

commit further sexual offenses and be a danger to society? And we're just adding that in on line 9 and then we go on with the language in the bill, and is ready for treatment and then aftercare treatment program. So then the staff, the professional staff still submits that written report to the sentencing court and the Department of Correctional Services documents those findings and recommendations. And then the court still conducts the hearing and makes that...that decision. Then the second part of the amendment just adds, "is a danger to society" in the...on the back sections of the bill to make it consistent. That is a standard then I think we should be concerned about and I think that we have to rely on the professional staff at the Department of Public Institutions. I'm glad that the court is the one that makes the final decision, however, because I do feel more comfortable with that and, in fact, when I introduced the change in the insanity plea, that was one of my changes that that sentencing court...

PRESIDENT MOUL: One minute.

SENATOR PIRSCH: ...would take the recommendations of the Department of Public Institution professional staff but still the court has that responsibility to keep that person who is a danger to him or herself and others out of society.

PRESIDENT MOUL: Thank you, Senator Pirsch. Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Madam President, and members of the body, let's for the moment just deal with the amendment that Senator Beutler has. What he is really asking you to do is to give the Department of Public Institutions and put the staff in the place of the court and say, what is your opinion? Now if you think that the Department of Public Institutions, that's not their job, their job is to treat, they're always going to air on the side, we're going to need more treatment, we're going to need more treatment. If they tell the court, well, there might be a danger, you know, in the controlled setting of the Regional Center, these people can act very well, when you let them out into society there is a risk, but there is always a risk, there is not a cure. We can't cure mental illness. You can control behavior. And sometimes it's with drugs but a lot of times what it is is these people learning how to deal with themselves in society, avoiding the situations that got them into trouble, learning that the behavior that they have actually harms and damages other people. We are not talking about, as Senator