



**SEX OFFENDER COMMUNITY
NOTIFICATION ASSESSMENT**

P.O. BOX 6209

PINE BLUFF, AR 71611

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August 9, 2023

Governor Sarah Huckabee Sanders
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 Sanders and 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, 2023. 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,

Nicole Pugh, J.D.
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 2023

Director Dexter Payne, M.S. & Nicole Pugh, J.D.

08/09/2023

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, reviews cases in which offenders seek administrative review, and provides oversight to the Sex Offender Community Notification Assessment Program (SOCNA) which conducts all sex offender assessments for the State of Arkansas. The committee must also establish qualifications for SOCNA examiners and qualify examiners to prepare reports in accordance with the assessment protocol.

The Secretary of the Department of Corrections (DOC) or the Secretary's Designee serves as the executive secretary of the committee and the DOC performs all administrative

functions of the committee. 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 of the Division of Community Correction (ACC), the Arkansas Crime Information Center, and the Division of Correction (ADC) or their designees. Committee members are not paid a salary, but those who are not state employees are eligible to receive an \$85 stipend. 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 SOAC is comprised of state employees, who perform their duties on the committee as part of their employment at a state agency, as well as five (5) members who are not state employees. Members are eligible for mileage reimbursement for attending meetings, but a majority do not request reimbursement. During FY 2023, SOAC incurred \$288.84 in stipends and board member travel expenditures.

The SOAC functions as an administrative review body for offender appeals of assessment levels. During FY 2023, the SOAC heard seventeen (17) requests for Administrative Review and reviewed eighteen (18) cases presented for consideration as Level 4, Sexually Dangerous Persons. The committee also receives information about the adult assessment process from the Sex Offender Community Notification Assessment (SOCNA) and the juvenile assessment process from Family Treatment Program (FTP) 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. As of June 30, 2023, the SOCNA program has conducted approximately 19,128 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 charges, allegations, or convictions; documentation of any violent offenses; relevant research-derived actuarial instruments; an interview with the sex offender; and may include truth verification as to the existence of undisclosed victims. SOCNA's multifaceted assessment often exposes undetected victims for offenses that have evaded the criminal justice system as well as 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. 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.

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:

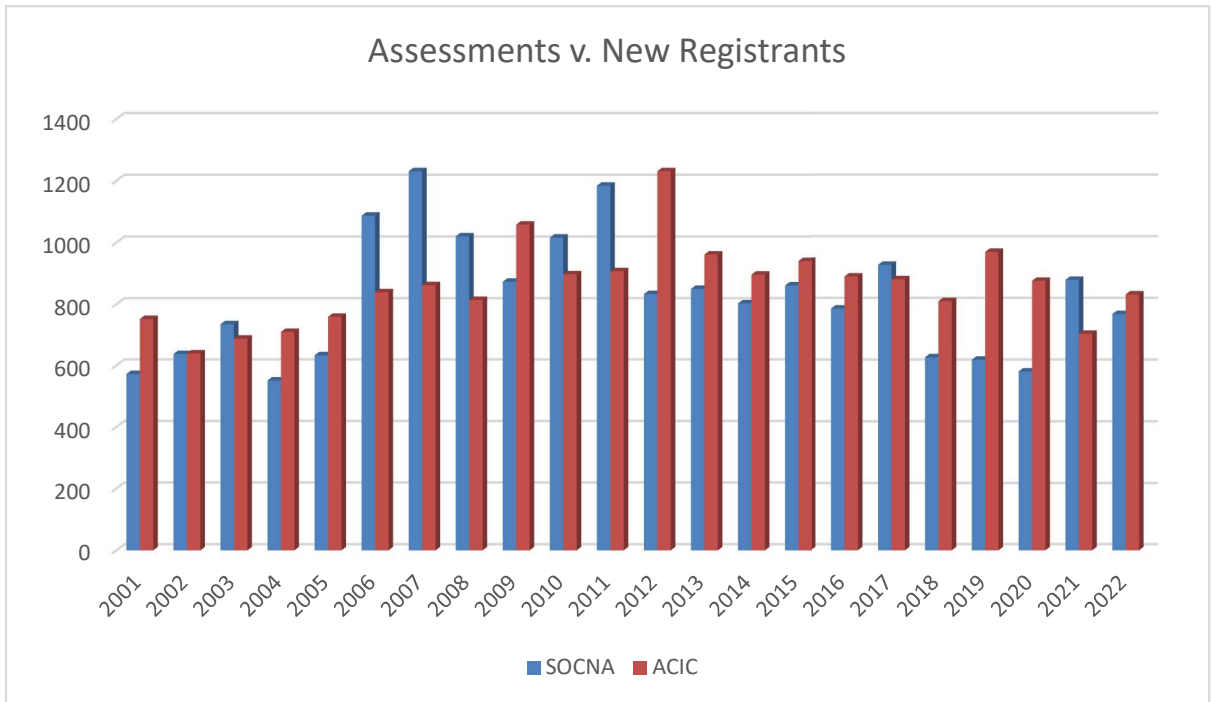
- The Division of Community Correction assigns parolees with a community notification Level 3 or 4 to an intensive aftercare program and supervises offenders closely.
- State law places residency and employment restrictions on Level 3 and 4 sex offenders.
- The Parole Board uses the information when 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.

