

State	LRA at time of commitment	LRA for those already committed to a secure facility	Link to statutes
Arizona	When an individual is determined to meet the commitment standard, the district court may commit the person to a facility or release him to a less restrictive alternative. 90-day inpatient evaluation prior to actual release to an LRA during which LRA is investigated by state hospital and additional conditions may be proposed. The release to an LRA may be revoked by court order.	If committed to a facility, annual review reports required to state if LRA is in best interest of the person and will adequately protect the community. Individual may petition annually for release to LRA or full discharge regardless of endorsement by state hospital.	Ariz. Rev. Stat. §§ 36-3701 to -3717
California	No LRA option specified at time of commitment. When an individual is determined to meet the commitment standard, the person is committed to a secure facility. (§ 6604)	Annual report to the court is required to include consideration of whether release to a LRA or an unconditional release is in the best interest of the person and conditions can be imposed that would adequately protect the community (§ 6605). Individual may petition for conditional release or unconditional discharge without endorsement by state hospital (§ 6608).	Cal. Welfare & Institutions Code §§ 6600-6609.3
Florida	No LRA option specified at time of commitment. When an individual is determined to meet the commitment standard, the person is committed to a secure facility. (§ 394.917 (2))	Annual reviews and right to petition for release but no specific direction to consider LRA. (§ 394.918)	Fla. Stat. §§ 394.910-.932
Illinois	When an individual is determined to meet the commitment standard, the district court's commitment order specifies either care in a secure facility or conditional release. (§40(b)(2))	Annual report to the court is required for the purpose of determining whether the person has made sufficient progress to be conditionally released or discharged. (§55) Person may petition for conditional release six months after commitment or denial of previous petition. (§60)	725 Ill. Comp. Stat. 207/1-99

Iowa	No LRA option specified at time of commitment. When an individual is determined to meet the commitment standard, commitment is to a secure facility. (§229A.7, ¶¶ 5.b. and 7)	Annual review examination and report includes consideration of whether the person is suitable for placement in a transitional release program. (§229A.8. ¶ 5.e.(1)(b)). Establishes transitional release program. (§229A.8A) Allows for release with supervision and without supervision, which is still not full discharge. (§229A.9A)	Iowa Code §§ 229A.1-.16
Kansas	No LRA option specified at time of commitment. (§59-29a07(a),(b))	Annual examination of person's mental condition with right to petition for release. Burden is on state to prove beyond a reasonable doubt that the person remains not safe to be placed in transitional release and if transitionally released is likely to engage in acts of sexual violence. (§59-29a08(c)(3)) During transitional release, person is annually examined to determine if appropriate for conditional release. (§§59-29a18, 59-29a19)	Kan. Stat. §§ 59-29a01 to -29a23
Massachusetts	No LRA option specified at time of commitment.	Individuals may apply to participate in a "community access program" annually. Community access program participants continue to reside within secure facility. (§6A) Allows for annual petitions for discharge. (§9)	Mass. Gen. Laws. ch. 123A, §§ 1-16
Minnesota	Presumptive commitment to a secure treatment facility unless individual establishes by clear and convincing evidence that a less restrictive treatment program is available consistent with treatment needs and public safety. (§253B.185, subd. 1(d)) Alternatively, stay of commitment with custody assumed by individual or agency with conditions. (§253B.095)	Individuals may petition for reduction in custody (transfer out of secure facility, provisional discharge, or full discharge) six months after commitment or final disposition of last petition. (§253B.185, subd. 9)	Minn. Stat. ch. 253B

Missouri	No LRA option specified at time of commitment. When an individual is determined to meet the commitment standard, commitment is to a secure facility. (§632.495, ¶¶2,3)	Annual examination of person's mental condition with right to petition for release. Burden is on state to prove by clear and convincing evidence that the person remains not safe to be at large and if released is likely to engage in acts of sexual violence. (§632.498, ¶5) Conditional release granted when person's mental abnormality has so changed that the person is not likely to commit acts of sexual violence if released. (§632.505)	Mo. Rev. Stat. §§ 632.480-.513
Nebraska	If, when an individual is determined to meet the commitment standard, voluntary hospitalization or other LRA is available and would suffice to prevent repeat of sexual offending, then commitment petition is either dismissed or proceedings are stayed for up to 90 days for the individual to obtain voluntary treatment. (§71-1209 (3))	No LRA option specified as intermediate to full release or full confinement. (§71-1220)	Neb. Rev. Stat. §§ 71-1201- to 1226
New Hampshire	No LRA option specified at time of commitment. When an individual is determined to meet the commitment standard, commitment is to a secure facility for up to 5 years (with ability to recommit for unlimited number of 5-year periods). (§§135-E:11,12)	Individual may petition for release. (§135-E:14)	N.H. Rev. Stat. ch. 135-E

