



**SEX OFFENDER COMMUNITY
NOTIFICATION ASSESSMENT**

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July 13, 2022

Governor Asa Hutchinson
State Capitol
Little Rock, AR 72201


Senator Terry Rice
Chair, Arkansas Legislative Council
State Capitol
Little Rock, AR 72201

Representative Jeff Wardlaw
Chair, Arkansas Legislative Council
State Capitol
Little Rock, AR 72201

Dear Governor Hutchinson & Chairpersons:

Pursuant to A.C.A. § 12-12-921, the Sex Offender Assessment Committee (SOAC) is to report to the Governor and Legislative Council each year a summary of the proceedings, a statement of revenue, expenditures, and any additional requested information. On behalf of the SOAC, I am enclosing a report for the fiscal year that ended on June 30, 2021. The committee has no revenue, and their expenses are covered by the Arkansas Department of Corrections. In addition to the statutorily required information, I have included information in this report related to the Sex Offender Community Notification Assessment Program, which operates in conjunction with SOAC to manage the assessment process for all sex offenders.

Sincerely,


Sheri J. Flynn, MS, LSW
SOCNA Administrator

Cc: Lindsay Wallace, Chief of Staff
Arkansas Department of Corrections



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The Sex Offender Assessment Committee and the Sex Offender Community Notification Assessment Program

Legislative Update FY 2021

Director Dexter Payne, MS & Sheri Flynn, MS, LSW

7/13/2022

REPORT ON SOAC PROCEEDINGS

The Sex Offender Assessment Committee (SOAC) is a committee that reviews and approves guidelines for the sex offender assessment process, votes to assign Level 4 community notification status, and reviews cases in which offenders seek administrative review. During the 2021 regular session, the General Assembly made changes to the enabling legislation to provide that the Secretary of the Department of Corrections (DOC) or the Secretary's Designee shall serve as the executive secretary of the committee and transferred the administrative functions of the committee to the DOC. The SOAC is a 9-member committee, with six (6) members of the Committee being appointed by the Governor; the remainder of the Committee is comprised of directors or their designees of the Division of Community Correction (ACC), the Arkansas Crime Information Center,

and the Division of Correction (ADC). Committee members are not paid a salary. The SOAC and the Sex Offender Community Notification Assessment (SOCNA) Program, under the auspices of the ADC, work in conjunction to manage the assessment process for all sex offenders.

The majority of the SOAC is comprised of state employees, who perform their duties on the SOAC on a voluntary basis or as included with their job duties at a state agency. There are five (5) members who are not state employees. Two (2) members historically have not requested any compensation. Two (2) members submit a TR-1 for reimbursement for the mileage incurred travelling to and from the SOAC meetings. The ADC covers these expenses. Each could seek a \$75 per diem, but none of the current members do. During FY 2021, SOAC did not incur any expenditures. Due to COVID precautions, all SOAC meetings were held via Zoom and no expenses were required of ADC.

During FY 2021, the SOAC reviewed nineteen (19) cases presented for consideration as possible Sexually Dangerous Persons. During the same time frame, the SOAC considered 51 requests for Administrative Review. The committee also receives information about the adult assessment process from SOCNA and the juvenile assessment process from Family Treatment program staff during regular meetings.

SOCNA & SEX OFFENDER MANAGEMENT

The Sex Offender Community Notification Assessment (SOCNA) Program has been conducting individualized community notification assessments since September 1999. SOCNA came into existence, in part, because of the need for consistency in the assessment process and because local law enforcement agencies did not have the time, resources, or expertise to conduct individualized assessments. SOCNA continues to

monitor and make changes in the process to remain in compliance with best practices, comply with changes made by the General Assembly, reduce the length of time for assessments, and to refine the individualized assessment process.

As mentioned, SOCNA began conducting assessments in the fall of 1999. As of June 30, 2022, the program has conducted approximately 18,467 assessments. Arkansas is committed to conducting an individualized community notification, as is considered best practice, and will provide local law enforcement agencies with accurate information to help community members protect themselves from future victimization.

SOCNA's assessment involves an extensive search for historical documentation on any sex offense charge, allegation, or conviction; documentation of any violent offense; relevant research-derived actuarial instruments; an interview with the sex offender; and may include truth verification as to whether there may be undisclosed victims. SOCNA's multifaceted assessment often exposes undetected victims for offenses that have evaded the criminal justice system and other sexually deviant interests or activities that impact public safety. Arkansas' assessment process is considered by professionals in the field to be among the best in the United States.

