

## **TITLE 9. REHABILITATIVE AND DEVELOPMENTAL SERVICES**

### **DIVISION 1. DEPARTMENT OF MENTAL HEALTH**

#### **CHAPTER 15. ASSESSMENT OF SEXUALLY VIOLENT PREDATORS**

##### **§ 4000. Application of Chapter**

This chapter applies to evaluators performing an assessment to determine whether a person is a sexually violent predator pursuant to Welfare and Institutions Code § 6600 et. seq.

**Authority:** Welfare and Institutions Code Sections 4005.1 and 4027

**Reference:** Welfare and Institutions Code Sections 6600, 6601.

##### **§ 4005. Evaluator Requirements**

The evaluator, according to his or her professional judgment, shall apply tests or instruments along with other static and dynamic risk factors when making the assessment. Such tests, instruments and risk factors must have gained professional recognition or acceptance in the field of diagnosing, evaluating or treating sexual offenders and be appropriate to the particular patient and applied on a case-by-case basis. The term “professional recognition or acceptance” as used in this section means that the test, instrument or risk factor has undergone peer review by a conference, committee or journal of a professional organization in the fields of psychology or psychiatry, including, but not limited to, the American Psychological Association, the American Psychiatric Association, and the Association for the Treatment of Sexual Abusers.

**Authority:** Welfare and Institutions Code Section 4027

**Reference:** Welfare and Institutions Code Sections 6600, 6601.