



Memorandum

Date: April 24, 2020

Subject: DEPARTMENT DIRECTIVE EXTENDING SUSPENSION OF SEXUALLY VIOLENT PREDATOR (SVP) PATIENT DISCHARGES

Pursuant to Governor Gavin Newsom's proclamation of a State of Emergency dated March 4, 2020, and Executive Order N-35-20 issued March 21, 2020, the Director of the Department of State Hospitals issues this Directive in accordance with the Director's authority to waive any provision or requirement of the Welfare and Institutions Code and any provision of the Penal Code that affects the execution of laws relating to care, custody, and treatment of person with mental illness committed to or in the custody of the State Department of State Hospitals (DSH), and the accompanying regulations of title 9, Division 1 of the California Code of Regulations. As this State of Emergency and Executive Order N-35-20 remains in effect, to ensure that patients with mental health and behavioral health conditions currently in DSH's custody continue to receive the services and support that are threatened by disruptions caused by COVID-19, and to protect the health, safety and welfare of those patients and the community, the Department is now extending the suspension of releasing patients placed at DSH facilities pursuant to Welfare and Institutions Code section 6600, et seq. (SVP patients).

Specifically, the Director suspends the statutory requirements under Welfare and Institutions Code section 6608 subdivision (i), to place SVP patients within 30 days after receiving notice of the court's finding that an SVP should be transferred to a state-operated forensic conditional release program.

The Director of DSH, or her designee, maintains discretion to grant an exception to the suspension of release of SVP patients on a case-by-case basis, if DSH can ensure the safety of the patient seeking discharge, and the safety of the receiving facility or entity to accept the patient and the community where the patient is being placed, to prevent the further introduction or transmission of COVID-19. The county court or patient



representative seeking the release of an SVP patient should contact the DSH-Coalinga Transfer Coordinator at (559) 935-7337, to initiate this request.

With this continued suspension of SVP patient releases and the continued directive issued by the DSH Director on April 18, 2020, suspending SVP patient admissions, DSH is ensuring the safety of its current patients and those in the community where the patient would be released by instead directing all SVPs remain in place. DSH is also decreasing the risk of transmission or introduction of COVID-19 to or from its facilities, its contractors operating the forensic conditional release program, committing county facilities, and the community, by decreasing movement of patients throughout the state. Additionally, as committing counties are currently suspending transporting or receiving patients, DSH's decrease in the movement of patients throughout the state will also help to reduce the potential for widespread introduction or transmission of COVID-19, in collaboration with its criminal justice partners, by allowing patients to remain in place.

This suspension of SVP patient releases will remain in effect for up to 30 days, unless extended by the Director of the Department.

Please contact DSH's Office of Communication if you have questions, at (916) 654-2410 or at OfficeofCommunications@dsh.ca.gov.

STEPHANIE CLENDENIN
Director