Research has identified factors that appear to impact sexual offense recidivism. Some of those factors include the age of the offender at onset of offending, age and gender of victims, the way offenders gain access to victims, relationship status (whether an offender can maintain age-appropriate adult relationships), prior sexual offending, criminal history, stranger victims, and extra-familial victims. The strongest predictors for sexual offense recidivism are sexual deviance and sexual interest in children. (Hanson & Bussiere, 1998, Vol. 66, No.2). To distinguish offenders more likely to re-offend and to provide the public with reliable information, individualized actuarial-driven sex offender

assessment is the appropriate mechanism for community notification. Assuming that all sex offenders are the same and present the same level of risk would be a disservice to the citizens of Arkansas. There is also the risk of over-saturating the public with information on all sex offenders, which makes it more difficult to recognize the most dangerous offenders.

Arkansas continues to build a network of professionals, including law enforcement officials and others in the sex offender management realm, who believe in the “containment” approach of sex offender management. The containment approach places a sex offender at the center of a system of professionals providing assessment, supervision, and treatment of sex offenders. The idea is to *contain* the sex offender inside the network of professionals and closely monitor the offender’s behavior. Sex offenders who are assigned higher risk levels should receive more intensive services, monitoring, and supervision. With limited funding devoted to sex offender management and a criminal justice system that is already overburdened, it remains crucial that Arkansas identify those in need of the most resources to protect the public. There is also evidence that providing more intensive services to lower risk offenders could cause them to become more dangerous or disrupt prosocial community reintegration. The Arkansas assessment process helps to inform these crucial decisions with limited resources.

Assessment information was originally intended to help local law enforcement agencies determine the appropriate level of community notification. That remains the primary goal of the SOCNA assessment, however, several other agencies use the information in making decisions regarding offenders. ACC assigns parolees with a community notification Level 3 or 4 to an intensive aftercare program and supervises offenders closely. State law also places residency and employment restrictions on Level

3 and 4 sex offenders. The Arkansas Parole Board uses the information when making parole decisions and treatment recommendations. Treatment providers are given assessment information upon request to help inform treatment and rehabilitation decisions. Local law enforcement agencies and prosecutors may use assessment information to help identify suspects when new sex crimes are reported and in making sentencing recommendations. Federal probation officers use the information to manage sex offenders. The Department of Human Services and the Arkansas State Police regularly use the information in child maltreatment investigations and decisions regarding child placement. Prosecutors and judges use the information when offenders petition to be removed from the sex offender registry. State licensing boards should be notified by local law enforcement for offenders assigned Level 2 and above. SOCNA works diligently to maintain positive working relationships with all entities working in the sex offender management field. There is a constant exchange of information.

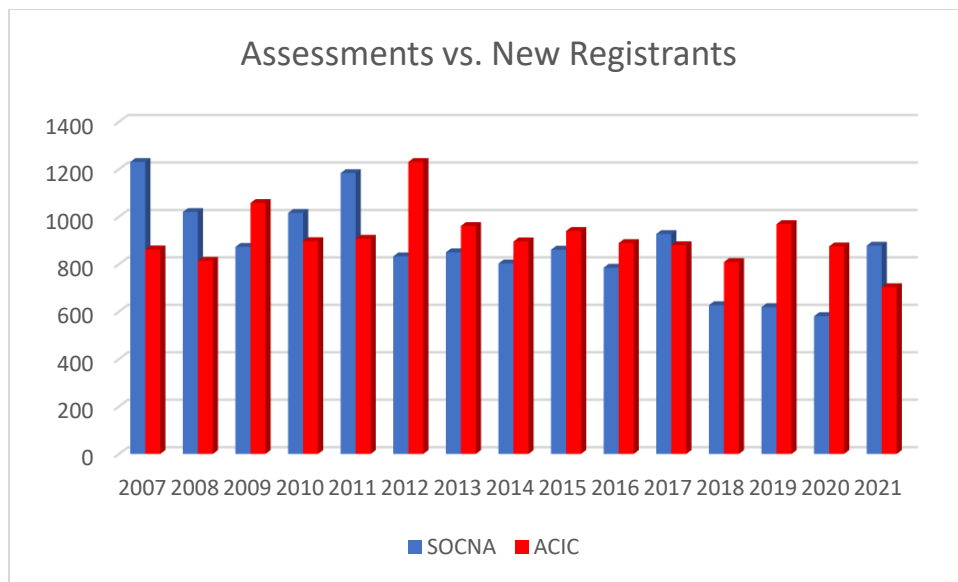
REGIONAL STAFF

Since 2019, SOCNA has hired eight (8) regional staff in strategic locations around the state. The offices have been generously donated by local law enforcement agencies at no cost to the ADC, beyond small office equipment and computer connectivity. This allowed SOCNA to schedule offenders closer to their homes and speed up the interview process. SOCNA also placed regional staff relatively closely to ADC units to allow ADC inmates to be assessed more frequently. This has also allowed SOCNA staff to collaborate more effectively with criminal justice partners on the local level. Some regional staff can assist in the sex offender registration process to help our law enforcement partners who donate office space. Thus far, the placement of regional staff has allowed SOCNA to hire extremely qualified applicants, who are committed to

the mission of SOCNA. The use of regional staff has resulted in a positive impact on efficiency, productivity, morale, and relationships with local law enforcement.

