

**SEX OFFENDER COMMUNITY
NOTIFICATION ASSESSMENT**

P.O. BOX 6209

PINE BLUFF, AR 71611

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July 22, 2024

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) must 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, 2024. 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 (SOCNA), 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 2024

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

07/11/2024

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 evaluates 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 that the administrative functions of the committee shall be the responsibility of the DOC. The SOAC is a 9- member committee with six (6) members of the committee 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). 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.

Committee members are not paid a salary. Four (4) members of the SOAC are state employees who perform their duties on the SOAC on a voluntary basis or as part of their job duties at their respective state agencies. There are five (5) members who are not state employees. Members may seek compensation for mileage incurred travelling to and from the SOAC meetings. The ADC covers these expenses. Each member could seek a \$75 per diem, but none of the current members do. During the 2024 fiscal year, SOAC spent \$203.84 toward board member travel expenditures.

SOAC reviewed six (6) cases presented for consideration as Sexually Dangerous Persons and twenty-two (22) requests for Administrative Review. The Committee also received during regular meetings information about the adult and juvenile assessment processes from SOCNA and University of Arkansas School for Medical Sciences Family Treatment Program (FTP) staff, respectively.

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 assessment

process to remain in compliance with best practices, to comply with changes made by the General Assembly, to increase efficiency, and to refine the individualized assessment process.

Arkansas is committed to conducting individualized community notification, as is considered best practice, and to providing local law enforcement agencies with accurate information to help community members protect themselves from future victimization. SOCNA's assessment process involves an extensive search for criminal history documentation on all arrests, allegations, and convictions involving sexual offenses, offenses involving violence, relevant research-derived actuarial instruments, an interview with the sex offender, relevant treatment records, and truth verification techniques, when necessary. SOCNA's multifaceted assessment process 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, method offender uses to gain access to victims, relationship status (whether the 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. This is due to the risk of over-saturating

the public with information on all sex offenders thus making it more difficult to recognize the most dangerous offenders.

Arkansas continues to build a network of professionals, including law enforcement officials and others in sex offender management, who subscribe to 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 to 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, public protection hinges on Arkansas’ ability to identify offenders in need of the most resources. 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 while making judicious use of limited resources.

Assessment information was originally intended to help local law enforcement agencies determine the appropriate levels of community notification. That remains the primary goal of the SOCNA assessment, however, assessment information influences other areas as well:

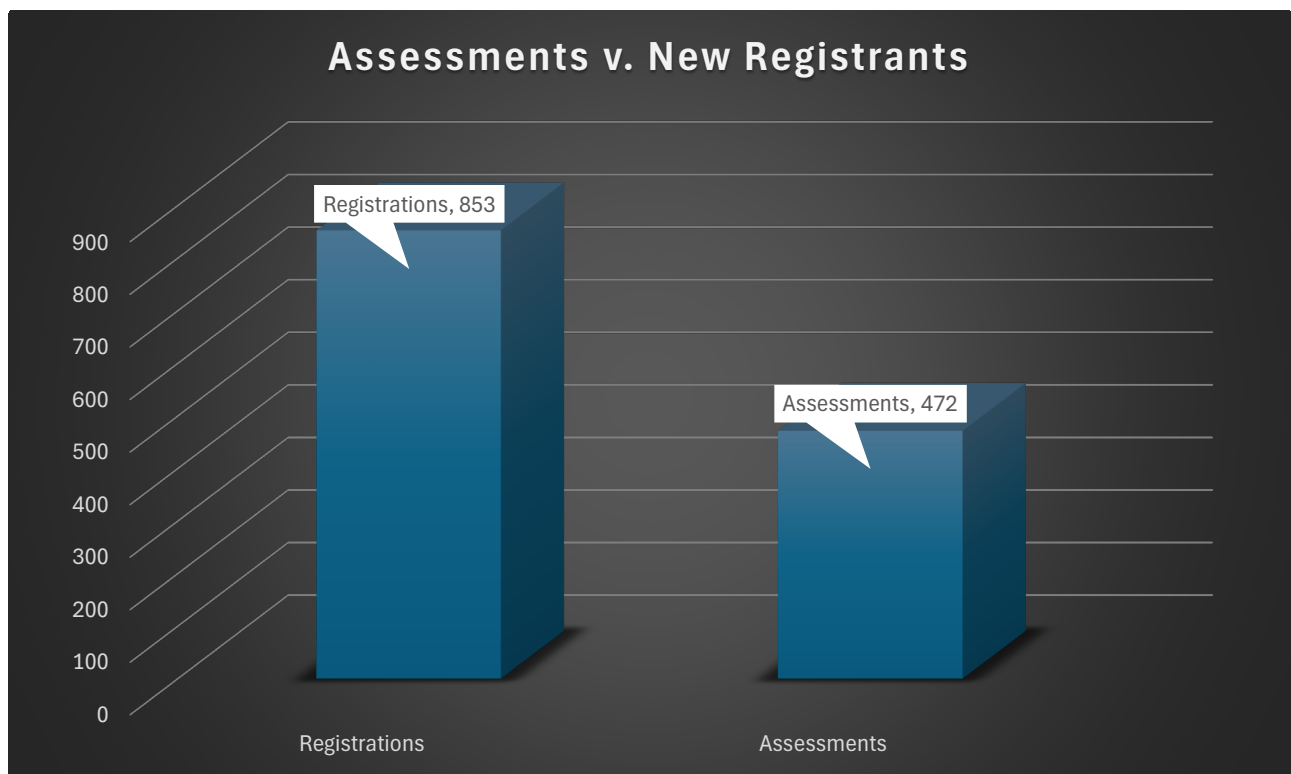
- State law places residency and employment restrictions on Level 3 and 4 sex offenders.
- Local law enforcement must notify state licensing boards of offenders assigned Level 2 and above.

