

**SEX OFFENDER COMMUNITY  
NOTIFICATION ASSESSMENT**

P.O. BOX 6209

PINE BLUFF, AR 71611

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July 20, 2021

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 &amp; Chairpersons:

Pursuant to A.C.A 12-12-921, the Sex Offender Assessment Committee 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. 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 Division of Correction.

Sincerely,



Sheri J. Flynn, MS, LSW  
SOCNA Administrator

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



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# Sex Offender Community Notification Assessment

## Legislative Update FY 2021

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

7/1/2021

The Sex Offender Community Notification Assessment Program (SOCNA), under the auspices of the Division of Correction (ADC) 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.

While SOCNA is part of the Division of Correction, the Sex Offender Assessment Committee (SOAC) reviews and approves guidelines for the assessment process, votes to assign Level 4 status and reviews cases in which offenders seek administrative review.

The SOAC is a 9-member committee. Six (6) members of the Committee are appointed by the Governor; the remainder of the Committee is comprised of directors of Division of Community Correction (ACC), Arkansas Crime Information Center, and the ADC, or the designees of those respective directors. Committee members are not paid a salary. 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 members who are not state employees. Two do not ask for any compensation. Two submit a TR-1 to the ADC for reimbursement for the mileage incurred travelling to and from the SOAC meetings. ADC covers these expenses. Each could seek a \$75 per diem, but none do. The SOAC does not have any other expenditures.

## **SOCNA & SEX OFFENDER MANAGEMENT**

SOCNA began conducting assessments in the fall of 1999. As of June 30, 2021, the program has conducted approximately 17624 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 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 work to build a network of professionals 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 after care program and monitors 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. 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 Division of 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 can be notified 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**

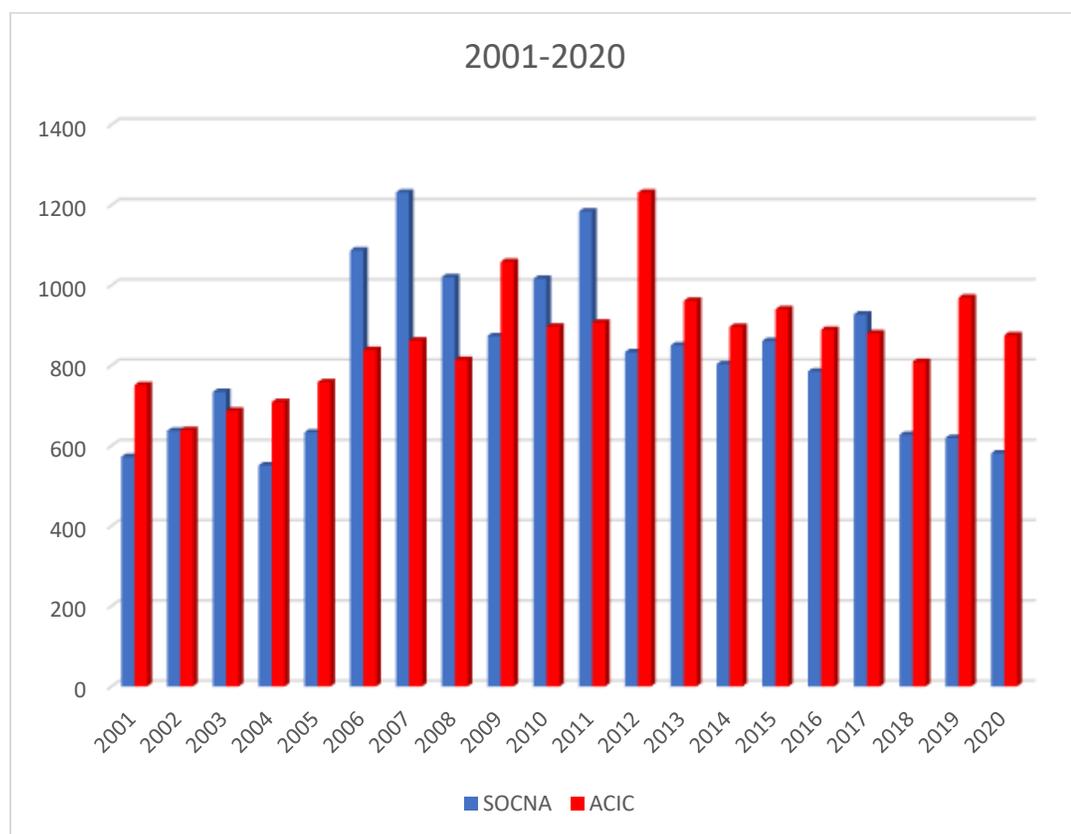
Since 2019, SOCNA hired 8 regional staff and placed them in offices around the state. The offices have been generously donated by local law enforcement offices and have not cost the ADC anything, beyond small office equipment and computer connectivity. Prior to COVID, this allowed SOCNA to schedule offenders 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. A few SOCNA regional staff also register sex offenders 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 and want to be a part of the SOCNA team. The use of regional staff has resulted in a positive impact on efficiency, productivity, morale, and relationships with local law enforcement.

