

Sexually Violent Predator Assessment Process

1 Under Pennsylvania Law, the SOAB is required to conduct assessments of convicted sex offenders to assist the courts in determining whether the offender should be classified as a Sexually Violent Predator (SVP).

The SOAB's SVP assessment process commences when an offender is convicted of a sexually violent offense in Pennsylvania.

2 The Court has 10 days from date of conviction to submit an order to the SOAB directing this agency to conduct an SVP assessment.

The SOAB has only 90 days from the date of conviction to complete the SVP assessment.

3 Upon receipt of the Court Order, a new case is entered into the SOAB's Integrated Sex Offender Assessment Tracking System (ISOATS) database.

After the new case is entered into ISOATS, the SOAB assigns an Investigator and **SOAB Member** to the case.

ISOATS then sends an automatically generated email to the Investigator and **SOAB Member** notifying them of the relevant case information and due dates for the investigation and the assessment.

4 The Investigator has approximately 40 days to complete a comprehensive personal and criminal background investigation of the offender and prepare a report summarizing the investigation materials for the **SOAB Member**.

In conducting an investigation, the Investigator will interview the offender if the offender's attorney grants permission for us to do so. In addition, the Investigator will collect documentation from various criminal justice and social service agencies and may interview other individuals with information relevant to the offense. In no case does the Investigator contact the victim(s).

5 After the investigation is completed and the Investigator has prepared a report summarizing the investigation materials, the report and the materials are sent to the **SOAB Member** by overnight mail.

10 After approval by the SOAB's **Staff Psychologist** or **Clinical Director**, the completed assessment is sent to the District Attorney's Office.

The District Attorney may then ask the Court for an SVP hearing. Typically, if the **SOAB Member** recommends that the offender be classified as an SVP, the District Attorney will request that a hearing be scheduled.

9 The **SOAB Member** submits the completed assessment by email to the **SOAB's Staff Psychologist**, and copies the **SOAB's Clinical Director** and the **SOAB's Administrative Court Case Specialist**. At this time, the **SOAB Member** should also submit his or her invoice for payment for the assessment to the SOAB's Central Office.

All SVP assessments are reviewed by the **SOAB's Staff Psychologist** and/or **Clinical Director** for adherence to SOAB standards. All comments, questions and/or suggested revisions are communicated directly to the **SOAB Member**.

8 To ensure uniformity in the formatting of all SVP assessments, all **SOAB Members** must use the SVP Assessment Template and Cover Letter. (Both the assessment and cover letter must be signed by the **SOAB Member**). Template instructions are also provided for further guidance in how to complete the assessment.

7 In addition, in cases where the offender's attorney has granted the SOAB permission to interview the offender, the **SOAB Member** must attempt to interview the offender. This is true even if the offender has already been interviewed by the Investigator. Please note that in some cases, due to strict timeframes involved, an **SOAB Member** may not be able to schedule an interview prior to the due date for the assessment. In these cases, the **SOAB Member** must document his or her efforts to interview the offender.

6 In general, the **SOAB Member** has approximately 25 to 30 days to complete the assessment.

In preparing the assessment, the **SOAB Member** must review the Investigator's report and all investigation materials, and must review and consider all of the statutory factors set forth in Pennsylvania Law.

11 If an SVP hearing is scheduled by the Court, the **SOAB Member** will be subpoenaed to testify on behalf of the Commonwealth. Subpoenas are sent to the SOAB and are uploaded into the ISOATS database. Once uploaded, ISOATS generates an automatic email to the **SOAB Member** regarding the subpoena and hearing date, with copies of the subpoena, an invoice form and a travel expense voucher form attached. Any subpoenas received directly by the **SOAB Member** must be sent immediately by email or fax to SOAB's Central Office.

12 At the hearing, the **SOAB Member** will be questioned by the prosecuting attorney and cross-examined by defense counsel. In addition, the offender may retain his or her own expert witness to testify at the hearing. If the offender retains his or her own expert, a copy of the defense expert's report will be provided to the **SOAB Member** prior to the hearing.

13 If the hearing is continued, the **SOAB Member** must notify the SOAB's Central Office immediately. Please note that if the **SOAB Member** receives notice that the hearing has been continued within 24 hours of the original hearing date, the **SOAB Member** may be reimbursed for that original hearing date and may submit an invoice although no hearing was actually held. (As the **SOAB Member** was required to clear his or her regular work calendar on that date and may have cancelled appointments with clients, etc.).

14 When the SVP hearing is completed, the invoice for the expert witness fee and a copy of the subpoena must be sent to the **SOAB's Receptionist** all travel-related receipts must be sent to the **SOAB's Administrative Assistant** for reimbursement.

15 After the hearing, the Court makes the final determination as to whether an offender is a Sexually Violent Predator. If found to be an SVP, the offender is subject to lifetime registration with the Pennsylvania State Police, active community notification of their residential address and lifetime sex offender counseling sessions with a treatment provider approved by the SOAB.