- ACC supervises offenders closely and assigns parolees with a community notification Level 3 or 4 to an intensive aftercare program.
- The Arkansas Post-Prison Transfer Board uses the information when making parole decisions and treatment recommendations.
- Treatment providers may be given assessment information upon request to help inform treatment and rehabilitation decisions.
- Federal probation officers use the information to manage sex offenders under federal supervision.
- Local law enforcement agencies and prosecutors may use assessment information to help identify suspects when new sex crimes are reported and when making sentencing recommendations.
- The Department of Human Services and the Arkansas State Police 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.

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.

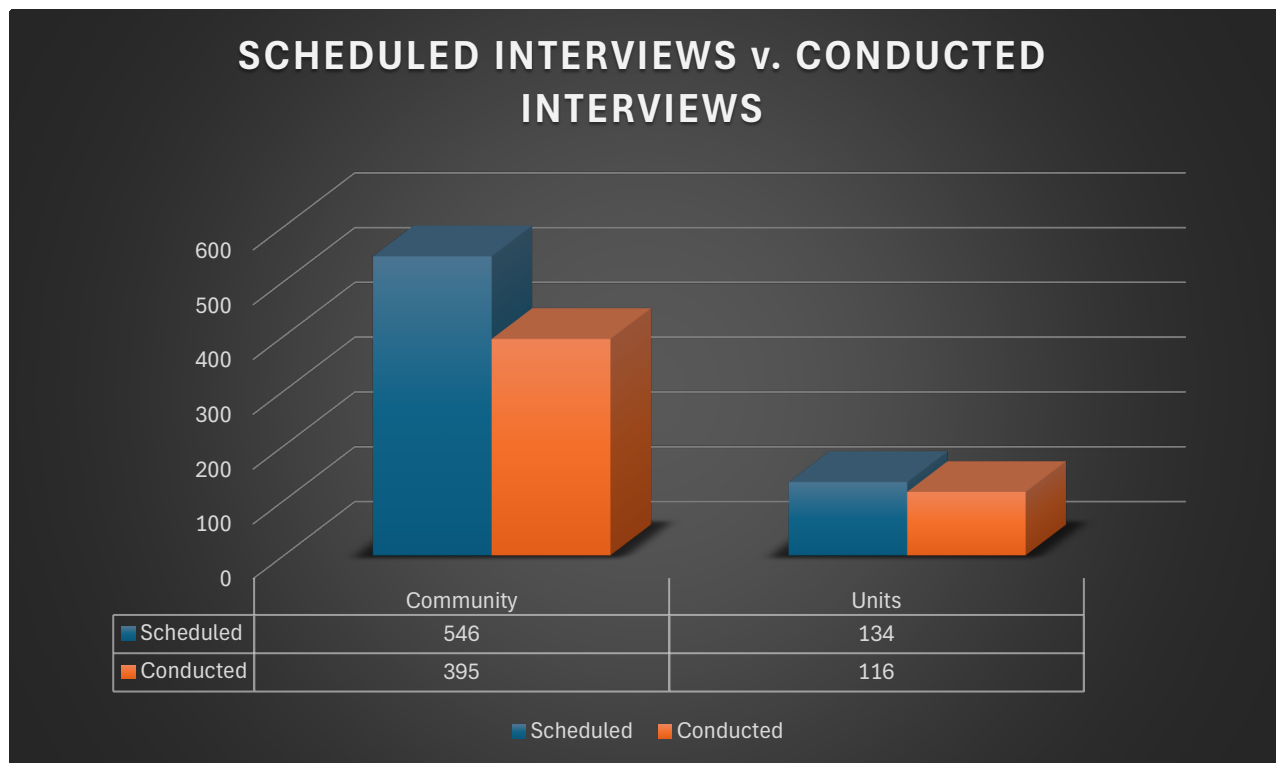
ASSESSMENTS vs. NEWLY REGISTERED OFFENDERS

