

S.B. NO. 2883

JAN 23 2014

A BILL FOR AN ACT

RELATING TO THE STATEWIDE INTEGRATED SEX OFFENDER TREATMENT PROGRAM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 353E-1, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~+~~ §353E-1~~+~~ **Sex offender treatment; statewide program**
4 **established.** There is established a statewide, integrated
5 program for the treatment of adult and juvenile sex offenders in
6 the custody of the State to be implemented on a cooperative
7 basis by the department of public safety, the judiciary, and the
8 Hawaii paroling authority, and any other agency that may be
9 assigned sex offender oversight responsibilities. The agencies
10 shall:

11 (1) Develop and continually update, as necessary, a
12 comprehensive statewide master plan for the
13 assessment, evaluation, treatment, and supervision of
14 sex offenders that provides for a continuum of
15 programs under a ~~[uniform treatment]~~ best practices
16 philosophy;

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- 1 (2) Develop and implement a statewide, integrated system
2 of sex offender assessment, evaluation, treatment, and
3 supervision services and programs that reflect the
4 goals and objectives of the master plan;
- 5 (3) Identify all offenders in their custody who would
6 benefit from sex offender treatment;
- 7 (4) Work cooperatively to monitor and evaluate the
8 development and implementation of sex offender
9 treatment programs and services;
- 10 (5) Develop appropriate training and education programs
11 for public and private providers of sex offender
12 treatment, assessment, evaluation, and supervision
13 services;
- 14 (6) Conduct research and compile relevant data on sex
15 offenders;
- 16 (7) Work cooperatively to develop a statewide management
17 information system for sex offender treatment;
- 18 (8) Make every effort to secure grant funds for research,
19 program development, training, and public education in
20 the area of sex assault prevention;
- 21 (9) Network with public and private agencies that come
22 into contact with sex offenders to keep abreast of

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1 issues that impact ~~en-7~~ and increase community
2 awareness regarding~~7~~ the statewide sex offender
3 treatment program;

4 (10) As far as practicable, share information and pool
5 resources to carry out responsibilities under this
6 chapter; ~~and~~

7 (11) Coordinate their funding requests for sex offender
8 treatment programs to deter competition for resources
9 that might result in an imbalance in program
10 development that is detrimental to the master plan
11 treatment concept ~~[-]~~; and

12 (12) Develop and implement standards and guidelines for the
13 assessment, evaluation, treatment, and supervision of
14 sex offenders."

15 SECTION 2. Section 353E-2, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§353E-2 Interagency coordination.** (a) To carry out
18 their responsibilities under section 353E-1, the department
19 of public safety, Hawaii paroling authority, judiciary,
20 department of health, department of human services, and any
21 other agency assigned sex offender oversight responsibilities by
22 law or administrative order, shall establish, by an interagency

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1 cooperative agreement, a coordinating body, to be known as the
2 sex offender management team, to oversee the development and
3 implementation of sex offender treatment programs in the State
4 [~~to ensure compliance with the intent of the master plan~~
5 ~~developed under~~] consistent with section 353E-1(1). The
6 interagency cooperative agreement shall set forth the role of
7 the coordinating body and the responsibilities of each agency
8 that is a party to the agreement.

9 (b) The department of public safety shall be the lead
10 agency for the statewide sex offender treatment program. As the
11 lead agency, the department shall act as facilitator of the
12 coordinating body, the sex offender management team, by
13 providing administrative support to the coordinating body.

14 (c) Notwithstanding any other provision to the contrary,
15 for purposes of sex offender treatment and community
16 supervision, any agency that is part of the interagency
17 cooperative agreement shall provide, upon the request of any
18 other participating agency, all relevant criminal, parole,
19 medical, psychological, or mental health records of any offender
20 receiving supervision or treatment while under custody of the
21 State. Records received by a participating agency under this
22 section shall be confidential and shall be disclosed by the

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1 receiving agency only for the purposes and under the
2 circumstances expressly authorized by this section. Any agency
3 providing records under this section shall document the
4 disclosures made under this section, including the name of the
5 agency to which the record is disclosed, the title of the record
6 disclosed, and the date of disclosure.

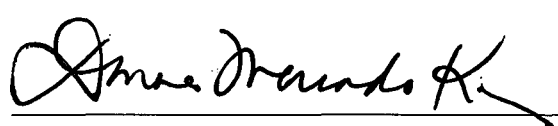
7 (d) Notwithstanding any provision to the contrary, the
8 statewide integrated sex offender treatment program established
9 by this chapter is not subject to the requirements of chapter
10 92."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14

15

INTRODUCED BY: 

16

BY REQUEST

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Report Title:

Statewide Integrated Sex Offender Treatment Program

Description:

Amends Chapter 353E, Hawaii Revised Statutes (HRS), to include juveniles, to reflect nationally recognized best practices in the statewide, integrated programming for sex offenders, and to identify the coordinating body for the sex offender treatment program as the "Sex Offender Management Team." Exempts the Program from the requirements of Chapter 92, HRS.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

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JUSTIFICATION SHEET

DEPARTMENT: Public Safety.

TITLE: A BILL FOR AN ACT RELATING TO STATEWIDE INTEGRATED SEX OFFENDER TREATMENT PROGRAM.

PURPOSE: Amend chapter 353E, Hawaii Revised Statutes (HRS), to include juveniles, to reflect nationally recognized best practices in the statewide, integrated programming for sex offenders, and to identify the coordinating body for the sex offender treatment program as the "Sex Offender Management Team."

MEANS: Amend sections 353E-1 and 353E-2, HRS.

JUSTIFICATION: Chapter 353E, HRS, does not include juveniles, and does not reflect nationally recognized best practices in the statewide, integrated programming for sex offenders. The sex offender treatment program's master plan, goals, and objectives should include assessment, evaluation, treatment, and supervision, which is important in effectively managing sex offenders and keeping communities safe.

Identify the "Sex Offender Management Team" as the "coordinating body" for the sex offender treatment program, as stated in section 353E-2(a), HRS.

Exclude the statewide sex offender treatment program from the requirements of chapter 92, HRS, because of the nature of the population involved.

Impact on the public: None.

Impact on the department and other agencies: The department, judiciary, and Hawaii paroling authority will need to follow best practices in the statewide, integrated programming for sex offenders.

GENERAL FUND: None.

OTHER FUNDS: None.

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PPBS PROGRAM
DESIGNATION:

None.

OTHER AFFECTED
AGENCIES:

Judiciary; Hawaii paroling authority.

EFFECTIVE DATE:

Upon approval.