

Sexually Violent Predator Civil Commitment Process

24 Months Prior to Release

TDCJ provides notice to the MDT of offenders serving a sentence for a sexually violent offense that may be a repeat sexually violent offender

MDT determines whether the offender is a repeat sexually violent offender and likely to commit a sexually violent offense after release. If majority of the 7 member panel votes yes, the person is referred for an evaluation.

If the evaluator determines that the offender suffers from a behavioral abnormality, TDCJ refers the case to the prosecutor in the county in which the person was most recently convicted of a sexually violent offense.

The prosecutor decides whether to file a petition for civil commitment and may request legal, financial, and technical assistance from the Special Prosecutions Unit.

Prior to trial, both the State and the offender are entitled to an additional evaluation to determine whether the offender suffers from a behavioral abnormality. Depositions are also taken.

The individual can agree to be committed or can go to trial. At trial, the state must prove the individual is an SVP beyond a reasonable doubt.

If committed, TCCO provides supervision and treatment upon the SVP's release from prison.