

NOTICE OF PUBLIC MEETING ARIZONA SEX OFFENDER MANAGEMENT BOARD

Pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.02, notice is hereby given to the members of the **Arizona Sex Offender Management Board** (the “Board”) and to the general public that the Board will hold a meeting, open to the public, on **March 23, 2026**.

The **March 23, 2026**, Board meeting will be a hybrid-access meeting. This means that the public has the opportunity to participate in person or virtually. Information on how the public may attend is outlined below.

Please note the location of the **March 23, 2026**, Board meeting:

Arizona State Capitol
1700 West Washington Street (Second Floor Conference Room)
Phoenix, Arizona

Virtual Meeting Access: Microsoft Teams Meeting: [Join](https://teams.microsoft.com/join/27631243846695?p=dkDMzjRn6dxCET94NF)
<https://teams.microsoft.com/meet/27631243846695?p=dkDMzjRn6dxCET94NF>
Meeting ID: 276 312 438 466 95
Passcode: 64wz7da2
Dial in by phone: +1 480-536-7328
Phone conference ID: 486 483 799#

The boardroom will be open to members of the public at 1:15 p.m.

A copy of the meeting agenda is attached. The Board reserves the right to change the order of items on the agenda. One or more members of the Board may participate virtually.

Pursuant to A.R.S. § 38-431.02(H), the Board may discuss and take action concerning any matter listed on the agenda.

Pursuant to A.R.S. § 38-431.03(A)(2), the Board may vote to convene in executive session, which will not be open to the public, for discussion or consideration of records exempt by law from public inspection.

Pursuant to A.R.S. § 38-431.03(A)(3), the Board may vote to convene in executive session, which will not be open to the public, for legal consultation and advice concerning any item on the agenda.

Persons with a disability may request reasonable accommodation, such as a sign language interpreter, by contacting Ms. Ashlesha Naik at 602-223-2611 or via email at AZSOMB@AZDPS.GOV. Requests should be made as early as possible to allow time to arrange the accommodation(s).

The **March 23, 2026**, Board meeting will be a hybrid-access meeting. Please see below on how to access the meeting and provide public comment on agenda items, regardless of the chosen access method.

To access the Board meeting virtually:

To watch the Board meeting via computer or a smartphone with a data plan:

- Click: [Join](#) OR
- Click on the following link:
<https://teams.microsoft.com/meet/27631243846695?p=dkDMzjRn6dxCET94NF> OR
- Open a web browser on your device (Google Chrome, Safari, Internet Explorer, Firefox). Then, type or copy the above link into the address or search bar on your browser and press “Enter”.

Procedures for Submitting a Request to Speak Form (Please read through each option carefully):

Public comments for the meeting will be accepted in written form or verbally during the meeting.

- **Written Public Comments:**

- Written comments for the meeting will be accepted by:
 - Submitting a written public comment form available at:
<https://www.azdps.gov/form/somb-call-to-the-public-written->
 - USPS to Arizona Department of Public Safety/AZSOMB P.O. Box 6488 Mail Drop 3230, Phoenix, AZ 85005. Please note that USPS mail takes time to be delivered. Please plan accordingly to ensure that the Board receives the written public comment by the deadline for the Board to receive a written comment set forth below.
- **The deadline for the Board to receive a written comment is Friday, March 20, at 5 p.m.** Written comments received after the deadline, including those that are mailed but not received by staff, will not be posted and will not be provided to members.
- Written comments will not be read into the record; however, staff will post all written comments received by the deadline on the Board’s agenda by the deadline for the Board to receive a written comment set forth above.

- **Virtual Verbal Public Comments.** A virtual public comment is a public comment provided during the meeting via Microsoft Teams and wherein the person giving the public comment is not physically in person during the regular Board meeting:

- Individuals planning to submit a virtual public comment **must submit a** request to speak form available at <https://www.azdps.gov/form/somb-call-to-the-public-inperson> to provide a virtual verbal public comment at the meeting during the Call to the Public agenda item.
- **The deadline to submit a request to speak form to provide a virtual verbal comment is Monday, March 23 at 10 a.m.**
- During the Call to the Public agenda item, those who submitted a request to speak form will be called on to speak virtually. The name in which you submit the form **MUST** match the name on the account when signing into the meeting to speak.

Prior to the meeting, you may need to download the Microsoft Teams application to your device and create an account to ensure name matching. Individuals who submit the form after the deadline on **Monday, March 23 at 10 a.m.** will not be provided the opportunity to give virtual verbal public comment at the meeting.

- **In-Person Verbal Comments.** Individuals attending the Board meeting in person may provide a verbal public comment during the Call to the Public agenda item.
 - A person who wishes to provide a verbal public comment in-person must complete and submit a request to speak form available at <https://www.azdps.gov/form/somb-call-to-the-public-inperson> to Board staff prior to the start of the meeting. The request to speak form informs Board staff that you will be present in person at the meeting to provide your public comment.
 - The Board asks that request to speak forms be completed and submitted prior to the day of the meeting. The form, however, will also be available to complete and submit to Board staff at the meeting. Individuals who submit a request to speak form after the start of the meeting will not be provided the opportunity to speak.
 - Staff will not switch your registration to virtual if you fail to attend the meeting in person.

All Public Comments

- All Board policies in regard to public comment at in-person meetings are transferable to virtual verbal public comment for meetings.
- Both virtual and in-person verbal public comment will be limited to three minutes by the Board Chair, unless the time limit is adjusted by the Board Chair, at the start of the meeting.
- If submitting a request to speak form, Board staff will call on you to speak during the Call to the Public agenda item. Board staff will only call speakers one time. If a speaker is not ready and available to comment at that time, staff will move on to the next speaker. If you miss your turn, Board staff will attempt again at the end of the list. The order in which names are called will be in the order in which the registrations are received.
- Before beginning your public comment, please state your name and organization (if applicable) for the record.
- If you need assistance with submitting a request to speak form, submitting a written public comment or registering for an in-person or virtual public comment, please contact the Board's office at (602) 223-2611 and a staff member will assist you.

DATED AND POSTED this 18th Day of March, 2026.

By Jenna G. Mitchell

Major Jenna G. Mitchell
AZSOMB Program Manager

ARIZONA SEX OFFENDER MANAGEMENT BOARD
Monday, March 23, 2026
Regular Session

1:30 PM

ALL ITEMS ON THIS AGENDA ARE OPEN FOR DISCUSSION AND POSSIBLE ACTION, INCLUDING REPORTS AND ACTION ITEMS.

THE AGENDA AND BACKGROUND MATERIAL ARE PROVIDED TO BOARD MEMBERS ELECTRONICALLY (WITH THE EXCEPTION OF MATERIAL RELATING TO POSSIBLE EXECUTIVE SESSIONS) AND POSTED ON THE ARIZONA PUBLIC MEETING WEBSITE AT <https://publicmeetings.az.gov/>. ADDITIONALLY, A HARD COPY OF THE AGENDA IS AVAILABLE AT 2222 WEST ENCANTO BLVD., PHOENIX, AZ. PLEASE EMAIL AZSOMB@AZDPS.GOV TO INSPECT THE DOCUMENTS.

