

**ACT 164**

S.B. NO. 3371

A Bill for an Act Relating to Sex Offender Treatment.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that sexual assault is a heinous crime committed by offenders with deviant behavioral patterns that cannot be controlled by incarceration alone. Studies show that the recidivism rates of sex offenders who undergo treatment are substantially lower than the rates of those who are not treated. Studies also show that it is critical that one treatment philosophy be uniformly applied by all agencies with sex offender oversight responsibilities.

The legislature also finds that, in 1989, the agencies responsible for corrections, probation, parole, mental health, and incest cases developed a master plan for an integrated treatment program for adult male felon sex offenders in this State. The master plan requires the development and implementation of clinical assessment, treatment, and intensive supervision programs to more effectively control the behavior of sex offenders.

The purpose of this Act is to continue the networking activities initiated by these agencies to ensure that the master plan is successfully implemented through a coordinated approach.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

**“CHAPTER  
STATEWIDE INTEGRATED SEX OFFENDER TREATMENT PROGRAM**

**§ -1 Sex offender treatment; statewide program established. There**

is established a statewide, integrated program for the treatment of sex offenders in the custody of the State to be implemented on a cooperative basis by the department of public safety, the judiciary, and the Hawaii paroling authority, and any other agency that may be assigned sex offender oversight responsibilities. The agencies shall:

- (1) Develop and continually update, as necessary, a comprehensive statewide master plan for the treatment of sex offenders that provides for a continuum of programs under a uniform treatment philosophy;
- (2) Develop and implement a statewide, integrated system of sex offender treatment services and programs that reflect the goals and objectives of the master plan;
- (3) Identify all offenders in their custody who would benefit from sex offender treatment;
- (4) Work cooperatively to monitor and evaluate the development and implementation of sex offender treatment programs and services;
- (5) Develop appropriate training and education programs for public and private providers of sex offender treatment, assessment, and supervision services;
- (6) Conduct research and compile relevant data on sex offenders;
- (7) Work cooperatively to develop a statewide management information system for sex offender treatment;
- (8) Make every effort to secure grant funds for research, program development, training, and public education in the area of sex assault prevention;
- (9) Network with public and private agencies that come into contact with sex offenders to keep abreast of issues that impact on, and increase community awareness regarding, the statewide sex offender treatment program;
- (10) As far as practicable, share information and pool resources to carry out responsibilities under this chapter; and
- (11) Coordinate their funding requests for sex offender treatment programs to deter competition for resources that might result in an imbalance in program development that is detrimental to the master plan treatment concept.

**§ -2 Interagency coordination.** (a) To carry out their responsibilities under section -1, the department of public safety, Hawaii paroling authority, judiciary, department of health, department of human services, and any other agency assigned sex offender oversight responsibilities by law or administrative order, shall establish, by an interagency cooperative agreement, a coordinating body to oversee the development and implementation of sex offender treatment programs in the State to ensure compliance with the intent of the master plan developed under section -1(1). The interagency cooperative agreement shall set forth the role of the coordinating body and the responsibilities of each agency that is a party to the agreement.

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

**SECTION 3.** This Act shall take effect upon its approval.

(Approved June 8, 1992.)