

2014-125 AUDIT SCOPE AND OBJECTIVES

California Department of State Hospitals—Sexually Violent Predator Law

The audit by the California State Auditor will provide independently developed and verified information related to the evaluation of sex offenders (offenders) for initial commitment as a sexually violent predator (SVP) or for recommitment, conditional, or unconditional release by the California Department of State Hospitals' (DSH) mental health professionals during the time period from July 2009 through June 2014, and will include, but not be limited to, the following:

1. Review and evaluate the laws, rules, and regulations significant to the audit objectives.
2. Review the policies and procedures used by DSH evaluators when conducting evaluations of offenders and SVPs. Specifically, determine the following:
 - a. The amount of time that evaluators are directed to spend on evaluations.
 - b. The peer and supervisory review procedures for evaluations.
 - c. The steps taken to replace an evaluator when an evaluation is incomplete.
 - d. Whether the policies or procedures provide any monetary or workload incentives to evaluators.
 - e. Whether the policies and procedures used by DSH evaluators are consistent with best practices, to the extent that those practices can be identified.
3. Review a selection of evaluations, including evaluations for initial commitment and for conditional and unconditional release and determine whether the evaluations were completed in accordance with state law and regulations, with DSH policies and procedures, and any identifiable best practices. As part of this review, consider the breadth of documents that DSH evaluators consider when completing an evaluation of a sex offender or SVP and the number of treating staff interviewed as part of the evaluation.
4. By year, determine the number of positive determinations and the number of negative determinations for both offenders and SVPs.
5. Determine the following information by year:
 - a. The number of SVPs that DSH found suitable for conditional release.
 - b. The number of SVPs that DSH found suitable for unconditional release.
 - c. The number of SVPs released for any reason, including a case dismissal or a finding by DSH that the individual did not meet the SVP criteria.
 - d. The number of SVPs that DSH found unsuitable for release.

6. By year, determine the total number of evaluators used by DSH, the number of those evaluators that were DSH employees, and the number of cases assigned to each evaluator.
7. Review the qualifications and experience of the evaluators DSH used. At a minimum, consider:
 - a. The number of years of relevant experience for DSH employees who conducted evaluations as compared to the number of years of experience for evaluators that DSH contracted with.
 - b. The number of evaluations conducted by DSH employees for each of the last five years as compared to the number of evaluations conducted by evaluators that DSH contracts with over the same period.
 - c. Whether DSH provides adequate training to both staff and contracted evaluators.
8. To the extent possible, provide recommendations for changes that would improve the policies and procedures used to evaluate offenders and SVPs and the compensation or incentives given to evaluators.
9. Review and assess any other issues significant to the evaluation of offenders and SVPs.