REMINDER: As required by Open Meeting Law, please refrain from engaging in conversations, texts, emails and other forms of communication with individual board members. All questions, comments, deliberations and decisions should be stated to the public body as a whole in open session.

1. ROLL CALL

- 2. CALL TO THE PUBLIC** — This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.

- a. Review of Written Public Comments Received
- b. Other Public Comments

3. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

- a. Statement from Chairwoman Goulden – Documents Sent to the Legislature by Members of the Public
- b. Old Business
 - 1. Update on Letters of Opposition to SB1829, HB2870, and HB2966
 - 2. Update By Laws V4 (03.17.2026)
 - 3. Update on the Validation Study of the Current Community Notification Assessment
 - 4. Presentation from Mr. Anthony Davis – Legislative Review & Voting Procedure
- c. Subcommittee Reports
- d. Discussion on Establishing a Request To Speak (RTS) Account with the Arizona Legislature for the AZSOMB

- e. Pending Legislation:
 - 1. SB1092
 - 2. SB1239
 - 3. SB1240
 - 4. SB1585
- f. Overview of Sex Offender Registration in Arizona – Presentation
- g. Call for Future Agenda Items (Deadline April 15, 2026 @ Noon)

4. THE BOARD MAY VOTE TO CONVENE AND ENTER INTO AN EXECUTIVE SESSION FOR ANY REASON AUTHORIZED BY A.R.S. § 38-431.03 including personnel matters, confidential records, legal advice, litigation, contract negotiations, employee salary discussions, and international or tribal negotiations. (To do so, the public body must first vote publicly to enter executive session, specifying the reason, and no legal action or final decisions can be made during the session. All motions and voting must be conducted after return to the public session.)

5. ADJOURNMENT

NEXT MEETING:

Arizona Sex Offender Management Board
April 20, 2026 1:30 p.m. – 5 p.m.
Arizona State Capitol
Second Floor Conference Room
1700 West Washington Street
Phoenix, Arizona 85007



BACKGROUND MATERIAL

March 23, 2026



BACKGROUND MATERIAL

March 23, 2026

WRITTEN PUBLIC COMMENTS

Ashlesha Naik

From: Department of Public Safety <do_not_reply@azdps.gov>
Sent: Friday, February 20, 2026 7:42 PM
To: Arizona Sex Offender Management Board
Subject: Webform submission from: SOMB Call to the Public - Written Public Comment

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Background Material for Board Packet

Caution: The following message contains information provided by an anonymous user through an online form. Please treat the below message with caution, avoid clicking links, downloading attachments, or replying with personal information.



Arizona Department of Public Safety

2222 W. Encanto Blvd.
Phoenix, AZ 85009

Submitted on Fri, 02/20/2026 - 19:42

Submitted by: Anonymous

Submitted values are:

Your Name

Freddie

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.

I would just like to say that as a Mother of a Sex Offender who's crime was now over 41 years ago and has never offended again pay his dues to society by being labeled as a Pedifile. I don't think all Sex Offenders should be put in the Category. The Child Molesters, Pedifiles should be on one list and the Sex Offenders another. The Sex Offenders get a bad wrap because they are included with them. Looks to me there would be a way you could sort them out into two or three categories. Also i don't think Females should be Probation Officers for Sex Offenders. Men should be assigned to men and Women assigned to women. Too many times my Son has had a female and they ask in appreciate questions to that person in front of their family . There are some thing that need to be looked at and change for Sex Offenders. They are still Human Beings afterall . Thank you

I understand this notice

YES, I Understand this Notice

Arizona Department of Public Safety

2222 W. Encanto Blvd.
Phoenix, AZ 85009

(602) 223-2000

<https://www.azdps.gov/>



Ashlesha Naik

From: Department of Public Safety <do_not_reply@azdps.gov>
Sent: Monday, February 23, 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

Caution: The following message contains information provided by an anonymous user through an online form. Please treat the below message with caution, avoid clicking links, downloading attachments, or replying with personal information.



Arizona Department of Public Safety
2222 W. Encanto Blvd.
Phoenix, AZ 85009

Submitted on Mon, 02/23/2026 - 16:52

Submitted by: Anonymous

Submitted values are:

Your Name

Patricia Borden

Email Address

contact@azrsol.org

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.

Good afternoon. I'm Patricia Borden, Founder and Executive Director of Arizonans for Rational Sex Offense Laws.

We share the same values as this board — public safety, preventing sexual offenses, and evidence-based policy. It is in that spirit that we are here today.

We want to bring something to this board's attention. SB1585 was heard before the Senate Judiciary Committee on February 18th. It is not on your agenda today, and yet this legislation falls squarely within your mission.

We believe it is important for this board to know that at that hearing, testimony was given in support of SB1585. However, over 20 people registered their opposition through the Request to Speak system. The public spoke clearly. This board deserves to know that — and deserves the opportunity to formally weigh in through your own established process before this bill moves any further.

Senators on the committee also raised questions about whether this board had officially reviewed SB1585. That is a fair question. And the answer is that you have not had that opportunity.

We also ask — this board already receives \$400,000 in annual appropriations. What is the justification for an additional \$200,000 surcharge fund collected through court-ordered fees on individuals? Several other states fund their Sex Offender Management Boards entirely through public appropriations. That question deserves a formal answer from this board as well.

We are asking you today to write to the legislature and the Governor requesting that SB1585 be held until this board has formally reviewed it and provided your official recommendation through your established process.

The public has weighed in. Now it is you

Thank you

2/23/26

I understand this notice

YES, I Understand this Notice

<p>Arizona Department of Public Safety 2222 W. Encanto Blvd. Phoenix, AZ 85009</p> <p>(602) 223-2000</p> <p>https://www.azdps.gov/</p>	
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Ashlesha Naik

From: Dustin . < >
Sent: Tuesday, February 24, 2026 2:08 AM
To: Arizona Sex Offender Management Board
Subject: Thank You for Your Thoughtful Leadership on Probation Reform – February 23 Meeting

Categories: Background Material for Board Packet

Chairwoman Beth Goulden, Vice Chairwoman Brecken Blades, and Members of the Board,

I am writing to express my appreciation for the professionalism, seriousness, and care you demonstrated during today's public board meeting. As a member of the public in attendance, I was impressed by the thoughtful and pragmatic approach the Board took during the discussion periods.

I was particularly encouraged by the Board's decision to draft a letter expressing opposition to proposed legislation, as currently drafted, relating to two specific legislative trends:

- The proposal to permanently eliminate early termination of lifetime probation. I appreciated the Board's sober questions regarding the potential impact on long-term supervision and offender rehabilitation.
- The proposal to limit the number of registered offenders living in a single residence. The Board's concerns regarding housing practicality and the risks associated with displacement were both insightful and encouraging.

