



The Judiciary, State of Hawaii

**Testimony to the
Senate Committee on Judiciary and Labor**
Senator Gilbert S. C. Keith-Agaran, Chair
Senator Maile S. L. Shimabukuro, Vice Chair

Monday, February 29, 2016, 10:05 a.m.
State Capitol, Conference Room 016

By

Sidney H. Nakamoto
Probation Administrator, First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 2912, SD1, Relating to the Statewide Integrated Sex Offender Treatment Program.

Purpose: Amends chapter 353E, Hawai'i Revised Statutes (HRS), 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 statewide integrated sex offender treatment program from the requirements of chapter 92, HRS.

Judiciary's Position:

The Judiciary supports Senate Bill No. 2912, SD1, as amended, which reflects best practices in the assessment, evaluation, treatment, and supervision of sex offenders. Since the establishment of 353E, the Judiciary has participated in developing guidelines for the assessment and treatment of sex offenders, and has used these guidelines in setting scope of services for purchase of service contracts. This has improved services as it requires vendors to adhere to best practice principles (e.g., utilizing validated and specialized risk instruments to inform treatment plans, utilizing a cognitive-behavioral treatment approach, etc.). Guidelines for supervision also require probation staff to incorporate best practices, such as utilizing the same risk instruments to match supervision standards and inform case plans to enhance public safety.



Senate Bill No. 2912, SD1, Relating to the Statewide Integrated Sex Offender
Treatment Program

Senate Committee on Judiciary and Labor

Monday, February 29, 2016

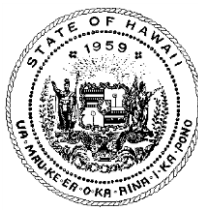
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The renaming of this body reflects the full scope of its purpose, beginning with a focus on treatment, and expanding to include the supervision and management of sex offenders by specially trained supervision officers.

The Judiciary takes no position on the exemption in Chapter 92, HRS.

Thank you for the opportunity to testify on Senate Bill No. 2912, SD1.

DAVID Y. IGE
GOVERNOR



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TESTIMONY ON SENATE BILL 2912, SENATE DRAFT 1
RELATING TO STATEWIDE INTEGRATED SEX OFFENDER
TREATMENT PROGRAM

by
Nolan P. Espinda, Director

Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

February 29, 2016; 10:05 a.m.
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Senator Keith-Agaran, Vice Chair Shimabukuro, and Members of the Committee:

The Department of Public Safety (PSD) **supports** Senate Bill (SB) 2912, Senate Draft (SD) 1, the purpose of which is to amend Hawaii Revised Statutes Chapter 353E to reflect nationally recognized best practices in the statewide, integrated programming for adult sex offenders. PSD supports this measure for the following reasons:

1. The complex nature of sexual offending and the extreme harm it has on victims necessitate implementation of nationally recognized best practices to sex offender management.
2. In addition to treatment, nationally recognized best practices in sex offender management calls for assessment, evaluation and supervision components.
3. Standards for service delivery assist in ensuring best practices are implemented, and offender risk reduction and victim safety are paramount.
4. The name of the statewide coordinating body should accurately reflect its scope.

Thank you for the opportunity to present this testimony.

THE CIVIL BEAT
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Senate Committee on Judiciary and Labor
Honorable Gilbert S.C. Keith-Agaran, Chair
Honorable Maile S.L. Shimabukuro, Vice Chair

**RE: Testimony Opposing S.B. 2912 S.D. 1,
Relating to the Statewide Integrated Sex Offender Treatment Program**

Hearing: February 29, 2016 at 10:05 a.m.

Dear Chair and Members of the Committee:

My name is Brian Black. I am the Executive Director of the Civil Beat Law Center for the Public Interest, a nonprofit organization whose primary mission concerns solutions that promote government transparency. Thank you for the opportunity to submit testimony **opposing the scope of the proposed Sunshine exemption in S.B. 2912 S.D. 1.**

*Development of a "comprehensive statewide master plan" and general "continuum of programs" for sex offenders should be a **public** process.*

In addition to work concerning individual sex offenders, HRS § 353E-1 provides that the Statewide Integrated Sex Offender Treatment Program brings together agencies to jointly develop a statewide master plan and continuum of programs for sex offenders, prepare training and education programs, conduct research, seek grant funding, and – as proposed in S.B. 2912 S.D. 1 – develop standards and guidelines. These functions concern matters of general policy that deserve the public access and participation afforded by the Sunshine Law.

Because the Program also handles implementation of the master plan as to individual sex offenders, the Law Center takes no position on a more narrowly-tailored exemption.

Thank you again for the opportunity to testify.