

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB23-164 be amended as follows:

1 Amend printed bill, page 2, line 3, strike "(6);" and substitute "(4)(b)(I),
2 (4)(j)(I), and (6);".

3 Page 2, after line 6 insert:

4 **"(b) Guidelines and standards for treatment of adult**
5 **offenders.** (I) The board shall develop, implement, and revise, as
6 appropriate, guidelines and standards to treat adult sex offenders,
7 including adult sex offenders with intellectual and developmental
8 disabilities, incorporating in the guidelines and standards the concepts of
9 the risk-need-responsivity or another evidence-based correctional model,
10 which guidelines and standards can be used in the treatment of offenders
11 who are placed on probation, incarcerated with the department of
12 corrections, placed on parole, or placed in community corrections.
13 Programs implemented pursuant to the guidelines and standards
14 developed pursuant to this subsection (4)(b) must be as flexible as
15 possible so that the programs may be accessed by each adult sex offender
16 to prevent the offender from harming victims and potential victims.
17 Programs must include a continuing monitoring process and a continuum
18 of treatment options available to an adult sex offender as ~~he or she~~ THE
19 OFFENDER proceeds through the criminal justice system. Treatment
20 options must be determined by a current risk assessment and evaluation
21 and may include, but need not be limited to, group counseling, individual
22 counseling, family counseling, outpatient treatment, inpatient treatment,
23 shared living arrangements, or treatment in a therapeutic community.
24 Programs implemented pursuant to the guidelines and standards
25 developed pursuant to this subsection (4)(b) must, to the extent possible,
26 be accessible to all adult sex offenders in the criminal justice system,
27 including those offenders with behavioral, mental health, and
28 co-occurring disorders AND MUST ENSURE, TO THE EXTENT POSSIBLE,
29 THAT TREATMENT IS RESPONSIVE TO THE AGE AND DEVELOPMENTAL
30 STATUS OF THE OFFENDER AT THE TIME OF TREATMENT, AS WELL AS THE
31 LINGUISTIC, CULTURAL, RELIGIOUS, AND RACIAL CHARACTERISTICS;
32 SEXUAL ORIENTATION, AS DEFINED IN SECTION 24-34-301; GENDER
33 IDENTITY, AS DEFINED IN SECTION 24-34-301; AND GENDER EXPRESSION,
34 AS DEFINED IN SECTION 24-34-301, OF THE OFFENDERS SERVED. The
35 procedures for evaluation, identification, treatment, and monitoring
36 developed pursuant to this subsection (4) must be implemented only to
37 the extent that money is available in the sex offender surcharge fund
38 created in section 18-21-103 (3).".
39

1 Page 2, after line 10 insert:

2 " (j) (I) **Guidelines and standards for treatment of juveniles**
3 **who have committed a sexual offense.** The board shall develop,
4 implement, and revise, as appropriate, guidelines and standards to treat
5 juveniles who have committed A sexual ~~offenses~~ OFFENSE, including
6 juveniles with intellectual and developmental disabilities, incorporating
7 in the guidelines and standards the concepts of the risk-need-responsivity
8 or another evidence-based correctional model, which guidelines and
9 standards may be used for ~~juvenile offenders~~ JUVENILES who are placed
10 on probation, committed to the department of human services,
11 SENTENCED TO COMMUNITY CORRECTIONS, SENTENCED TO THE
12 DEPARTMENT OF CORRECTIONS, placed on parole, or placed in
13 out-of-home placement. Programs implemented pursuant to the guidelines
14 and standards developed pursuant to this subsection (4)(j) must be as
15 flexible as possible so that the programs may be accessed by each juvenile
16 ~~offender~~ to prevent ~~him or her~~ THE JUVENILE from harming victims and
17 potential victims. Programs must provide a continuing monitoring process
18 and a continuum of treatment options available to AS a juvenile ~~offender~~
19 ~~as he or she~~ proceeds through the juvenile OR CRIMINAL justice system.
20 Treatment options may include, but need not be limited to, group
21 counseling, individual counseling, family counseling, outpatient
22 treatment, inpatient treatment, shared living arrangements, and treatment
23 in a therapeutic community. Programs implemented pursuant to the
24 guidelines and standards developed pursuant to this subsection (4)(j) must
25 be, to the extent possible, accessible to all juveniles who have committed
26 sexual offenses and who are in the juvenile OR CRIMINAL justice system,
27 including juveniles with behavioral, mental health, or co-occurring
28 disorders AND MUST ENSURE, TO THE EXTENT POSSIBLE, THAT TREATMENT
29 IS RESPONSIVE TO THE AGE AND DEVELOPMENTAL STATUS OF THE
30 JUVENILE AT THE TIME OF TREATMENT, AS WELL AS THE LINGUISTIC,
31 CULTURAL, RELIGIOUS, AND RACIAL CHARACTERISTICS; SEXUAL
32 ORIENTATION, AS DEFINED IN SECTION 24-34-301; GENDER IDENTITY, AS
33 DEFINED IN SECTION 24-34-301; AND GENDER EXPRESSION, AS DEFINED IN
34 SECTION 24-34-301, OF THE JUVENILES SERVED."

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