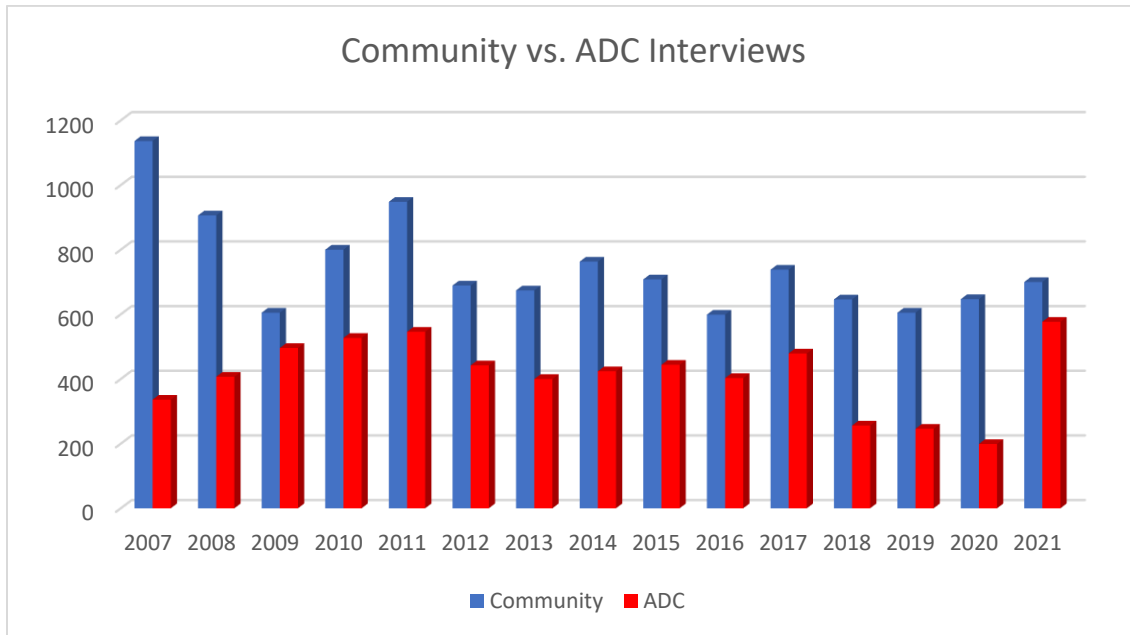
ASSESSMENTS vs. NEWLY REGISTERED OFFENDERS

The chart below depicts the number of assessments completed by SOCNA per calendar year versus the number of newly registered sex offenders documented by the Arkansas Crime Information Center (ACIC).