Unfortunately, the global pandemic presented obstacles to safely interviewing sex offenders face to face. While trying to figure out the safest way to proceed, SOCNA continued to prepare for interviews and provided information to local law enforcement and the parole board, which included everything except the interview portion of the assessment. While it is true that the interview portion of the assessment is hugely important, SOCNA was committed to providing some information to those supervising sex offenders. As soon as it became clear that the pandemic would last much longer than anyone initially believed, SOCNA began to conduct phone interviews of offenders living

in the community. After months of trying to obtain the licenses for a video platform, SOCNA was finally successful and began to conduct video interviews of inmates.

## **ASSESSMENTS VS. NEWLY REGISTERED OFFENDERS**

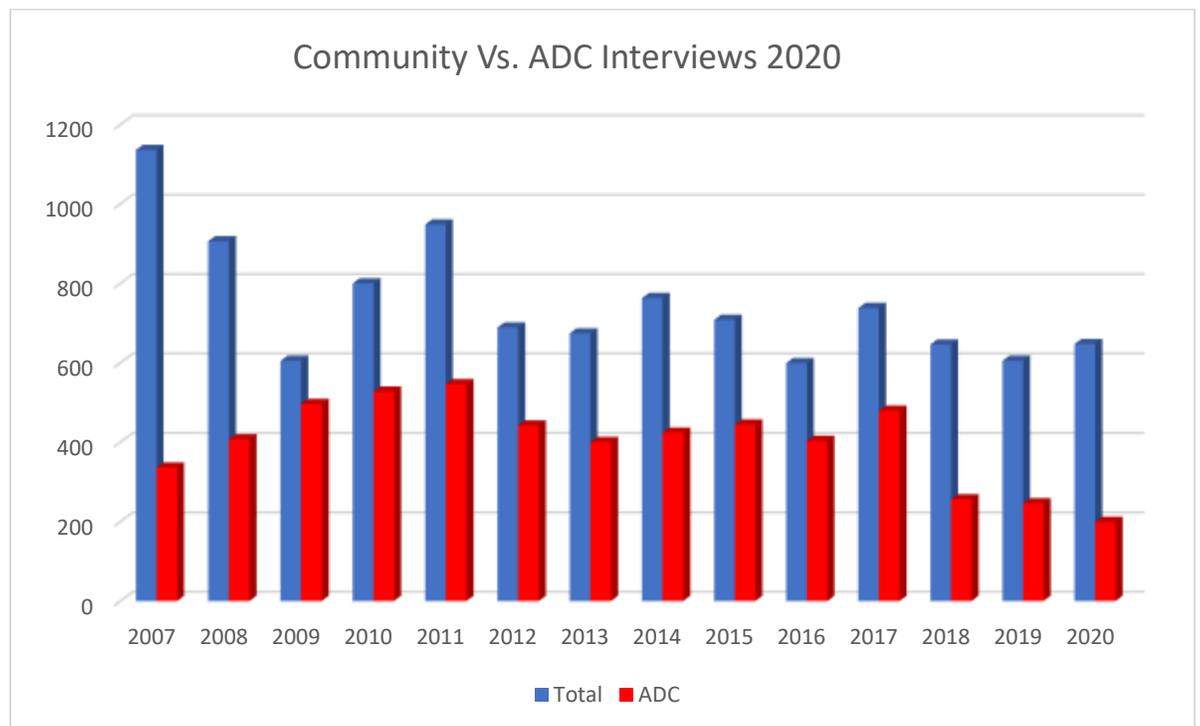
The chart below depicts the number of assessments completed by SOCNA per calendar year versus the number of newly registered sex offenders documented by the Arkansas Crime Information Center (ACIC).



