

**SEX OFFENDER LAW AMENDMENTS**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gregory H. Hughes**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies the Code of Criminal Procedure to require the Utah Department of Corrections to use a periodic global assessment tool to evaluate sex offenders who are supervised in the community.

**Highlighted Provisions:**

This bill:

- ▶ requires the Utah Department of Corrections to administer a "multi-domain assessment" to registered sex offenders it supervises in the community;
- ▶ requires that the assessment is to be administered:
  - not less than every 16 weeks during the first year the offender is supervised in the community; and
  - not less than every 26 weeks nor more than every 12 weeks as determined to be appropriate by the department's supervisory personnel and the sex offender's treatment team, during the second year the offender is supervised in the community and continuing until termination of the offender's probation or parole;
- ▶ specifies the content of the assessment tool; and
- ▶ provides definitions.

**Monies Appropriated in this Bill:**

None



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 ENACTS:

32 **77-27-21.9**, Utah Code Annotated 1953



34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **77-27-21.9** is enacted to read:

36 **77-27-21.9. Sex offender assessment.**

37 (1) As used in this section:

38 (a) "Dynamic factors" means a person's individual characteristics, issues, resources, or  
39 circumstances that:

40 (i) can change or be influenced; and

41 (ii) affect the risk of recidivism or the risk of violating conditions of probation or  
42 parole.

43 (b) "Multi-domain assessment" means an evaluation process or tool which reports in  
44 quantitative and qualitative terms an offender's condition, stability, needs, resources, and  
45 dynamic factors affecting the offender's transition into the community and compliance with  
46 conditions of probation or parole. These domains shall include:

47 (i) transportation;

48 (ii) education;

49 (iii) employment and career;

50 (iv) financial;

51 (v) housing;

52 (vi) utilities;

53 (vii) clothing;

54 (viii) diet and nutrition;

55 (ix) eating disorders;

56 (x) addictions;

57 (xi) substance abuse;

58 (xii) smoking cessation;

- 59           (xiii) stress management;
- 60           (xiv) medical conditions;
- 61           (xv) reproductive health;
- 62           (xvi) medications;
- 63           (xvii) physical disability and accessibility;
- 64           (xviii) physical fitness and recreation;
- 65           (xix) dental health;
- 66           (xx) mental health;
- 67           (xxi) acculturation;
- 68           (xxii) social skills;
- 69           (xxiii) connection to the community;
- 70           (xxiv) family and interpersonal relationships;
- 71           (xxv) parenting and childcare;
- 72           (xxvi) family and elder care obligations;
- 73           (xxvii) sexual and elder abuse;
- 74           (xxviii) domestic violence;
- 75           (xxix) religion;
- 76           (xxx) civil legal issues; and
- 77           (xxx) criminality.
- 78           (c) "Qualitative terms" means written summaries used to describe meaning, enrich, or
- 79 explain significant quantitative indicators or benchmarks within the areas defined in Subsection
- 80 (1)(b).
- 81           (d) "Quantitative terms" means numerical distinctions or benchmarks used to describe
- 82 conditions within the areas defined in Subsection (1)(b).
- 83           (2) The department shall administer a multi-domain assessment as defined in
- 84 Subsection (1)(b) to sex offenders:
- 85           (a) not less than every 16 weeks during the first year the sex offender is supervised in
- 86 the community; and
- 87           (b) not less than every 26 weeks nor more than every 12 weeks, as determined
- 88 appropriate by the department's supervisory personnel and the sex offender's treatment team,
- 89 during the second year the offender is supervised in the community and continuing until

90 termination of the offender's probation or parole.

91 (3) The department shall promptly make results of the multi-domain assessment  
92 available to the sex offender's treatment team and corrections personnel responsible for  
93 supervising the offender.

94 (4) The department shall provide to the legislative Law Enforcement and Criminal  
95 Justice Interim Committee annually no later than October 1 a written report of the results of the  
96 use of the multi-domain assessments, including:

97 (a) the impact on recidivism;

98 (b) other indicators of the effect of the use of the assessments;

99 (c) the number of assessments administered annually;

100 (d) the number of individuals who were assessed during the year; and

101 (e) any recommended policy changes.

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**Legislative Review Note**  
**as of 12-21-07 7:20 AM**

**Office of Legislative Research and General Counsel**