By taking this official stance, the Board is establishing itself as a grounded, expert voice on the issues it is charged with attending to. It is reassuring to see a public body prioritize evidence-based management over broad-stroke legislation.

This is the kind of thoughtful governance that builds public trust, and I wanted to ensure the Board members knew that this approach was noticed and appreciated.

Thank you for your commitment to a careful and deliberative public process on complex and sensitive issues.

Respectfully,

Dustin

Phoenix, AZ

Ashlesha Naik

From: Director AZRSOL <contact@azrsol.org>
Sent: Tuesday, February 24, 2026 11:13 AM
To: Arizona Sex Offender Management Board
Subject: Thank you -- February 23rd SOMB Meeting

Categories: Background Material for Board Packet

Dear Chairwoman Goulden and Members of the Sex Offender Management Board:

On behalf of AZRSOL and the community we represent, we want to extend our deepest gratitude for yesterday's meeting. It was truly inspiring to hear the thoughtful and informed comments from Board members regarding SB1829, HB2870, and HB2966, and the unanimous vote to oppose these bills has given our community renewed hope.

Hope that those on the Arizona Sexual Offense Registry will be seen, heard, and treated in accordance with evidence-based research — research that we believe, when applied, leads to better outcomes for everyone in our communities.

We also look forward to the Board taking up SB1585 and trust that, when the full Board has the opportunity to weigh in, a thoughtful and well-rounded recommendation will follow.

We deeply value the work this Board does and would welcome every opportunity to collaborate with you. Should there ever be anything AZRSOL can do to support your efforts, please do not hesitate to reach out. We are fortunate to have experts who would be honored to testify at your meetings and contribute to the important conversations this Board leads.

Thank you again for your dedication, your open dialogue, and your willingness to listen. We look forward to working alongside you.

With respect and appreciation,

Patricia & Terry Borden, Directors



m: (623) 296-2904 **e:** contact@azrsol.org
a: PO Box 10551, Phoenix, AZ 85064

W: www.azrsol.org

Donate



W: www.narsol.org

Ashlesha Naik

From: Rachel < >
Sent: Tuesday, February 24, 2026 12:33 PM
To: Arizona Sex Offender Management Board
Subject: Appreciation for Board Engagement and Recent Actions

Categories: Background Material for Board Packet

Dear Chairwoman Goulden and Members of the Sex Offender Management Board:

I wanted to follow up after the meeting held on Monday, February 24th and express my appreciation for the Board's engagement with the concerns raised by families and for the thoughtful action taken in response.

I had previously written asking whether the Board was weighing in on some of the pending legislation. After attending the meeting, I felt encouraged by the depth of engagement and the seriousness with which the issues were considered.

I appreciated the time taken to walk through the bills, the practical concerns raised, and the focus on long-term public safety. It was clear that members were thinking through how these proposals would affect real-world supervision, housing stability, and implementation. I also appreciated the Chair's clarification regarding her dual roles.

The Board's decision to formally oppose SB1829, HB2870, and HB2966 was meaningful. So was the acknowledgment that the leveling questionnaire needs improvement. Hearing that openly recognized was encouraging.

Thank you for listening to testimony and for taking the time to carefully evaluate these issues. From where I sit as a family member, the meeting felt constructive and aligned around shared goals — public safety, fairness, and policies that work in practice.

I appreciate the work you all do and the time you give to these issues.

Sincerely

- Rachel

Rachel

Thanks

- Rachel

Rachel

M:

Ashlesha Naik

From: Director AZRSOL <contact@azrsol.org>
Sent: Wednesday, February 25, 2026 4:54 PM
To: Arizona Sex Offender Management Board
Subject: Invitation to Attend the 2026 NARSOL National Conference – June 25–28, Baltimore

Categories: Background Material for Board Packet

Dear Chairwoman Goulden and Members of the Board,

On behalf of the AZRSOL community, we would like to extend a cordial invitation for you and members of the Sex Offender Management Board (SOMB) to attend the 18th Annual NARSOL National Conference, taking place June 25–28, 2026 at the Historic Lord Baltimore Hotel, Inner Harbor, Baltimore, Maryland.

Full conference details and registration can be found at: <https://conference.narsol.org/>

This year's conference features an impressive lineup of plenary and keynote speakers, including:

- Miriam Aukerman, Esq. – Senior Staff Attorney at the ACLU of Michigan, focusing on civil liberties, immigrant rights, and criminal law reform.
- Shawn Barrera-Leaf – Executive Director of United Voices 4 Sex Offense Reform, whose work bridges families, survivor-centered stakeholders, lawmakers, and advocacy partners.
- Amber Vlangas – Executive Director of the Restorative Action Alliance and co-host of the Amplified Voices podcast.
- Grant Hill – Advocate, nonprofit founder, and lobbyist who has taken his lived experience directly into state capitol halls to fight for meaningful legislative change.

Beyond the sessions, this conference presents an excellent opportunity to network with board representatives and stakeholders from similar bodies across the country — sharing perspectives, best practices, and strategies on issues central to your board's mission.

We are pleased to share that several members of the AZRSOL community will be in attendance as well, and we would very much welcome the chance to connect with you there.

We would love to know if you are able to join us. Please do not hesitate to reach out with any questions.

Respectfully,

Patricia & Terry Borden, Directors



m: (623) 296-2904 e: contact@azrsol.org
a: PO Box 10551, Phoenix, AZ 85064
w: www.azrsol.org

Donate



w: www.narsol.org

Ashlesha Naik

From: Director AZRSOL <contact@azrsol.org>
Sent: Thursday, February 26, 2026 4:56 PM
To: Arizona Sex Offender Management Board
Subject: Request for Copies of Letters to Governor Hobbs, Senate President Petersen, and Speaker Montenegro

Categories: Background Material for Board Packet

Dear Major Mitchell,

We are writing on behalf of our community to express our deep appreciation to you and the members of the State Board following the recent board meeting. It was truly inspiring to hear the thoughtful and informed comments from Board members regarding SB1829, HB2870, and HB2966, and the unanimous vote to oppose these bills has given our community renewed hope.

We recall that the Board indicated its intention to write letters to the following officials regarding these bills:

- Governor Katie Hobbs
- Senate President Warren Petersen
- Speaker of the House Steve Montenegro

We would be most grateful if you could provide us with a copy of each of those letters once they have been sent.

Thank you sincerely, Major Mitchell, and please extend our gratitude to the entire Board. Your willingness to engage so thoughtfully on these issues means a great deal to our community.

