



GOV. MSG. NO. 1136

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

April 29, 2016

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 29, 2016, the following bill was signed into law:

SB2912 SD2 HD1

RELATING TO THE STATEWIDE INTEGRATED
SEX OFFENDER TREATMENT PROGRAM
ACT 036 (16)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

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] the statewide[-]
5 integrated sex offender treatment program for the treatment of
6 adult sex offenders in the custody of the State and juvenile sex
7 offenders in cases where family court jurisdiction was waived
8 pursuant to section 571-22, to be implemented on a cooperative
9 basis by the department of public safety, [~~the~~] judiciary, [~~and~~
10 ~~the~~] Hawaii paroling authority, department of health, department
11 of human services, and any other agency that may be assigned sex
12 offender oversight responsibilities. The [~~agencies~~] sex
13 offender treatment program shall:

- 14 (1) Develop and continually update, as necessary, a
15 comprehensive statewide master plan for the
16 assessment, evaluation, treatment, and supervision of



- 1 sex offenders that provides for a continuum of
2 programs under a [~~uniform treatment~~] best practices
3 philosophy;
- 4 (2) Develop and implement a statewide, integrated system
5 of sex offender assessment, evaluation, treatment, and
6 supervision services and programs that reflect the
7 goals and objectives of the master plan;
- 8 (3) Identify all offenders in their custody who would
9 benefit from sex offender treatment;
- 10 (4) Work cooperatively to monitor and evaluate the
11 development and implementation of sex offender
12 assessment, evaluation, supervision, and treatment
13 programs and services;
- 14 (5) Develop appropriate training and education programs
15 for public and private providers of sex offender
16 treatment, assessment, evaluation, and supervision
17 services;
- 18 (6) Conduct research and compile relevant data on sex
19 offenders;
- 20 (7) Work cooperatively to develop a statewide management
21 information system for sex offender treatment;



1 (8) Make every effort to secure grant funds for research,
2 program development, training, and public education in
3 the area of sex assault prevention;

4 (9) Network with public and private agencies that come
5 into contact with sex offenders to keep abreast of
6 issues that impact ~~[en]~~ and increase community
7 awareness regarding ~~[7]~~ the statewide sex offender
8 treatment program;

9 (10) As far as practicable, share information and pool
10 resources to carry out responsibilities under this
11 chapter; ~~[and]~~

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

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

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



1 "§353E-2 Interagency coordination. (a) To carry out
2 their responsibilities under section 353E-1, the department of
3 public safety, Hawaii paroling authority, judiciary, department
4 of health, department of human services, and any other agency
5 assigned sex offender oversight responsibilities by law or
6 administrative order, shall establish, by an interagency
7 cooperative agreement, a coordinating body, to be known as the
8 sex offender management team, to oversee the development and
9 implementation of sex offender assessment, evaluation,
10 treatment, and supervision services and programs in the State
11 [~~to ensure compliance with the intent of the master plan~~
12 ~~developed under~~] consistent with section 353E-1(1). The
13 interagency cooperative agreement shall set forth the role of
14 the [~~coordinating body~~] sex offender management team and the
15 responsibilities of each agency that is a party to the
16 agreement.

17 (b) The department of public safety shall be the lead
18 agency for the statewide integrated sex offender treatment
19 program. As the lead agency, the department shall act as
20 facilitator of the [~~coordinating body~~] sex offender management



1 team by providing administrative support to the [~~coordinating~~
2 ~~body.~~] sex offender management team.

3 (c) Notwithstanding any other provision to the contrary,
4 for purposes of sex offender treatment and community
5 supervision, any agency that is part of the interagency
6 cooperative agreement shall provide, upon the request of any
7 other participating agency, all relevant criminal, parole,
8 medical, psychological, or mental health records of any offender
9 receiving supervision or treatment while under custody of the
10 State. Records received by a participating agency under this
11 section shall be confidential and shall be disclosed by the
12 receiving agency only for the purposes and under the
13 circumstances expressly authorized by this section. Any agency
14 providing records under this section shall document the
15 disclosures made under this section, including the name of the
16 agency to which the record is disclosed, the title of the record
17 disclosed, and the date of disclosure.

18 (d) The sex offender management team may hold meetings
19 closed to the public pursuant to section 92-4 for the purpose of
20 discussing information relating to individual sex offenders



1 where disclosure of the information would be a clearly
2 unwarranted invasion of personal privacy."

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

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

APPROVED this 29 day of APR, 2016



GOVERNOR OF THE STATE OF HAWAII