



# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov](http://www.courts.ca.gov)

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 25-110*

For business meeting on July 18, 2025

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**Title**

Report to the Legislature: Findings of  
Extraordinary Circumstances in 2024

**Report Type**

Information

**Date of Report**

June 26, 2025

**Submitted by**

Judicial Council staff  
Francine Byrne, Director  
Criminal Justice Services

**Contact**

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### Executive Summary

Under Welfare and Institutions Code section 6608.6(e), the Judicial Council is required to report annually to the Legislature about court findings of extraordinary circumstances in sexually violent predator cases. Judicial Council staff identified one such case in 2024. The attached letter to the Legislature describes the findings and grounds supporting those findings. The council will submit its annual report to the Legislature on or before July 18, 2025.

### Relevant Previous Reporting or Action

Effective January 1, 2023, Welfare and Institutions Code section 6608.6(e) requires the Judicial Council to submit an annual report to the Legislature about extraordinary circumstances findings made by California courts in sexually violent predator cases.<sup>1</sup> For the 2023 calendar year, there were no such findings, and the council therefore notified the Legislature on June 12, 2024, that no report would be provided for that year.<sup>2</sup>

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<sup>1</sup> Senate Bill 1034 (Stats. 2022, ch. 880) enacted Welfare and Institutions Code section 6608.6.

<sup>2</sup> The council's notification to the Legislature is available on the "Legislative Reports" webpage of the California Courts website at <https://courts.ca.gov/sites/default/files/courts/default/2024-12/lr-2024-extraordinary-circumstances-2023-wi6608.6.pdf>.

## **Analysis/Rationale**

Welfare and Institutions Code section 6600 et seq.<sup>3</sup> sets forth a civil commitment process for persons who have been convicted of a sexually violent offense and who are diagnosed with a mental disorder making future sexually violent criminal behavior likely. A person found to meet the criteria of a sexually violent predator (SVP) is committed for an indeterminate term to the Department of State Hospitals (DSH) for inpatient treatment. (§ 6604.) SVPs who have completed successive modules of inpatient treatment may be released back to the community, upon a judicial determination that the person is not likely to engage in sexually violent criminal behavior while under supervision and treatment in the community. (§§ 6606, 6607, 6608.5.)<sup>4</sup> Release occurs in that person's county of domicile prior to incarceration unless a court finds that extraordinary circumstances require placement elsewhere.<sup>5</sup> (§ 6608.5.)

Section 6608.6 sets forth the requirements for a court to make a finding of extraordinary circumstances. A court may make a finding of extraordinary circumstances only upon a petition from the committed person's county of domicile. (§ 6608.6(a).) In the petition, the county of domicile must demonstrate that it has engaged in an exhaustive search for housing, provide at least one alternative placement county, and indicate any community connection that the committed person has to the alternative placement. (§ 6608.6(b).) Further, the county of domicile must notify the DSH and the district attorney of the proposed alternative placement county, who must also be given the opportunity to be heard at a hearing. (§ 6608.6(b)(3) & (4).)<sup>6</sup>

Judicial Council staff identified one case in which a court made a finding of extraordinary circumstances in 2024. The attached letter to the Legislature describes the findings and grounds supporting those findings in that case and fulfills the reporting requirements set forth in section 6608.6(e).

## **Fiscal Impact and Policy Implications**

None.

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<sup>3</sup> All further statutory references are to the Welfare and Institutions Code unless otherwise specified.

<sup>4</sup> A court first determines that an individual meets the criteria for conditional release outlined in section 6608. Then, DSH's Conditional Release Program (CONREP) begins the process of locating a placement for the individual. CONREP operates pursuant to section 4360.

<sup>5</sup> Section 6608.5(c) defines extraordinary circumstances as "circumstances that would inordinately limit the department's ability to effect conditional release of the person in the county of domicile in accordance with Section 6608 or any other provision of this article, and the procedures described in Sections 1605 to 1610, inclusive, of the Penal Code." Section 6608.6(c)(2) prohibits a finding of extraordinary circumstances based on extraordinary costs associated with a housing placement inside the county of domicile.