Respectfully,

Patricia & Terry Borden, Directors



m: (623) 296-2904 **e:** contact@azrsol.org
a: PO Box 10551, Phoenix, AZ 85064

W: www.azrsol.org



W: www.narsol.org

Ashlesha Naik

From: Kim <[redacted]>
Sent: Saturday, February 28, 2026 12:13 PM
To: Arizona Sex Offender Management Board
Subject: Request for Copies of Correspondence

Categories: Background Material for Board Packet

Hello Colonel Mitchell,

I am writing to respectfully request copies of the letters that the Chairwoman will be sending to Governor Hobbs, President Petersen, and House Speaker Montenegro.

Thank you for your time and assistance.

Respectfully,
Kim <[redacted]>

Ashlesha Naik

From: Director AZRSOL <contact@azrsol.org>
Sent: Wednesday, March 4, 2026 7:27 AM
To: Arizona Sex Offender Management Board
Subject: Re: Request for Copies of Letters to Governor Hobbs, Senate President Petersen, and Speaker Montenegro

Categories: Background Material for Board Packet

Dear Major Mitchell,

I hope this message finds you well. I am writing to follow up on my previous email, as I have not yet received a response and wanted to ensure it did not get lost.

The reason for our urgency is that the legislative process is actively moving forward on SB1829, HB2870, and HB2966. This is a critical time for legislators to be informed of the Board's position, and we believe the letters you indicated would be sent to Governor Hobbs, Senate President Petersen, and Speaker of the House Montenegro could have a meaningful impact right now.

We wanted to check in on the following:

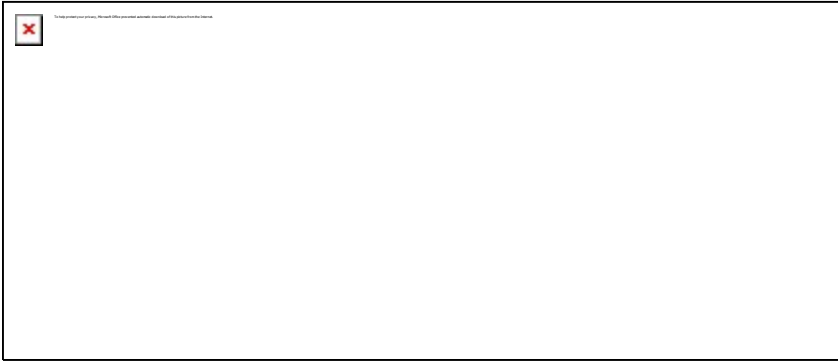
- Have the letters been sent to the Governor and legislative leadership?
- If not, is there an anticipated timeline for when they will go out?
- Would it be possible for you to copy us on each letter once it has been sent?

We remain deeply grateful for the Board's unanimous vote to oppose these bills and for the thoughtful engagement shown at the meeting. Our community is counting on the Board's voice to help inform these decisions, and we want to make sure we are doing everything we can to support that effort.

Thank you again for your time and dedication, Major Mitchell. We look forward to hearing from you.

Respectfully,

Patricia & Terry Borden, Directors



m: (623) 296-2904 e: contact@azrsol.org

a: PO Box 10551, Phoenix, AZ 85064

w: www.azrsol.org



w: www.narsol.org

On Thu, Feb 26, 2026 at 4:56 PM Director AZRSOL <contact@azrsol.org> wrote:

Dear Major Mitchell,

We are writing on behalf of our community to express our deep appreciation to you and the members of the State Board following the recent board meeting. It was truly inspiring to hear the thoughtful and informed comments from Board members regarding SB1829, HB2870, and HB2966, and the unanimous vote to oppose these bills has given our community renewed hope.

We recall that the Board indicated its intention to write letters to the following officials regarding these bills:

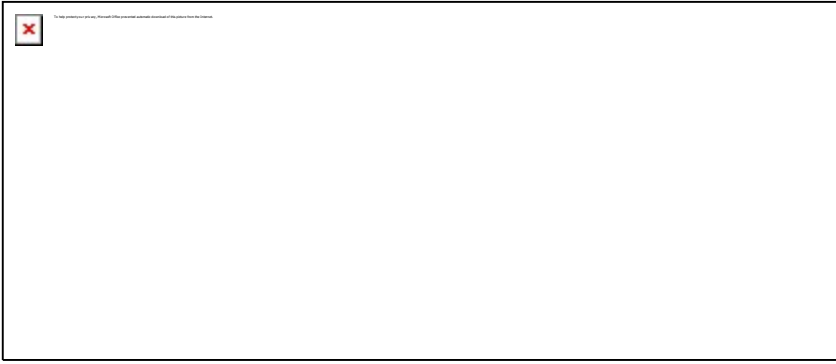
- Governor Katie Hobbs
- Senate President Warren Petersen
- Speaker of the House Steve Montenegro

We would be most grateful if you could provide us with a copy of each of those letters once they have been sent.

Thank you sincerely, Major Mitchell, and please extend our gratitude to the entire Board. Your willingness to engage so thoughtfully on these issues means a great deal to our community.

Respectfully,

Patricia & Terry Borden, Directors



m: (623) 296-2904 e: contact@azrsol.org

a: PO Box 10551, Phoenix, AZ 85064

w: www.azrsol.org



w: www.narsol.org

Ashlesha Naik

From: Rachel < >
Sent: Friday, March 13, 2026 5:53 PM
To: Arizona Sex Offender Management Board
Subject: Request for Board Review and Position — SB1092, SB1240, SB1709

Categories: Background Material for Board Packet

Dear Chairwoman Goulden and Members of the Sex Offender Management Board,

I want to begin by thanking you again for your decision to formally oppose SB1829, HB2870, and HB2966 at the February 23 meeting. Your engagement with these issues and willingness to take a formal position reflects the kind of thoughtful, evidence-based oversight that matters deeply to families like mine.

I am writing to respectfully request that the Board consider discussing and taking a formal position on three additional bills currently moving through the legislature that I believe warrant your attention.

SB1092 — Dangerous Crimes Against Children; Probation

Like HB2966 and SB1829, which the Board has already opposed, SB1092 would eliminate the ability of any individual with a DCAC designation to petition the court for termination of lifetime probation, regardless of their compliance, rehabilitation, or the nature of their original offense. It is, in effect, the same bill and raises the same public safety and implementation concerns.

SB1240 — Probation Success Incentive Payments; Calculation

This bill would exempt individuals with a DCAC designation from the calculation used to determine incentive payments to probation officers for keeping probationers out of prison. This raises concern that it could create a financial disincentive for probation officers to invest in the successful supervision of DCAC probationers, with potential downstream consequences for compliance outcomes and resource utilization.

SB1709 — Dangerous Crimes Against Children; Probation Revocation

This bill would mandate probation revocation for individuals with a DCAC designation upon certain violations, removing judicial discretion from the process. Given the Board's expertise in evidence-based supervision and the real-world consequences of mandatory revocation on housing stability and long-term outcomes, I believe this bill warrants the Board's formal review.

Thank you for your continued engagement with these issues and for the important work the Board does.

Respectfully,

Rachel . . .

