



BACKGROUND MATERIAL

March 23, 2026

WRITTEN PUBLIC COMMENTS

Ashlesha Naik

From: Department of Public Safety <do_not_reply@azdps.gov>
Sent: Friday, March 20, 2026 4:53 PM
To: Arizona Sex Offender Management Board
Subject: Webform submission from: SOMB Call to the Public - Written Public Comment

Categories: Background Material for Board Packet

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Arizona Department of Public Safety

2222 W. Encanto Blvd.
Phoenix, AZ 85009

Submitted on Fri, 03/20/2026 - 16:52

Submitted by: Anonymous

Submitted values are:

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Lauren

Email Address

What part of the agenda does your written comment relate to?

An item on the Consent or General Session portion of the agenda.

Please provide your written comment in the field below.

A Proposal for Modernizing Arizona's Sex Offender Registry and Risk Assessment System

Prepared for Submission to the Arizona Sex Offender Management Board

This proposal draws from both direct personal experience and recent investigative findings to advocate for essential reforms to Arizona's sex offender registry and risk assessment system. It is written from the perspective of a community member with a background in social science and education. Upon encountering this system firsthand, I undertook a thorough review of available research, media investigations, and legislative precedent. What follows reflects that inquiry.

Part 1: Personal Experience

Early last year, I discovered that a convicted child sex offender resides in my neighborhood. His offenses, Class 3 Felony attempted sexual conduct with a minor and attempted child sex trafficking, are both classified as Dangerous Crimes Against Children (DCAC) under Arizona law. Despite this, he was assigned a Level 1 classification, the lowest risk designation, at his 2023 sentencing. As a result, no community notification was issued. His residence directly abuts a public high school. Neither the school nor the surrounding neighborhood was informed.

This discovery prompted me to examine the classification process in detail. What I encountered was not a transparent, evidence-based system, but one that proved difficult to understand, difficult to reconcile with the gravity of the underlying offense, and difficult to navigate as an ordinary community member. The experience raised serious questions about whether Arizona's current framework reliably reflects actual risk, and whether the communities it is meant to protect are being adequately informed.

Part 2: Investigative Findings

1. Gender Bias in Risk Assessment

A 2023 investigation by 12News (KPNX Phoenix) found that Arizona's risk assessment instrument assigns zero risk points when the victim is female, regardless of the offender's history or conduct. This means that an offender whose crimes targeted girls, including child victims, may receive a significantly lower classification score than an otherwise identical offender whose victim was male. The practical effect is that the gender of a victim can neutralize what should otherwise be high-risk indicators.

There is no credible scientific basis for this practice. Research consistently finds that victim gender is not a reliable predictor of recidivism in the direction Arizona's tool assumes. The STATIC-99R, one of the most widely validated actuarial tools in sex offender risk assessment, does not treat female victims as a risk-reducing factor in the manner Arizona's instrument apparently does. When a classification tool systematically assigns lower risk to offenders who victimize girls, it creates a structural blind spot that may place communities at greater danger while undermining the credibility of the entire system.

2. Age-Based Risk Downgrading

Arizona's assessment practices appear to assign reduced risk to offenders who are older at the time of conviction, based on an assumption that aging diminishes both sexual drive and opportunity to reoffend. This assumption is frequently contradicted by the research literature.

A seminal study by Hanson (2002) found that offenders convicted later in life are, in a substantial proportion of cases, long-time offenders who evaded detection for years rather than true late-onset cases. One analysis identified an average gap of approximately 7.5 years between first known offense and first conviction. An older conviction date, in other words, does not necessarily indicate a shorter or less serious offense history; it may instead reflect delayed detection.

In addition, the widespread availability and use of erectile dysfunction medications complicates long-standing assumptions about reduced sexual capability with age. Data from the National Institutes of Health indicates that treatment for erectile dysfunction is common among older men, suggesting that physiological limitations alone are not a reliable proxy for reduced risk. These developments make age-based assumptions about diminished capacity increasingly outdated.

