

## DEPARTMENT OF STATE HOSPITALS

### 15-DAY NOTICE OF PUBLIC AVAILABILITY OF ADDITIONAL DOCUMENT

#### ADOPTION OF PROPOSED REGULATIONS FOR THE SEXUALLY VIOLENT PREDATOR STANDARDIZED ASSESSMENT PROTOCOL

California Code of Regulations  
Title 9. Rehabilitative and Developmental Services  
Division 1. Department of Mental Health  
Chapter 15. Assessment of Sexually Violent Predators

Public Hearing Date: January 22, 2018  
Public Availability Date: February 15, 2018  
Deadline for Public Comment: March 2, 2018

This notice announces a 15-day comment period in which **the public may comment on the additional document added to the record. The Initial Statement of Reasons (ISOR)** for the sexually violent predator standardized assessment protocol regulation was modified and the **Supplement** was added to the record for public comment. This notice is issued pursuant to Government Code Sections 11346.8, subsection (c) and 11347.1, and California Code of Regulations (CCR), title 1, section 44

This regulatory action was originally noticed and published in the California Regulatory Notice Register, and was also mailed on December 8, 2017 to all interested parties. The originally proposed regulatory action is described in further detail in the Supplement ISOR and can be found at: <http://www.dsh.ca.gov/Publications/Regulations.aspx>

No action by the public is necessary unless persons wish to comment on the Supplement to the ISOR.

#### **ADDITIONAL DOCUMENT ADDED TO THE RECORD**

The Supplement to the ISOR includes more detailed discussion of the necessity of the regulation text for CCR, title 9, sections 4011, 4012, 4013, 4014, and 4015.

The Supplement to the ISOR is available on the Department of State Hospitals (DSH) website under the Sexually Violent Predator Standardized Assessment Protocol - Regular Rulemaking Proceeding, "Supplement to the Initial Statement of Reasons" at: <http://www.dsh.ca.gov/Publications/Regulations.aspx>

This rulemaking and all documents relevant to it shall be physically available at the address indicated below under WRITTEN COMMENTS, between 8:00 a.m. and 5:00 p.m. on February 15, 2018 through March 2, 2018 or by request to the persons also indicated below.

## **SUMMARY MODIFICATIONS**

The following modifications were made to the Initial Statement of Reasons:

1. Identified the source of the criterion provided under Section 4011 pursuant to the Sexually Violent Predator Act.
2. Expand the necessity and need for the Sections 4012, 4013, and 4014.
3. Explain the necessity of section 4015 to help provide clarity based upon case law.

## **WRITTEN COMMENTS**

DSH invites interested persons to provide comment. The public may comment only in writing, submitted by postal mail, fax, or electronically. Any interested person may submit to the Department a written comment relevant to the Supplement to the ISOR.

Please submit written comments to:

Postal mail: Regulations Unit  
**RE: SVPSA Protocol 2017-1128-03**  
Department of State Hospitals  
1600 9th Street, Room 410  
Sacramento, California 95814

Fax: (916) 651-3090

Electronic submittal: [DSH.Regulations@dsh.ca.gov](mailto:DSH.Regulations@dsh.ca.gov)

All written comments received by **March 2, 2018**, no later than 5:00 p.m., which pertain to the additional document added to the record, Supplement to the ISOR, will be considered and responded to by the Department. The Department will prepare the Final Statement of Reasons (FSOR) which will provide a response to all timely comments received. The Department will submit the FSOR and the final text of the regulation to OAL and will also post the documents on the DSH website.

## **CONTACT PERSONS**

Inquiries concerning the substance of the proposed regulatory action may be directed to the agency representatives: Domingo Aguilar, Forensic Services Division, Program Chief, by telephone at (916) 651-0984 or Dr. James Rokop, Forensic Services Division, Chief Psychologist, by telephone at (916) 651-5285.

Attachment