Ashlesha Naik

From: Department of Public Safety <do_not_reply@azdps.gov>
Sent: Wednesday, March 18, 2026 12:22 AM
To: Arizona Sex Offender Management Board
Subject: Webform submission from: SOMB Call to the Public - Written Public Comment

Categories: Background Material for Board Packet

Caution: The following message contains information provided by an anonymous user through an online form. Please treat the below message with caution, avoid clicking links, downloading attachments, or replying with personal information.



Arizona Department of Public Safety

2222 W. Encanto Blvd.
Phoenix, AZ 85009

Submitted on Wed, 03/18/2026 - 00:21

Submitted by: Anonymous

Submitted values are:

Your Name

Marina

Email Address

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

An item NOT on the agenda

Please provide your written comment in the field below.

SB1239 (2026) This bill removes the statute of limitations for failure to register under Arizona Revised Statutes §13-3824, meaning a person could be prosecuted at any time—placing a technical registration violation in the same category as homicide under Arizona Revised Statutes §13-107.

I am attaching the Arizona Sex Offender Registration form, which requires registrants to initial 17 separate technical requirements. Missing any one of them is a felony failure to register. Failure to Register is not simply someone who willingly fails to register their address. There are 17 items that registrants are forced to initial that they understand every year — in addition to getting a new drivers license.

There is no single “failure-to-register” case publicly identified as the trigger for SB1239.

However, the legislative push came in the aftermath of a high-profile Phoenix case involving a registrant on lifetime probation:

- A Level 2 registrant named Abel Gblah allegedly followed a student into Orangewood Elementary School in Phoenix.
- Police say he impersonated a doctor and led a 10-year-old girl into a classroom and sexually assaulted her.
- The incident sparked criticism that Arizona’s system failed to properly supervise or monitor offenders on probation.

After that case, Shamp held a press conference saying the system had failed and asking:

“Why was this man still on probation? Why were repeated violations met with leniency?” [🔗](#)

That incident became the political catalyst for several registry-related bills, including those tightening monitoring and penalties.

Important:

The Orangewood case itself was not a “failure to register” prosecution issue, but it created the narrative that offenders can slip through the system.

The Orangewood suspect was reportedly on lifetime probation when the incident occurred. [?]

That fact fueled legislative arguments that supervision and monitoring laws were inadequate.

Legislative testimony indicated the change was requested by the Arizona Department of Public Safety (DPS).

Supporters told the Senate Judiciary Committee that DPS wanted the statute-of-limitations removed to close a perceived loophole allowing people to avoid prosecution if a registration violation is discovered too late. [?]

However:

- The public documents do not identify a specific DPS official by name who requested the change.

Under current Arizona law:

- Failure to register is usually a Class 4 felony.
- Most felonies must be prosecuted within 7 years of discovery.

SB1239 would move that offense into the group of crimes that can be prosecuted “at any time”, the same category as homicide or certain severe sex crimes.

- it treats a technical paperwork offense the same as murder
- evidence could become unreliable decades later
- it expands long-term exposure for people already on lifetime registration.

The bill was politically driven by a broader “system failure” narrative, particularly the Orangewood Elementary assault case.

- That case involved probation supervision, not a statute-of-limitations problem.

The key questions raised were:

- Why was someone with prior offenses still on probation without stricter supervision?
- Why weren’t probation violations acted on earlier?
- Why did monitoring systems fail to detect risk behavior?

Those are supervision and enforcement problems.

In the Orangewood case, the failure was not that prosecutors ran out of time to charge a registration violation.

The issues were likely:

1. Probation supervision
2. Monitoring of behavior
3. Intervention after warning signs
4. Coordination between agencies

Removing the statute of limitations does nothing to improve:

- probation officer workload
- GPS monitoring
- compliance checks
- risk assessment
- school or community alerts

So the bill would not have prevented that crime.

failure to register is often technical or paperwork-related

- eliminating the time limit treats it similar to the most serious crimes
- it does nothing to improve real-time public safety monitoring

The Orangewood case is being used politically as an example of a system failure, but SB1239 addresses a prosecution timing issue, not the supervision breakdown that allowed that incident to occur.

The case cited involved a registrant on lifetime probation who committed a new offense. Since this bill only removes the statute of limitations for failure-to-register, how would it have prevented that crime?

How many prosecutions for failure to register in Arizona were dismissed because the 7-year statute of limitations expired?

If there are no documented cases, why is eliminating a statute of limitations necessary?

If the cited case involved someone on lifetime probation, why are we changing prosecution timelines rather than addressing probation supervision, monitoring, or caseloads?

The case cited involved supervision failure, not a statute-of-limitations problem. Removing time limits for failure-to-register doesn't prevent crimes in real time. Before expanding criminal exposure indefinitely, we should know how many cases were actually lost due to the current law.

Imagine a 72-year-old registrant who has been fully compliant for over 25 years. He has stable housing, no new offenses, and has followed every rule.

Then he suffers a stroke.

He's taken from his home to a hospital, and then discharged to a rehabilitation facility for several weeks. In the confusion of a medical emergency, he doesn't realize he's required to report that temporary address change within a specific timeframe.

Months or even years later, during a routine audit, that gap is discovered. Under current law, there is still a limited window to bring charges. But under this proposal, he could be charged at any time in the future for failing to report that temporary stay—despite the fact that it occurred during a medical crisis and posed no risk to public safety.

Or consider another example:

A long-compliant registrant's car breaks down. He uses a rental car for a week but doesn't realize he must report that vehicle information. Years later, that omission is discovered. With no statute of limitations, that technical oversight could still be prosecuted decades later.

Or:

An elderly registrant begins experiencing early dementia. He forgets a reporting requirement—not out of intent to evade, but because of cognitive decline. That single lapse could remain prosecutable for the rest of his life.

When technical, non-intentional violations—especially involving age, illness, or cognitive decline—can be prosecuted forever, we have to ask whether we are treating paperwork errors as if they carry the same weight as the most serious crimes, and whether that truly serves public safety.

Arizona Sex Offender Registration check list:

SEX OFFENDER REGISTRATION

READ AND INITIAL EACH STATEMENT OF UNDERSTANDING BELOW:

I understand that Arizona law requires a person who has been convicted of an offense outlined in A.R.S. § 13-3821(A), or who is required to register by the conviction or adjudicating jurisdiction, within ten (10) days after the conviction or adjudication, or within seventy-two (72) hours, excluding weekends and legal holidays, after entering and remaining for at least seventy-two (72) hours in any county of this state, shall register with the Sheriff of that county.

__I understand that I shall register if am not a resident of this state and I am employed full-time or part-time, with or without compensation, or enrolled as a full-time or part-time student in any school in this state for more than fourteen (14) consecutive days or for an aggregate period of more than thirty (30) days in a calendar year. A.R.S. § 13-3821(E)(1-2).