## **COMMUNITY vs. ADC INTERVIEWS 2007-2020**

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 continues to make every effort to assess inmates prior to

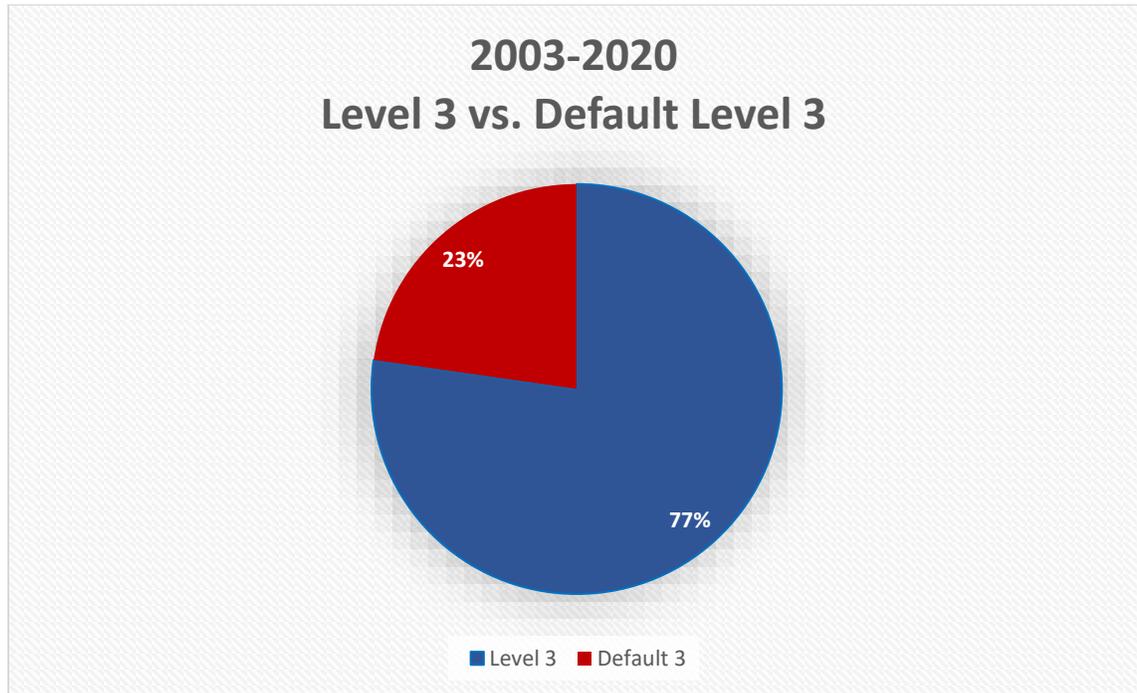
their Arkansas Parole Board hearing. Commissioners have indicated they find the thoroughness of the sex offender assessment helpful in their decision making. The information listed below reflects the number of assessments scheduled for offenders living in communities versus those scheduled for ADC inmates for 2007-2020.



### **LEVEL 3 VS DEFAULT LEVEL 3 by YEAR:**

Since 2007 there has been a significant drop in the number of offenders who default due to failure to comply with the assessment process. This is potentially a result of the passage of 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

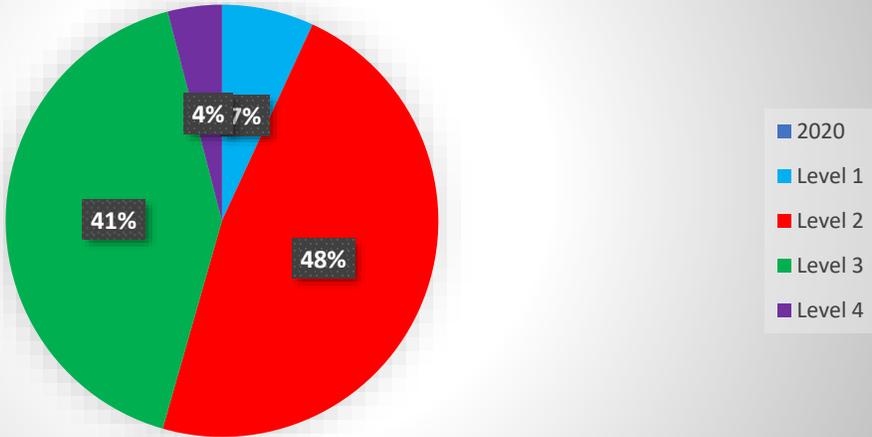
cooperate with the assessment process. Below is a graph indicating the number of Level 3 offenders versus the number of Default Level 3's per year from 2007-2020.



### **COMMUNITY NOTIFICATION LEVELS:**

The following graph indicates the Community Notification Levels assigned by SOCNA through 2020. The number of Default Level 3s (offenders who refuse to fully cooperate with SOCNA despite being informed that noncooperation is chargeable as a felony offense) are included in the total number of Level 3s.

# Community Notification Levels



## CONTACT INFORMATION

Further information is available from:

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