

HB1345\_L.011

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB16-1345 be amended as follows:

1 Amend printed bill, page 2, strike line 3, and substitute "(4) (a), (4) (h),  
2 (4) (i), and (6) (a) as follows:".

3 Page 2, after line 6 insert:

4           **"(a) Standards for identification and evaluation of adult sex**  
5 **offenders.** (I) The board shall develop, prescribe, and revise, as  
6 appropriate, a standard procedure to evaluate and identify adult sex  
7 offenders, including adult sex offenders with developmental disabilities.  
8 The procedures shall provide for an evaluation and identification of the  
9 adult sex offender and recommend management, monitoring, and  
10 treatment based upon existing research ~~demonstrating that sexually~~  
11 ~~offending behavior is often repetitive and that~~ AND SHALL INCORPORATE  
12 THE CONCEPTS OF THE RISK-NEED-RESPONSIVITY OR ANOTHER  
13 EVIDENCE-BASED CORRECTIONAL MODEL. There is currently no way to  
14 ensure that adult sex offenders with the propensity to commit sexual  
15 offenses will not reoffend. Because there are adult sex offenders who can  
16 learn to manage unhealthy patterns and learn behaviors that can lessen  
17 their risk to society in the course of ongoing treatment, management, and  
18 monitoring, the board shall develop a procedure for evaluating and  
19 identifying, on a case-by-case basis, reliably lower-risk sex offenders  
20 WHOSE RISK TO SEXUALLY REOFFEND MAY NOT BE FURTHER REDUCED BY  
21 PARTICIPATION IN TREATMENT AS DESCRIBED IN PARAGRAPH (b) OF THIS  
22 SUBSECTION (4). The board shall develop and implement methods of  
23 intervention for adult sex offenders, which methods have as a priority the  
24 physical and psychological safety of victims and potential victims and  
25 which are appropriate to the assessed needs of the particular offender, so  
26 long as there is no reduction in the safety of victims and potential victims.

27           (II) (A) ONCE THE BOARD HAS APPROVED REVISED PORTIONS OF  
28 THE STANDARDS, THE BOARD SHALL MAKE EVERY EFFORT TO PUBLISH THE  
29 APPROVED PORTIONS. THE BOARD SHALL COMPLETE A REVISION OF THE  
30 STANDARDS TO IDENTIFY AND EVALUATE ADULT SEX OFFENDERS BY JULY  
31 1, 2017. IF THE BOARD DETERMINES THAT IT WILL BE UNABLE TO  
32 COMPLETE THE REVISION OF THE STANDARDS BY JULY 1, 2017, THE BOARD  
33 SHALL REPORT TO THE JUDICIARY COMMITTEES OF THE GENERAL  
34 ASSEMBLY, OR ANY SUCCESSOR COMMITTEES, A PROJECTED COMPLETION  
35 DATE AS PART OF ITS ANNUAL REPORT PRESENTED PURSUANT TO SECTION  
36 16-11.7-109 (2) IN JANUARY 2017. THE REVISED STANDARDS MUST BE



1 CONSISTENT WITH THE RECOMMENDATIONS PROVIDED TO THE BOARD IN  
2 THE 2014 INDEPENDENT EVALUATION OF THE BOARD'S STANDARDS AND  
3 GUIDELINES FUNDED BY THE GENERAL ASSEMBLY IN 2013; EXCEPT THAT,  
4 IF THE STANDARDS ARE NOT CONSISTENT WITH THE 2014 INDEPENDENT  
5 EVALUATION, IN ITS ANNUAL REPORT TO THE JUDICIARY COMMITTEES OF  
6 THE GENERAL ASSEMBLY, OR ANY SUCCESSOR COMMITTEES, PURSUANT TO  
7 SECTION 16-11.7-109 (2), THE BOARD SHALL DESCRIBE ANY  
8 INCONSISTENCIES AND EXPLAIN THE EVIDENCE-BASED REASONS FOR THE  
9 INCONSISTENCIES.

10 (B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1,  
11 2018."

12 Page 2, after line 19 insert:

13 (i) **Standards for identification and evaluation of juvenile**  
14 **offenders.** The board shall develop, prescribe, and revise, as appropriate,  
15 a standard procedure to evaluate and identify juveniles who have  
16 committed sexual offenses, including juveniles with developmental  
17 disabilities. The procedure shall provide for an evaluation and  
18 identification of the juvenile offender and recommend behavior  
19 management, monitoring, treatment, and compliance AND SHALL  
20 INCORPORATE THE CONCEPTS OF THE RISK-NEED-RESPONSIVITY OR  
21 ANOTHER EVIDENCE-BASED CORRECTIONAL MODEL based upon the  
22 knowledge that all unlawful sexual behavior poses a risk to the  
23 community and that certain juveniles may have the capacity to change  
24 their behavior with appropriate intervention and treatment. The board  
25 shall develop and implement methods of intervention for juveniles who  
26 have committed sexual offenses, which methods have as a priority the  
27 physical and psychological safety of victims and potential victims and  
28 that are appropriate to the needs of the particular juvenile offender, so  
29 long as there is no reduction in the safety of victims and potential  
30 victims."

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