SOCNA collected criminal history information in 775 assessment files during the fiscal year. The chart below depicts the number of assessments completed by SOCNA versus the number of newly registered sex offenders documented by the Arkansas Crime Information Center (ACIC).



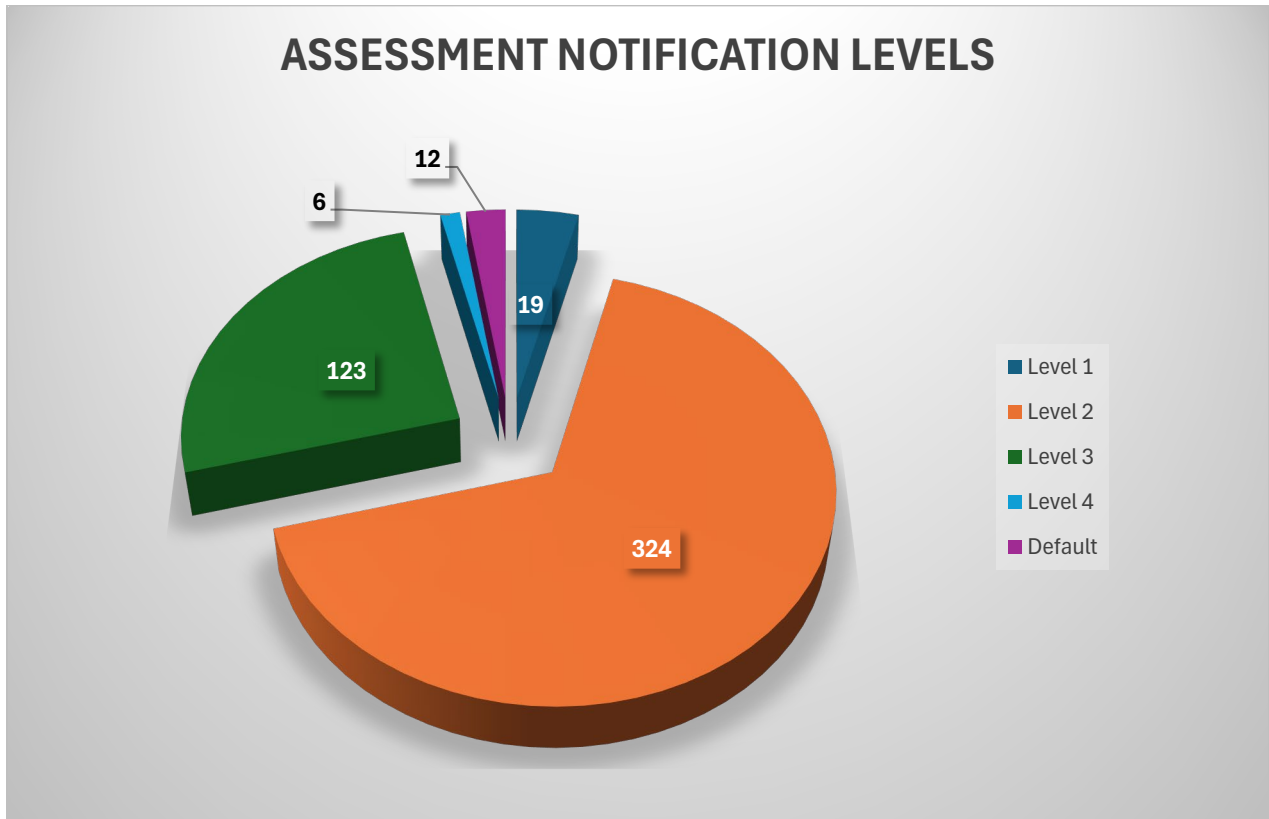
COMMUNITY vs. ADC INTERVIEWS

Because victim accessibility is of utmost concern, 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. With this in mind, SOCNA schedules inmates prior to their transfer eligibility dates with rare exceptions. The data below reflects the number of assessments scheduled for offenders living in communities versus those scheduled for ADC inmates.



COMMUNITY NOTIFICATION LEVELS

The following graph indicates the Community Notification Levels assigned by SOCNA during the fiscal year.



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:

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