COMMUNITY vs. ADC INTERVIEWS: CY 2007-2021

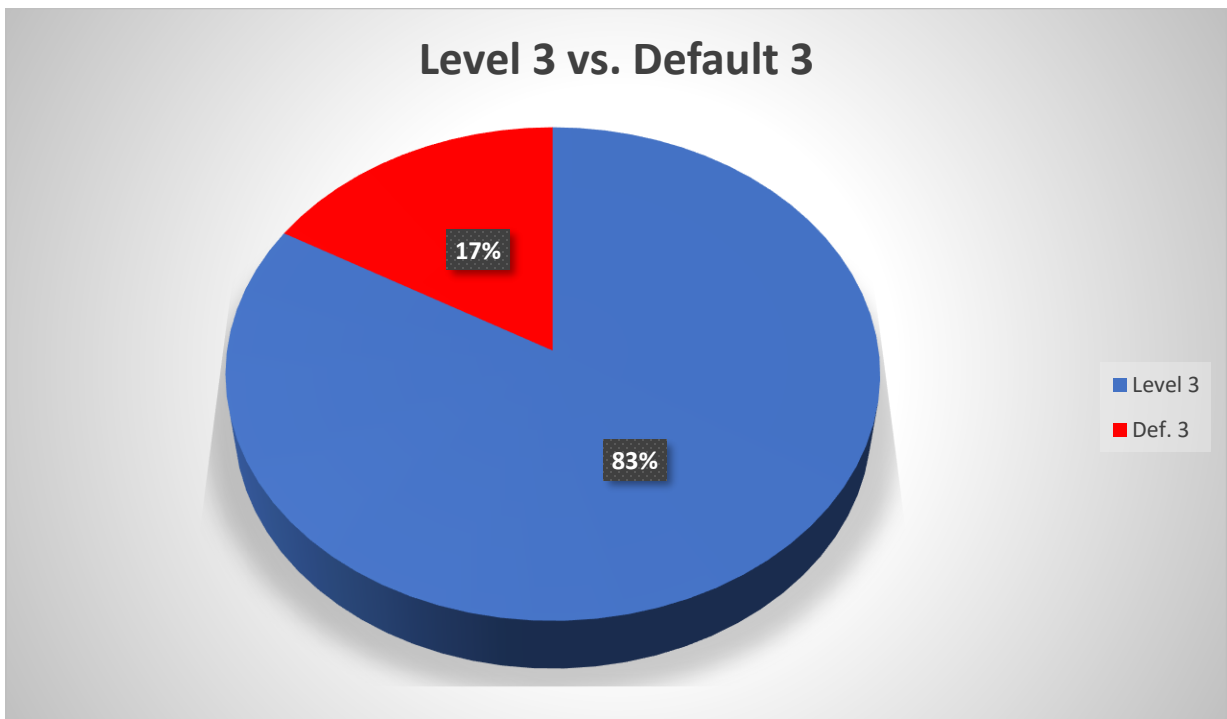
SOCNA attempts to balance the number of assessments conducted on sex offenders currently living within communities with the number of inmates about to be released from prison. SOCNA schedules inmates prior to their transfer eligibility dates with rare exceptions. Commissioners have indicated they find the thoroughness of the sex offender assessment helpful in their decision making. The information listed below reflects the number of assessments scheduled for offenders living in communities versus those scheduled for ADC inmates for calendar years 2007-2021.



LEVEL 3 vs. DEFAULT LEVEL 3: CY 2007-2021

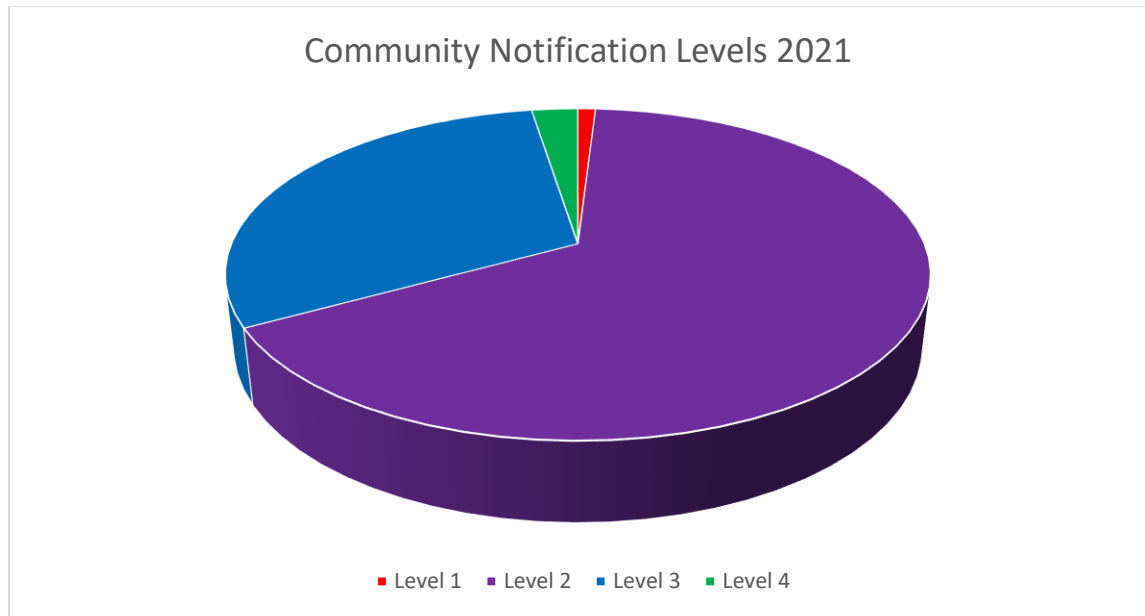
During the 2007 legislative session, the General Assembly passed a law that made refusal to cooperate with the assessment process a Class C felony. This has allowed more accurate assessment of offenders who appear and cooperate with the assessment process.

Below is a graph indicating the number of Level 3 offenders versus the number of Default Level 3 offenders per year from 2007-2021.



COMMUNITY NOTIFICATION LEVELS

The following graph indicates the Community Notification Levels assigned by SOCNA through the end of 2021. The number of Default Level 3 offenders, as discussed above, are included in the total number of Level 3s.



CONTACT INFORMATION

This report was compiled on behalf of the Sex Offender Assessment Committee by the Arkansas Department of Corrections, Division of Correction. To request additional information, contact information is below.

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