New Jersey	No LRA option specified at time of commitment. When an individual is determined to meet the commitment standard, commitment is to a facility designated for the custody, care, and treatment of sexually violent predators. (§§30:4-27.32, 30:4-27.34)	Annual review hearings (but no requirement that LRA be considered annually) and right to petition for discharge. (§30:4-27.35) After initial commitment to a secure facility, the Department of Human Services may recommend conditional discharge to be granted if the committing court finds that the person will not be likely to engage in acts of sexual violence because the person is amenable to and highly likely to comply with a plan to facilitate the person's adjustment and reintegration into the community so as to render involuntary commitment unnecessary for that person. (§30:4-27.32)	N.J. Stat. §§ 30:4-27.24 to .38
New York	If an individual is determined to be a detained sex offender who suffers from a mental abnormality, then the court determines whether the individual requires confinement or requires strict and intensive supervision. (§10.07 (f)) Conditions for strict and intensive supervision are detailed. (§10.11)	Annual examinations to determine if individual is dangerous sex offender in need of confinement; allowance for petitions seeking discharge or change to strict and intensive supervision. (§10.09)	N.Y. Mental Hyg. Law §10
North Dakota	If the individual is determined meet the commitment standard, commitment is to the least restrictive available treatment facility or program necessary to achieve the purposes of this chapter; however, there is no requirement to create a LRA specifically for an individual. (§25-03.3-13)	Annual evaluation to determine whether individual is to be discharged. (§25-03.3-17). Facility director may petition court for placement of the individual in the community for treatment on an outpatient basis. (§25-03.3-24)	N.D. Cent. Code § 25-03
Pennsylvania	[Sexually violent person commitment in Pennsylvania is limited those adjudicated delinquent as juveniles for specified acts of sexual violence and are still institutionalized and in need of treatment at age 20. (§6401)]	Annual review by court; if individual no longer meets criteria for commitment, an outpatient treatment plan is ordered to be developed. (§6404)	42 Pa. Consol. Title 42 ch. 64

South Carolina	No LRA option specified at time of commitment. When an individual is determined to meet the commitment standard, commitment is to a secure facility. (§44-48-100(A))	No LRA option specified as intermediate to full release or full confinement. Annual examination and report to committing court. Court orders a hearing if there is probable cause to believe the individual's condition has so changed that the person is safe to be at large, and if released, is not likely to commit acts of sexual violence. (§44-48-110)	S.C. Code §§ 44-48-10 to -170
Texas	All commitments are to outpatient treatment and supervision, continuing until the person's behavioral abnormality has changed to the extent that the person is no longer likely to engage in a predatory act of sexual violence. (§841.081(a)) Required conditions on outpatient civil commitment are provided by statute. (§841.082) Violation of any conditions is a 3rd degree felony. (§841.085)	Biennial examination and report to court must consider whether to modify conditions and whether to release from all conditions. (§§841.101-102) Individual may separately petition for release. (§§841.121-122)	Tex. Health & Safety Code § 841
Virginia	When the individual is determined to meet the commitment standard, the district court decides whether to commit to a secure facility (§§37.2-909, ¶A) or to continue the trial for up to 60 days while the suitability of a less restrictive alternative is investigated by their department of human services. (§§37.2-908, ¶¶ D-F)	Annual review hearing and report reevaluating the individual's condition and recommending treatment. Court may determine if individual is to be conditionally released. Department is responsible for developing a conditional release plan if court orders conditional release. (§37.2-910) Conditional release standards and requirements specified in statute. (§37.2-912-914)	Va. Code. §§ 37.2-900 to - 921

Washington	No LRA option specified at time of commitment. When an individual is determined to meet the commitment standard, commitment is to a secure facility. (§71.09.060 (1))	Annual examination and report to committing court must consider whether the individual currently meets commitment standard and whether conditional release to an LRA is in the best interest of the person and conditions can be imposed that would adequately protect the community. (§71.09.070 (1)) Statutory authorization for establishment of transitional facilities, including considerations for siting of those facilities in counties and incentive grants and payments. (§§71.09.250-344)	Wash. Rev. Code §§ 71.09.010 to - .903
Wisconsin	No LRA option specified at time of commitment. When an individual is determined to meet the commitment standard, commitment is to a secure facility. (§§980.06, 980.065)	Annual reexamination of mental condition with express consideration of whether sufficient progress made for supervised release or discharge. (§980.07 (1))	Wis. Stat. ch. 980
United States	No LRA option specified at time of commitment.	Individual may be conditionally discharged "under a prescribed regimen of medial, psychiatric, or psychological care or treatment" if he will not be sexually dangerous to others while under those conditions. (¶(e))	18 U.S.C. §4248