Risk assessments should not automatically downgrade classifications based solely on age at conviction. Behavioral history, grooming patterns, access to vulnerable populations, and psychological risk factors are more reliable and empirically supported indicators of ongoing risk.

3. Inconsistent Classification Across Jurisdictions

While Arizona maintains a centralized sex offender registry, classification decisions are carried out at the local level, and there is evidence of meaningful variability in how risk assessment instruments are applied from one jurisdiction to the next. A 2022 federal review of state assessment practices noted that Arizona's process differs from most states in a key respect: although the Department of Corrections administers the underlying assessment, local law enforcement agencies make the final determination of an offender's risk level. This structure introduces an additional layer of discretion that can lead to inconsistent outcomes across jurisdictions.

That same body of research also highlights concerns about the underlying instrument itself. Arizona's checklist has not been substantially updated in many years, and earlier surveys of practitioners found that a significant portion reported difficulty completing it. Taken together, these issues raise concerns about both the consistency of application and the usability of the tool.

These observations are consistent with reporting by the Arizona Agenda, which has described broader challenges with how the state's registry system functions in practice, including fragmentation in implementation and difficulty for the public in accessing clear, actionable information.

As seen in other states undergoing reform, including reporting cited by CNY Central, inconsistent classification practices can result in similarly situated offenders receiving different risk levels depending on geography. This undermines both fairness and public confidence. This disparity in treatment seems to violate due process. Additionally, the classification cannot be said to be measuring risk objectively. A classification system should measure risk, not reflect administrative variation.

Part 3: Comparative Case

New York provides a relevant and instructive example of how a state can respond to these same failures. Following the reoffense of a Level 1 sex offender with documented predatory behaviors that should have supported a higher classification, New York lawmakers introduced legislation to strengthen the scientific foundation and oversight of its classification system. The resulting reforms, reported by CNY Central, include:

- Requiring that the risk assessment instrument be empirically validated using research demonstrating predictive accuracy
- Mandating review and updating of the instrument at least every five years
- Convening a multidisciplinary panel of public safety, mental health, and corrections experts
- Establishing a statewide recidivism database to track outcomes over time
- Conducting retroactive predictive effectiveness studies comparing classification levels with actual reoffense rates
- Requiring regular reporting to lawmakers to ensure transparency and continuous improvement

These reforms do not simply increase punishment. They improve accuracy. Arizona should pursue the same goal: a system that reflects current research, is validated against real-world outcomes, and earns the confidence of both policymakers and the communities it is designed to protect.

Part 4: Proposed Reforms for Arizona

Drawing from the above experience, findings, and legislative models, I respectfully submit the following proposals for consideration by the Arizona Sex Offender Management Board and the Legislature.

Proposal 1: Eliminate Victim Gender Bias and Age-Based Risk Downgrading; Modernize the Risk Assessment Instrument

- Require the use of a validated, evidence-based risk assessment instrument that does not treat victim gender as a risk-reducing factor.
- Explicitly prohibit automatic score reductions based solely on offender age at conviction.
- Require that the instrument distinguish empirically between true late-onset offenders and long-term offenders who were detected later in their offense histories.
- Incorporate a comprehensive range of risk indicators, including prior criminal history, patterns of deviant, grooming conduct, psychological risk factors, any admissions of prior uncharged conduct, and proximity to schools or locations frequently accessed by children.

Proposal 2: Mandate Regular Review and Scientific Validation

- Require that Arizona's risk assessment instrument be formally re-evaluated and updated at minimum every five years.
- Establish a multidisciplinary scientific advisory panel including representatives from the Department of Public Safety, Department of Corrections, behavioral health, statistics, and victim advocacy.
- Conduct periodic retrospective studies comparing classification levels against actual recidivism outcomes, following the model of Hanson & Morton-Bourgon's meta-analytic work on sex offender risk factor predictive validity.
- Provide formal annual or biennial reporting to the Legislature on instrument performance and classification outcomes.