<sup>6</sup> These provisions also prohibit a court from ordering a search for alternative housing placements outside the county of domicile until after a petition for extraordinary circumstances finding has been granted and allows a court to order placement in an alternative placement county upon stipulation between the domicile county and the alternative placement county. (§ 6608.6(d) & (f).)

## **Attachments and Links**

1. Attachment A: *Report to the Legislature: Findings of Extraordinary Circumstances in 2024*
2. Link A: Welf. & Inst. Code, § 6608.6,  
[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=6608.6&lawCode=WIC](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6608.6&lawCode=WIC)



# JUDICIAL COUNCIL of CALIFORNIA

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**HON. PATRICIA GUERRERO**  
*Chief Justice of California*  
*Chair of the Judicial Council*

**HON. BRAD R. HILL**  
*Chair, Executive and Planning Committee*

**HON. ANN C. MOORMAN**  
*Chair, Judicial Branch Budget Committee*  
*Chair, Litigation Management Committee*

**HON. STACY BOULWARE**  
**EURIE**  
*Chair, Legislation Committee*

**HON. CARIN T. FUJISAKI**  
*Chair, Rules Committee*

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**MS. MICHELLE CURRAN**  
*Administrative Director*  
*Judicial Council*

June 16, 2025

Ms. Cara L. Jenkins  
Legislative Counsel  
1021 O Street, Suite 3210  
Sacramento, California 95814

Ms. Erika Contreras  
Secretary of the Senate  
State Capitol, Room 305  
Sacramento, California 95814

Ms. Sue Parker  
Chief Clerk of the Assembly  
State Capitol, Room 319  
Sacramento, California 95814

*Re: Report to the Legislature: Findings of Extraordinary Circumstances in 2024*, as required under Welfare and Institutions Code section 6608.6

Dear Ms. Jenkins, Ms. Contreras, and Ms. Parker:

With the passage of Senate Bill 1034 (Stats. 2022, ch. 880), the Judicial Council is required to report annually to the Legislature the instances in which a court issues a finding of extraordinary circumstances in a sexually violent predator case, including details of those findings.<sup>1</sup>

Judicial Council staff identified one finding of extraordinary circumstances that occurred in 2024, under Welfare and Institutions Code section 6608.6.<sup>2</sup> Based on a motion brought by the prosecution in the domicile county, the court found that extraordinary circumstances existed and made the following findings: (1) Under section 6608.6(b)(1), per the declarations of involved parties, an exhaustive search had been conducted with meaningful participation from the participants; (2) under section

<sup>1</sup> See Welf. & Inst. Code, § 6608.6(e).

<sup>2</sup> All further statutory references are to the Welfare and Institutions Code.

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6608.6(b)(2)(A), at least one alternative county has been provided and that notice was provided to the district attorney of that alternative county of the intention to petition for a finding of extraordinary circumstances; (3) under section 6608.6(b)(3), declarations and testimony showed a community connection to the proposed alternative placement county; and (4) under section 6608.6(b)(4), the district attorney of the proposed alternative placement county had the opportunity to be heard. The court further noted that the domicile county remained a potential placement location and that the Department of State Hospitals is authorized to conduct an expansive search in the alternative county for potential placement locations.

If you have any questions related to this report, please contact Francine Byrne, Director, Criminal Justice Services, at 415-865-8069 or [Francine.byrne@jud.ca.gov](mailto:Francine.byrne@jud.ca.gov).

Sincerely,

A handwritten signature in cursive script that reads "Michelle I. Curran".

Michelle Curran  
Administrative Director  
Judicial Council

Ms. Cara L. Jenkins  
Ms. Erika Contreras  
Ms. Sue Parker  
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MC/FB/rc

cc: Eric Dang, Counsel, Office of Senate President pro Tempore Mike McGuire  
Emelyn Rodriguez, General Counsel, Office of Assembly Speaker Robert Rivas  
Shaun Naidu, Policy Consultant, Office of Assembly Speaker Robert Rivas  
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