

things have to be decided by the...by the Department of Public Institution, one, that the persons receive maximum benefit from the program. Okay, and as we mentioned in the dialogue, that may mean very little benefit, depending on the what I call the curability of the person, I suppose. And the second thing is that they are ready for treatment in an aftertreatment program, whatever that means. And I suppose I would be interested in Senator Kristensen's further remarks with regard to what "ready for treatment" means. There's...it's implicit in that that additional treatment is helpful and would be beneficial. After that process, then it goes to the court and the court has to find that he successfully completed the program in the Department of Institutions which may be more or less...

PRESIDENT MOUL: One minute.

SENATOR BEUTLER: ...as we have discussed, and also that he would benefit from treatment in an aftercare program under conditions set by the court consistent with public safety. So the court does have the right to set some conditions consistent with public safety. What my amendment does, it says that in order to release a person we add an additional criteria on the part of the Department of Public Institutions, and that is that in the opinion of the department's professional staff this person is not likely to commit further sexual offenses and is not, for that reason or any other reason, a danger to society. And, basically, it adds that criteria to the court's determination that this person is not a danger to society. Now, in a normal situation, in a normal parole situation, you may say, well, a person has to make a transition between the institution and normal society because they...because they have to get out, they're going to get out.

PRESIDENT MOUL: Time.

SENATOR BEUTLER: And that's true except...and I will pick this up as soon as I can get back. Thank you.

PRESIDENT MOUL: Senator Beutler, you're up next.

SENATOR BEUTLER: Okay. Except in this particular situation we are allowing the court to redetermine sentences so that these kinds of offenders can be put back out into some kind of societal situation before their parole date. And I'm saying that if we...unless we can make a determination that these