs or community LRA arrangement, reinforcing the effectiveness of structured, supervised transitional housing and SVP community reintegration.

CALIFORNIA STRUCTURAL CHALLENGES:

1. **Significant Fiscal Demands:** According to the CA State Auditor, the annual costs of operating the CONREP program increased 75% from 2018-19 (\$6.6 million) to fiscal year 2022-23 (\$11.5 million). The primary cost driver is Liberty Healthcare, the sole housing provider, whose payments increased by **77%**, from \$5.3 million to \$9.4 million over the past five years. This increased cost is a result of increasing program participants, rising rental housing prices in California, and the addition of private security services to Liberty Healthcare’s contract in 2022-2023¹¹. Furthermore, housing delays and indeterminate commitment timeframes prolong the SVP’s residency in state hospitals. The cost of rent is rising, the number of program participants is increasing, and the payments for Liberty Healthcare have significantly increased—all clear indications that our current system is financially unsustainable and procedurally ineffective.
2. **Housing Delays:** According to a report submitted by the California State Auditor, California law requires SVP placement within 30-days of their court approved rehabilitation, however the average placement time is 17 months¹². In extreme cases, individuals have waited an additional four years for approved housing. Not only does the system fail to allocate approved housing, additional barriers like housing shortages, restrictive placement laws, and immense public opposition significantly delay the CONREP process. Property owners and renters face immense retaliation and harassment for renting to SVP CONREP participants¹³. The established Housing Committee within

⁹Washington State Department of Social and Health Services. *Less Restrictive Alternative*. Washington State Department of Social and Health Services, <https://www.dshs.wa.gov/bha/less-restrictive-alternative>.

¹⁰Washington State Department of Social and Health Services. *Statewide Accounting of Contracted Providers*. Washington State Legislature, Jan. 2023, https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=Statewide+Accounting+of+Contracted+Providers_bba1dc8a-de33-431a-afa0-f487e58e9c3d.pdf.

¹¹California Department of State Hospitals. *2025–26 May Revision Estimate*. May 2025. *Department of State Hospitals*, State of California, https://www.dsh.ca.gov/About_Us/docs/DSH_2025-26_May_Revision_Estimate.pdf.

¹²California State Auditor. *Conditional Release Program for Sexually Violent Predators (CONREP)*, Report No. 2023-130, California State Auditor, Oct. 2024.

¹³California Sex Offender Management Board. *SVP CONREP Housing and Community Placement Issues*. Jan. 2023, https://casomb.org/pdf/SVP_CONREP_Housing_and_Community_Placement_Issues_01-2023.pdf

the CONREP program also seems to lack clear initiatives and follow-through. Additionally, local law enforcement and district attorneys often distance themselves from decision-making, regarding SVP community-placements, to avoid public backlash.

POLICY RECOMMENDATIONS:

1. Five-Year Pilot Transitional Housing Placement Program:

California should launch a state-funded pilot program offering supervised transitional housing for CONREP-participants awaiting permanent placement. While the DSH has openly rejected the utilization of transitional housing, a pilot program could showcase the feasibility and benefits of implementing transitional housing. Housing institutions in Washington have reduced placement backlogs and improved reintegration outcomes. Similarly, California's transitional model would serve as a temporary, closely-monitored alternative to prolonged hospital confinement. A five-year pilot program could help explore the advantages of standardized transitional housing, some of which are: reducing unnecessary fiscal drains, ensuring more timely discharges, avoiding the risks associated with direct, unsupervised releases, and generally improving the efficiency of the CONREP pathway.

2. External Collaboration - Independent Housing Recommendations:

Rather than consolidating all housing processes under Liberty Healthcare, the DSH should consider input from the SVP's legal counsel, independent community officers, and external collaboration with the Department of Corrections and Rehabilitation to make the housing placement process more effective. Currently, Liberty Healthcare is the sole provider that controls SVP housing decisions. To increase placement efficiency and fairness, the DSH should acknowledge housing proposals from external parties. The proposals could bypass the average 17-month gridlock and reduce the amount of unnecessary SVP hospitalization. Similar to the current housing process, proposals would be subject to DSH and court approval to ensure compliance with community standards. Diversifying housing authority would reduce placement bottlenecks, improve transparency, and ensure more individualized reintegration plans.

3. Adoption of Fair Placement Act to Promote Regional Equity:

In California, rural counties face the brunt of disproportionate SVP placement rates due to the lack of legislative protections and housing restrictions in urban centers. In Washington, "fair share principles" are enforced, meaning that a county will receive conditional-release placements roughly proportional to the number of its residents confined under the SVP law¹⁴. A "Fair Placement Act" requires counties to share responsibility equally based on the initial county of conviction, incarceration, or original residence. This act would reduce the strain on specific regions, promote fairness, and encourage local investment in CONREP-compatible infrastructure.

¹⁴Washington State Legislature. *Revised Code of Washington (RCW) 71.09.020: Definitions*. <https://app.leg.wa.gov/rcw/default.aspx?cite=71.09.020>

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