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## BUDGET UNIT BRIEF – FY 2019

Fiscal Services Division

August 15, 2018



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Ground Floor, State Capitol Building

Des Moines, Iowa 50319

515.281.3566

# 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 sexually violent predators. The individuals committed to the CCUSO have served their prison sentences, 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 in both the United States Supreme Court and the Iowa Supreme Court. There are currently 22 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. 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, 2017, there are 114 individuals receiving treatment at the CCUSO. All patients are male. Ages of the individuals range from 22 to 74 years old, with an average age of 50. The average patient has one or more chronic medical conditions and receives multiple medications. Since the establishment of the CCUSO, 42 individuals have been discharged: 12 as a result of death and 30 released when the court determined they no longer met commitment criteria. As of September 2017, no individuals have earned release by completing all five phases of treatment, and there are 11 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

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## More Information

DHS Civil Commitment Unit for Sexual Offenders: [dhs.iowa.gov/mhds/mental/in-patient/ccuso](https://dhs.iowa.gov/mhds/mental/in-patient/ccuso)  
LSA Staff Contact: Jess Benson (515.689.0598) [jess.benson@legis.iowa.gov](mailto:jess.benson@legis.iowa.gov)

progress in treatment, they move up in phase. Phase five 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**

The CCUSO is funded 97.5% by General Fund appropriations and 2.5% from other sources.

**Related Statutes and Administrative Rules**

Iowa Code chapter [229A](#)

Iowa Administrative Code [441—31](#)

**Budget Unit Number**

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