__ I understand that if I have more than one residence I shall register in person and in writing every residence and address not less than every ninety (90) days with the sheriff in whose jurisdiction I am physically present. If I do not have an address or a permanent place of residence, I shall provide a description and physical location of any temporary residence and shall register as a transient not less than every ninety (90) days with the Sheriff in whose jurisdiction I am physically present. A.R.S. § 13-3821(I).

__I understand that I am required to register any vehicle I own or regularly operate to include make, model, year of manufacture, color, vehicle identification number, state of registration, and license plate number of the motor vehicle pursuant to A.R.S. § 13- 3821(l) and 13-3822 (D).

__I understand that upon initial registration and every year after my initial registration during the month of my birth date, I shall report in person to the sheriff of the county in which I am registered and confirm in writing all information required by this section, any required on-line identifier and the name of any website or internet service where the identifier is being used and I shall obtain a new non-operating identification license or a driver license from the motor vehicle division in the department of transportation and shall carry a valid non-operating identification license or a driver license. A.R.S. § 13-3821(J).

__I understand that I shall register, and annually confirm in writing any and all online identifiers as required in A.R.S 13-3827(K), (a) any email address information, instant message or chat information,

(b) a social networking platform account name or identifier,

(c) any identifier used for communication on a mobile application or internet website,

(d) a mobile telephone number, (e) any

mobile device identification information, (f) any other similar internet communication name.

__I understand that if I am a student, or employed, with or without compensation, or carry on a vocation at a public or private institution of postsecondary education, I shall notify the county Sheriff having jurisdiction of the institution of postsecondary education and shall also notify the Sheriff of each change in enrollment or employment status at the institution . A.R.S. § 13-3821 (N)

__I understand that after I move from a residence (which includes all in-state or out-of-state moves), or after changing my name, I shall inform the Sheriff in person and in writing of my new residence, address and/or new name within seventy-two (hours, excluding weekends and legal holidays. A.R.S.

13-3822 (A)2

__I understand that if I am subject to community notification requirements and I relocate to another jurisdiction, the Sheriff of the county from which I move shall advise the local law enforcement agency in my new jurisdiction of my previous registration and community notification requirements A.R.S 13-3822 (B).

__ I understand that should I relocate to another state, I must comply with the registration requirements of that state and that the Sheriff of the county from which I move shall advise the local law

enforcement agency in the jurisdiction to which I move of registration and any communityNotofication requirements. A.R.S. § 13-3822(B).

__I understand my responsibility to register as a sex offender is a lifetime requirement, A.R.S. § 13-3821(M), and failure to register is punishable as a class 4 felony. A.R.S. § 13-3824(A).

__ I shall notify the sheriff either in person or electronically within seventy-two (72) hours, excluding weekends and legal holidays, after I make any change to any required online identifier, and before any use of a changed or new required online identifier to communicate on the internet. A.R.S. § 13- 3822(C).

__I understand that if I have been convicted of a dangerous crime against children (pursuant to A.R.S. § 13-705), am required to register under A.R.S § 13-3821, and have been assessed as a level three (3) sex offender pursuant to A.R.S. § 13-3825, that I must reside more than 1,000 feet from a public/private school and/or child care facility or from the real property on which my former victim resides. A.R.S. § 13-3727(A)(1)(a-c) and (A)(2 -

__I understand that the 1,000 feet rule DOES NOT apply if I have established my residence before September 19, 2007, or before a new school or child care facility is located, am a minor, am currently serving a term of probation, have had my civil rights restored under A.R.S. § 13-905, or have not been convicted of a subsequent offense in the previous ten (10) years excluding any time I was incarcerated in any federal, state, county, or local jail or prison facility. A.R.S. § 13-3727(A)(1-3) and (B)(1-5).

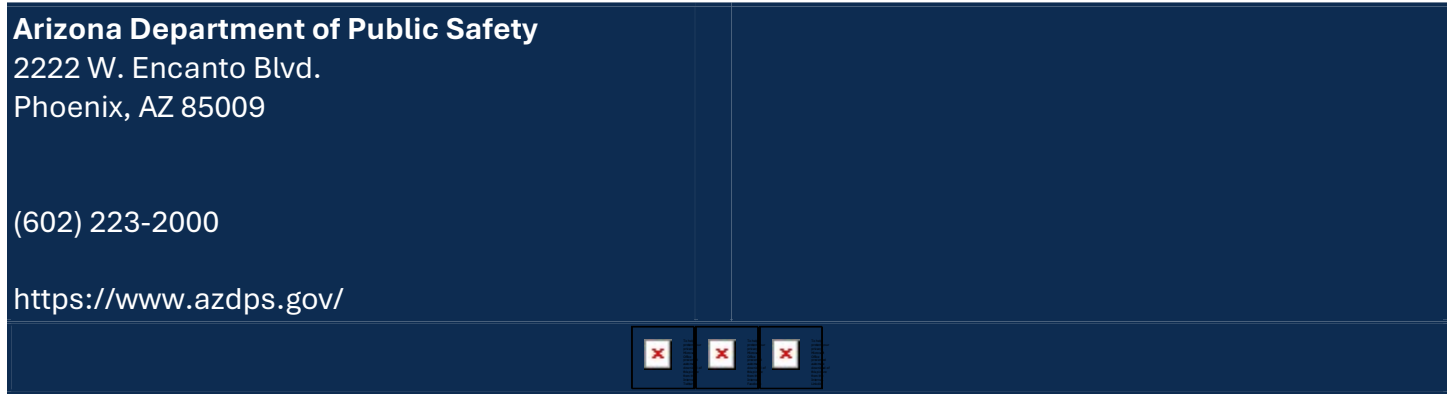
__I understand that if I meet the requirements set forth in A.R.S. § 13-3727(A), my photo and personal information shall be displayed on the Arizona Department of Public Safety Sex Offender Website.

__I understand that in accordance with federal law, I must report any international travel to my registering authority no less than twenty-one (21) days prior to travel. This must include an itinerary of countries to be visited and dates of visitation. Failing

to do so may result in federal criminal prosecution and is a violation of 18 U.S. Code § 2250(b). I further acknowledge that I am responsible for contacting the consulate or embassy for the country in which I wish to travel to regarding local immigration laws and questions that pertain to admissibility.
__I have read/understand all the above statements to be true and I understand it is my responsibility to stay current with all registration laws.

I understand this notice

YES, I Understand this Notice



Arizona Department of Public Safety
2222 W. Encanto Blvd.
Phoenix, AZ 85009

(602) 223-2000

<https://www.azdps.gov/>

Three window control buttons (close, maximize, minimize) are visible at the bottom of the box.

Ashlesha Naik

From: Department of Public Safety <do_not_reply@azdps.gov>
Sent: Thursday, March 19, 2026 7:59 AM
To: Arizona Sex Offender Management Board
Subject: Webform submission from: SOMB Call to the Public - Written Public Comment

Categories: Background Material for Board Packet

Caution: The following message contains information provided by an anonymous user through an online form. Please treat the below message with caution, avoid clicking links, downloading attachments, or replying with personal information.



