

SENATOR BEUTLER: No, I'm just dealing with the determination of treatability.

SENATOR KRISTENSEN: Okay, if they're determined that there may not be any treatability, they're going to go over to the Department of Corrections and spend their time. And the Department of Corrections does have some programs, although they're not as specific and it's not as complete, but if corrections then decides that these people may, you know, after they've sat in the Penitentiary for so long, that some treatment may be appropriate or would be beneficial and the people want to do that, the Department of Public Institutions can come back, make that redetermination and then you'll...and then you'll have those options to take that prisoner over to DPI...

SENATOR BEUTLER: Okay.

SENATOR KRISTENSEN: ...for some work.

SENATOR BEUTLER: So, if I understand you correctly, the only people going into the program are people that, in the professional opinion of the department, will receive some benefit in terms of either receiving a cure or being moved in the direction of a cure. Is that...is that a fair statement?

SENATOR KRISTENSEN: Well, that's true. I would refer you to Sections...look at Section 5 and Section 6 in terms of the Department of Public Institution finding that the convicted sex offender is a potential treatment candidate. I think that that's the key words now is a "potential treatment candidate". The courts are going to make that initial determination of whether they could be resentenced at a later point in time. And so there is an evaluation within 60 days of the time they're confined to the Department of Corrections that they're going to get this evaluation. I mean, the key here is the evaluation in terms of treatment.

SENATOR BEUTLER: Okay. The reason I'm pressing you so hard on this particular point is because at the other end of the program these people can be released into society with the approval of the court but the Department of Institutions has to make the finding that they have received the maximum benefit. That's one of two findings they have to make. So, in order to reach that conclusion, I suppose, depending upon their original opinion as to how much benefit was possible, maximum benefit, the criteria