

Budget Unit Brief

FY 2017



Civil Commitment Unit for Sexual Offenders

Background

The Civil Commitment Unit for Sexual Offenders (CCUSO) at Cherokee provides secure, long-term, and highly structured treatment for violent sexual predators. The individuals committed to the CCUSO have served their prison sentence, but in a separate civil trial have been found likely to reoffend. The CCUSO was established at the Iowa Medical and Classification Center at Oakdale in 1998, but relocated to the [Department of Human Services](#) (DHS) Cherokee Mental Health Institute Campus in 2003. The CCUSO was modeled after a similar program in Kansas and has withstood numerous constitutional challenges both in the United States Supreme Court and Iowa Supreme Court. There are currently 21 other states with inpatient treatment programs similar to the CCUSO and one state with an outpatient program.

Commitment Process

Individuals committed to the CCUSO are generally identified in prison and must have committed a sexually violent offense; have a mental abnormality; and be at a risk level of "more likely than not" to commit a sexually violent offense in order to be committed to the CCUSO. The Department of Corrections, the Attorney General's Office, and the DHS work together during the commitment process, and the court makes the final determination on commitment. If committed, the individual is placed in the CCUSO, and if not committed, the individual is released. The DHS may not deny a court-ordered admission to the facility. Only a small percentage of individuals serving prison terms for sexual offenses are committed to the CCUSO.

Populations Served

As of July 1, 2016, there were 104 individuals receiving treatment at the CCUSO. All patients are male. Ages of the individuals range from 21 to 73 years old, with an average age of 50. The average patient has one or more chronic medical conditions and receives multiple medications. Since the beginning of the CCUSO, there have been 40 individuals discharged; 12 as a result of death and 28 released when the court determined they no longer met commitment criteria. As of September 2016, no individuals have earned release by completing all five phases of the treatment, and there are 10 individuals in the fifth phase of treatment.

Treatment Services Provided

There are five phases of treatment at the CCUSO consisting of group and individual therapy, educational programming, physiological assessments, a transition program, and a discharge program. As individuals progress in treatment, they move up in phase. Phase 5 of the treatment is a transitional release program, and is only obtained through court order. There is an annual review of each individual's treatment progress to determine if the commitment will continue.

Funding

General Fund appropriations have increased from \$6.7 million in FY 2012, to \$10.6 million for estimated FY 2017, a 58.2% increase over the past six years. With more individuals reaching the fifth phase of treatment, it is assumed there will be less need for significant increases for the facility because those individuals will be living and working in the community with less involvement from CCUSO staff. It is also assumed that the number of discharges will be similar to the number of new admissions.

Related Statutes and Administrative Rules

Iowa Code chapter [229A](#)

[441](#) Iowa Administrative Code chapters [31](#)

Revised September 16, 2016

More Information

DHS Civil Commitment Unit for Sexual Offenders website: <http://dhs.iowa.gov/mhds/mental/in-patient/ccuso>

Iowa General Assembly: <https://www.legis.iowa.gov/index.aspx>

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