Proposal 3: Create a Statewide Recidivism Database

- Direct the Arizona Department of Public Safety to develop and maintain a comprehensive statewide database tracking recidivism outcomes among classified sex offenders.
- Use this database to measure the predictive validity of the current instrument and to guide future refinements.
- Publish anonymized summary findings regularly to enable public accountability and independent research.

Proposal 4: Mandate Reassessment of Level 1 Offenders Convicted of Dangerous Crimes Against Children

In light of updates enacted during the 56th Legislature (2nd Regular Session, Chapter 57), local jurisdictions should be required to:

- Reassess all Level 1 offenders with DCAC convictions to confirm their classifications reflect current statutory standards and legislative intent.
- Determine whether updated law now requires community notification for any such offenders.
- Issue appropriate community notification where mandated under current law.

This reassessment ensures that individuals classified under prior standards are evaluated consistently with more recent legislative direction, and that affected communities receive the notifications they are entitled to.

Proposal 5: Establish Transparency and Accountability Mechanisms

- Create an independent oversight body with authority to audit classification decisions on an annual basis.
- Require annual public reporting on classification accuracy rates, reassessment outcomes, and recidivism findings.
- Establish a formal petition process through which victims, family members, and community members may request review of a classification when credible evidence suggests the offender's full behavioral history was not adequately considered.
- Provide structured review procedures with the authority to amend classifications where the evidence supports doing so.

Conclusion

Arizona's current sex offender classification system contains documented structural flaws: victim gender bias, age-based risk assumptions that are increasingly inconsistent with research, uneven local implementation, and limited external oversight. Together, these issues create conditions where risk may be underestimated and community awareness may fall short of legislative intent.

By eliminating gender bias, correcting unsupported age-based assumptions, mandating reassessment of Level 1 DCAC offenders, and adopting a more data-driven and validated approach, Arizona can move toward a classification system that is more accurate, more consistent, and more transparent.

This proposal is not about punishment. It is about accuracy and fairness, both to the victims and the offenders. The communities Arizona's registry is designed to protect deserve a system that reflects what the evidence actually shows about risk and that provides clear, reliable information to support public safety.

Safeguarding children, empowering communities, and reinforcing public trust in our justice system should remain the central commitments of Arizona's sex offender management policies.

Key References

The following sources informed this proposal and are hyperlinked throughout the document where relevant:

1. 12News (KPNX Phoenix): Arizona Sex Offender Risk Tool and Female Victims (2023).
<https://www.12news.com/article/news/investigations/arizona-sex-offenders-are-considered-a-lower-risk-if-their-victim-is-a-girl/75-128539cf-414c-46f0-9d03-6499184bae5c>
2. STATIC-99R Risk Assessment Instrument (official documentation) <https://www.rimas.qc.ca/wp-content/uploads/2023/01/Helmus-et-al.-2022-Revue-Statique-99R.pdf>
3. Hanson, R. K. (2002). Recidivism and age: Follow-up data from 4,673 sexual offenders. *Journal of Interpersonal Violence*, 17(10), 1046–1062. <https://doi.org/10.1177/107906320201400203>
4. Hanson, R. K., & Morton-Bourgon, K. E. (2005). The characteristics of persistent sexual offenders: A meta-analysis of recidivism studies. *Journal of Abnormal Psychology*, 114(4), 674–689. <https://doi.org/10.1037/0021-843X.114.4.674>
5. National Institutes of Health: Erectile Dysfunction Prevalence and Treatment in Aging Men.
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1476110/>
6. CNY Central: Syracuse lawmaker pushing for changes to strengthen NY's sex offender laws.
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7. Arizona Agenda: Arizona has a registry problem. <https://www.arizonaagenda.com/p/arizona-has-a-registry-problem>

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Three small red 'x' icons are visible at the bottom of the graphic.

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Submitted by: Anonymous

Submitted values are:

Your Name

Lauren

Email Address

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Resubmitting as it is unclear whether a previous submission was processed.

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