

SENATOR BEUTLER: No, they can appeal it, but let's say that they are then determined to be a sexually violent predator,...

SENATOR ABOUD: Yes.

SENATOR BEUTLER: ...and let's say they're thrown in prison for ten years for whatever offense they committed. And then they come out of prison and they're on the register then for...they're on the register. And this seems to say that after that ten years in prison, it'll be another ten years before they can even have a determination that they are no longer in that category. Such determination shall not be made until ten years after the date of discharge.

SENATOR ABOUD: Yes.

SENATOR BEUTLER: And I guess the question I'm raising, and I don't know, but I know that in order to put somebody in a mental institution, and in order to keep them there, under the constitution there have to be periodic reviews as to their mental condition. And here we seem to be saying, you're not going to get a determination of that mental condition for at least ten years, period. And I guess I'm just wondering whether that's really constitutional or not.

SENATOR ABOUD: I think...well...

SENATOR BEUTLER: Is that, has there been any...

SENATOR ABOUD: Yes, there has been. And I'll, I'll be happy to cite you, there were a number of cases dealing with this that the courts have dealt with and they viewed this particular language as constitutional. And I'll be happy to provide that.

SENATOR BEUTLER: Okay, well, I was...

SENATOR ABOUD: Or read it into the record, if you prefer.

SENATOR BEUTLER: I would like to see that. The other thing that I wanted to ask about, failing to register is a Class IV felony. I haven't looked through all of these offenses for which you, which could cause you to be a person who is registered, but are not some of them misdemeanor offenses? Or are they all felonies?