Arizona Department of Public Safety

2222 W. Encanto Blvd.
Phoenix, AZ 85009

Submitted on Thu, 03/19/2026 - 07:58

Submitted by: Anonymous

Submitted values are:

Your Name

Vicky

Email Address

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

An item NOT on the agenda

Please provide your written comment in the field below.

Urgent Request for SOMB Position on Harmful Legislation

Dear Members of the Arizona Sex Offender Management Board,

I am writing to urgently request that the Board exercise its statutory authority under ARS 13-3828(D)(8) to formally weigh in on several bills that directly contradict the Board's evidence-based mission and standards.

Last month, you demonstrated principled leadership by recommending the legislature oppose HB2870, HB2966, and SB1827—bills that would transform probation into a revolving door back to prison. Your intervention reflected the Board's commitment to evidence-based policy and recognition that these bills undermine successful supervision and public safety.

However, SB1709, SB1092, SB1239, and SB1240 remain active and pose equally severe threats to the evidence-based framework you have worked to establish.

These bills directly contradict the Board's core mission by:

1. Undermining Treatment Effectiveness

- Removing all incentives for compliance and behavioral change
- Creating conditions that research shows *increase* recidivism risk

- Contradicting the risk-need-responsivity model the Board has adopted

2. Overburdening Probation Systems

- Creating massive caseload increases for already-strained departments
- Diverting resources from high-risk individuals to low-risk individuals who pose minimal threat
- Undermining effective caseload management

3. Ignoring Board Evidence

- Disregarding research showing 3-5% sexual offense recidivism rates—among the lowest of any crime category
- Implementing blanket policies despite Board findings that individualized assessment is essential
- Treating all DCAC offenders identically despite Board recognition this population is not homogeneous

4. Eliminating Judicial Discretion

- Preventing courts from recognizing successful treatment outcomes the Board has validated
- Removing judges' ability to apply Board-developed progress criteria
- Ignoring individual circumstances Board standards recognize as critical

5. Creating Barriers to Successful Reentry

- Destabilizing housing, employment, and family connections—protective factors the Board has identified
- Increasing desperation and hopelessness, which elevates risk
- Undermining the continuum of care the Board has recommended

The Immediate Consequences:

These bills will harm families, squander taxpayer resources on ineffective supervision, overload probation departments beyond capacity, contradict Board standards, and add zero value to public safety while creating conditions that increase risk.

Your Authority:

ARS 13-3828(D)(8) authorizes the Board to "consult with the Legislature, on request, and make recommendations regarding proposed legislation involving sexual offenses or sex offender risk management."

The legislature needs to hear from you—not at their request, but because these bills fundamentally undermine the evidence-based system you were created to develop and maintain.

We respectfully but urgently request that the Board:

1. Immediately issue a formal recommendation opposing SB1709, SB1092, SB1239, and SB1240
2. Provide the legislature with specific analysis of how these bills contradict Board standards
3. Articulate the negative impacts on treatment effectiveness, supervision quality, and public safety
4. Recommend evidence-based alternatives that would actually enhance community protection

The Board's voice carries unique credibility.

You are the statutory experts on sex offender management in Arizona. Legislators need to understand that these bills don't just fail to improve public safety—they actively undermine the evidence-based framework you have spent years developing.

The legislature is moving quickly. Time is critical.

Thank you for your consideration and continued commitment to evidence-based policy that genuinely protects our communities.

I understand this notice

YES, I Understand this Notice

Arizona Department of Public Safety
2222 W. Encanto Blvd.
Phoenix, AZ 85009

(602) 223-2000

<https://www.azdps.gov/>





BACKGROUND MATERIAL

March 23, 2026

DOCUMENTS SENT TO THE
LEGISLATURE BY
MEMBERS OF THE PUBLIC

Ashlesha Naik

From: Beth Goulden < >
Sent: Tuesday, March 10, 2026 10:18 AM
To: Arizona Sex Offender Management Board
Cc: Jenna Mitchell; Baldner, Victoria; Anthony Davis
Subject: Fwd: You Voted to Create this Board — Now It's Asking You to Listen
Attachments: SOMB flyer 3-9-26Rev.pdf

Categories: Background Material for Board Packet

Sent from my iPhone

Begin forwarded message:

From: Shawwna Bolick <SBolick@azleg.gov>
Date: March 10, 2026 at 10:17:13 AM MST
To: < >
Subject: FW: You Voted to Create this Board — Now It's Asking You to Listen

From: AZRSOL Director <contact@azrsol.org>
Sent: Tuesday, March 10, 2026 7:40 AM
To: Shawwna Bolick <SBolick@azleg.gov>
Subject: You Voted to Create this Board — Now It's Asking You to Listen

Dear Senator Bolick,

You voted to establish the Arizona Sex Offender Management Board (SOMB). That board has now officially voted to oppose three bills currently before you.

Please review the attached legislative update for the full details and board member testimony.

The SOMB voted to oppose:

- HB 2870 — Opposed 19-0
- HB 2966 — Opposed 18-0
- HB 1829 — Opposed 16-1

The board you created and empowered is opposed to these bills. Please review the attached and consider their position before casting your vote.

Thank you for your time and service.

Respectfully,

Patricia & Terry Borden, Directors



m: (623) 296-2904 e: contact@azrsol.org

a: PO Box 10551, Phoenix, AZ 85064

w: www.azrsol.org



w: www.narsol.org

Arizona Sex Offender Management Board

Opposes Three Legislative Bills

21 Board Members Present

Established by SB 1630, signed June 2024
Governor Katie Hobbs
AZ Dept. of Public Safety

OFFICIAL POSITION — FEBRUARY 23, 2026 BOARD MEETING

The Arizona Sex Offender Management Board — a multidisciplinary, state-authorized body comprising law enforcement, judiciary, corrections, victim advocates, mental health professionals, and community representatives — **voted to officially oppose all three bills listed below.** These votes reflect the board’s evidence-based mission to enhance community safety and reduce recidivism. AZRSOL respectfully urges the legislature to pause and allow the board to complete its ongoing, evidence-based policy recommendations before these measures are advanced.

HB 2870

Residence of Sex Offenders; Regulation

Severely restricts the ability of registered sex offenders to live in shared housing arrangements statewide.