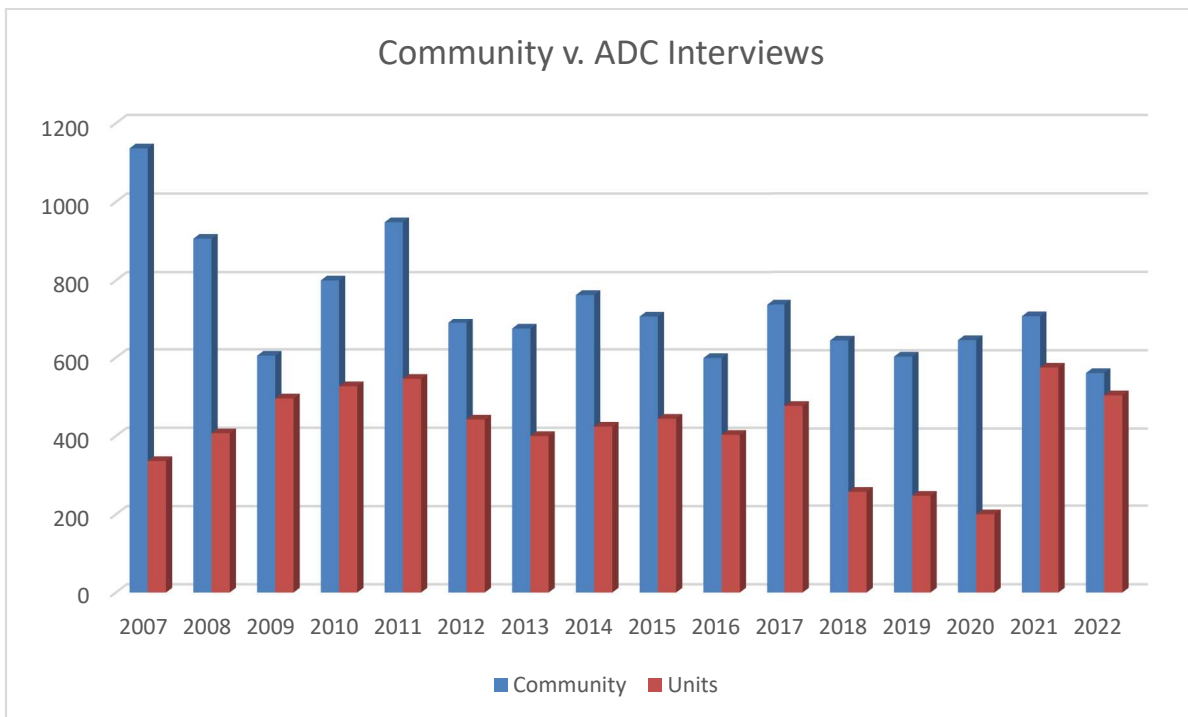
ASSESSMENTS vs. NEWLY REGISTERED OFFENDERS

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 2007-2022

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. Members of the Parole Board 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 2007-2022.



COMMUNITY NOTIFICATION LEVELS

The following graph indicates the Community Notification Levels assigned by SOCNA for the 2022 calendar year. The number of Default Level 3 offenders 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. To request additional information, contact:

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