
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[7]
5 integrated sex offender treatment program for the treatment of
6 adult sex offenders in the custody of the State, to be
7 implemented on a cooperative basis by the department of public
8 safety, the judiciary, and the Hawaii paroling authority, and
9 any other agency that may be assigned sex offender oversight
10 responsibilities. The [agencies] sex offender treatment program
11 shall:

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



- 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 assessment, evaluation, supervision, and treatment
10 programs and services;
- 11 (5) Develop appropriate training and education programs
12 for public and private providers of sex offender
13 treatment, assessment, evaluation, and supervision
14 services;
- 15 (6) Conduct research and compile relevant data on sex
16 offenders;
- 17 (7) Work cooperatively to develop a statewide management
18 information system for sex offender treatment;
- 19 (8) Make every effort to secure grant funds for research,
20 program development, training, and public education in
21 the area of sex assault prevention;



- 1 (9) Network with public and private agencies that come
- 2 into contact with sex offenders to keep abreast of
- 3 issues that impact ~~[en]~~ and increase community
- 4 awareness regarding~~[7]~~ the statewide sex offender
- 5 treatment program;
- 6 (10) As far as practicable, share information and pool
- 7 resources to carry out responsibilities under this
- 8 chapter; ~~[and]~~
- 9 (11) Coordinate their funding requests for sex offender
- 10 treatment programs to deter competition for resources
- 11 that might result in an imbalance in program
- 12 development that is detrimental to the master plan
- 13 treatment concept~~[-]~~; and
- 14 (12) Develop and implement standards and guidelines for the
- 15 assessment, evaluation, treatment, and supervision of
- 16 sex offenders."

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

19 "§353E-2 Interagency coordination. (a) To carry out
 20 their responsibilities under section 353E-1, the department of
 21 public safety, Hawaii paroling authority, judiciary, department



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

14 (b) The department of public safety shall be the lead
15 agency for the statewide integrated sex offender treatment
16 program. As the lead agency, the department shall act as
17 facilitator of the [~~coordinating body~~] sex offender management
18 team by providing administrative support to the [~~coordinating~~
19 ~~body-~~] sex offender management team.

20 (c) Notwithstanding any other provision to the contrary,
21 for purposes of sex offender treatment and community



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

14 (d) Notwithstanding any provision to the contrary, the
 15 statewide integrated sex offender treatment program established
 16 by this chapter is not subject to the requirements of chapter
 17 92."

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

20 SECTION 4. This Act shall take effect on January 7, 2059.

21



Report Title:

Statewide Integrated Sex Offender Treatment Program

Description:

Amends chapter 353E, Hawaii Revised Statutes (HRS), to reflect nationally recognized best practices in the statewide, integrated program 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. Takes effect on 1/7/2059. (SD2)

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