SOMB VOTE TO OPPOSE
19 Yes ▪ 0 No ▪ 2 Abstain

BOARD MEMBER TESTIMONY

“Stable housing is directly related to recidivism risk. This bill represents a significant reduction in viable housing options.”
— Board Member, Sex Offender Supervision Professional

“Supervising officers already approve or deny residence on a case-by-case basis daily. Healthy individuals doing well in treatment often support one another — that flexibility should remain local, not overridden by statewide mandate.”
— Board Member, Probation/Supervision Professional

“This does not benefit public safety, nor does it speak to rehabilitation. It fails to account for group homes, pathway houses, and assisted living facilities for aging and medically vulnerable populations.”
— Board Member, Public Defender / Legal Professional

“If this was born from a problem in a specific city, it can and should be handled at the local level — through zoning or local ordinance — not statewide legislation.”
— Board Member

HB 2966

Dangerous Crimes Against Children; Probation

Eliminates the ability of individuals with a DCAC designation to petition for early termination of probation.

SOMB VOTE TO OPPOSE
18 Yes ▪ 0 No ▪ 3 Abstain

BOARD MEMBER TESTIMONY

“DCAC is a legal sentencing enhancement — not a clinical risk instrument. It does not capture who the most dangerous individuals are. Basing supervision policy on a single legal label does not make the community safer.”
— Board Member, Mental Health / Clinical Professional

“The ability to petition for early termination is a meaningful incentive for treatment engagement. Eliminating hope increases frustration and disengagement — outcomes that raise, not lower, risk.”
— Board Member, Treatment Professional

“Public safety resources are finite. We should direct intensive supervision toward individuals who present measurable, ongoing risk — not adopt blanket policies that make no distinction between levels of danger.”
— Board Chairwoman

SB 1829

Probation; Dangerous Crimes Against Children

Nearly identical to HB 2966, excluding minors. Carries the same structural concerns regarding evidence-based supervision.

SOMB VOTE TO OPPOSE
16 Yes ▪ 1 No ▪ 4 Abstain

BOARD MEMBER TESTIMONY

“Risk-need-responsivity requires supervising the highest-risk individuals most intensively. These bills replace risk-based logic with offense-based categories — a step backward in public safety science.”
— Board Member, Clinical / Treatment Professional

“Defense attorneys advise clients to accept plea deals based on the understanding that they can petition after seven years. Eliminating that option retroactively undermines the integrity of the plea process.”
— Board Member, Legal Professional

“As a board, it is our duty to provide logic alongside the emotion that drives legislation. Both matter — but policy must be grounded in evidence.”
— Board Member

Ashlesha Naik

From: Jenna Mitchell
Sent: Tuesday, March 17, 2026 1:15 PM
To: Arizona Sex Offender Management Board
Subject: FW: Document
Attachments: Packet PDF.pdf

From: Ryan Boyd <RBoyd@azdps.gov>
Sent: Monday, March 9, 2026 3:15 PM
To: Jenna Mitchell <JMitchell@AZDPS.GOV>; Anthony Davis <ADAVIS2@AZDPS.GOV>
Cc: Baldner, Victoria <victoria.baldner@azag.gov>
Subject: Re: Document

Attached is the full packet for context. Looks like some attendees may have gotten this distributed by one Senator to several other Members this morning.

I'm going to send a message to the Members noting that while some may have received information from members of the public, that it is not an official SOMB publication and that if they want official information on the actions of the Board they can visit [the website](#) or contact azsomb@azdps.gov.

Sincerely,

Ryan Boyd

Government Liaison

[Arizona Department of Public Safety](#)

[Arizona Department of Homeland Security](#)

Cell Phone: 602-475-5641

Office Line: 602-223-5070

From: Jenna Mitchell <JMitchell@AZDPS.GOV>
Sent: Monday, March 9, 2026 1:52 PM
To: Ryan Boyd <RBoyd@azdps.gov>; Anthony Davis <ADAVIS2@AZDPS.GOV>
Cc: Baldner, Victoria <victoria.baldner@azag.gov>
Subject: Fwd: Document

Sent from my iPhone

Begin forwarded message:

From: Beth Goulden <_____.@_____.>
Date: March 9, 2026 at 1:47:40 PM MST
To: Arizona Sex Offender Management Board <AZSOMB@azdps.gov>
Cc: Jenna Mitchell <JMitchell@azdps.gov>
Subject: Document

I just received this document to me from Senator Shamp. I have no other information right now other than members received this document.

Arizona Sex Offender Management Board

Opposes Three Legislative Bills

OFFICIAL POSITION — FEBRUARY 23, 2026 BOARD MEETING

21 Board Members
Established by SB 1666

The Arizona Sex Offender Management Board — a multidisciplinary, state-authorized body comprising law enforcement, judiciary, corrections, victim advocates, mental health professionals, and community-based organizations — **voted to officially oppose all three bills listed below.** These votes reflect the board's evidence-based recommendations to enhance community safety and reduce recidivism. The SOMB respectfully urges the legislature to support the board to complete its ongoing, evidence-based policy recommendations before these measures are enacted.

HB 2870

Residence of Sex Offenders; Regulation

Severely restricts the ability of registered sex offenders to live in shared housing arrangements statewide.

SOMB VOTE TO OPPOSE

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"Stable housing is directly related to recidivism risk. This bill represents a significant reduction in viable housing options."

— Board Member, Sex Offender Supervision Professional

"Supervising officers already approve or deny residence on a case-by-case basis daily. Healthy individuals doing well in treatment often support one another — that flexibility should remain local, not overridden by statewide mandate."

— Board Member, Probation/Supervision Professional

HB 2966

Dangerous Crimes Against Children; Probation

Eliminates the ability of individuals with a DCAC designation to petition for early termination of probation.

SOMB VOTE TO OPPOSE

18 Yes · 0 No · 3 Abstain

BOARD MEMBER TESTIMONY

"DCAC is a legal sentencing enhancement — not a clinical risk instrument. It does not capture who the most dangerous individuals are. Basing supervision policy on a single legal label does not make the community safer."

— Board Member, Mental Health / Clinical Professional

"The ability to petition for early termination is a meaningful incentive for treatment engagement. Eliminating hope increases frustration and disengagement — outcomes that raise, not lower, risk."

SB 1829

Probation; Dangerous Crimes Against Children

Mirror bill to HB 2966, excluding minors. Carries the same structural concerns regarding evidence-based supervision.

SOMB VOTE TO OPPOSE

16 Yes · 1 No · 4 Abstain

BOARD MEMBER TESTIMONY

"There are cases involving young adults — 18 or 19 — where circumstances are complex. Mandating lifetime supervision regardless of risk trajectory, treatment progress, or changing circumstances is not evidence-based policy."

— Board Member, Probation / Supervision Professional

"Risk-need-responsivity requires supervising the highest-risk individuals most intensively. These bills replace risk-based logic with offense-based categories — backward in public safety science."

— Board Member, Clinical / Treatment Professional

Sent from my iPhone

**Three Moms:
Their Legal Reality**

SOMB OPPOSES:
HB2870, HB2966(SB1092), SB1829
SOMB=Sex Offender Management Board

**Three Moms Bringing Attention to:
*Dangerous Crimes Against Children (DCAC) Misconceptions
and the Impacts of Sex Offender Housing Restrictions***

The materials in this packet are provided to explain the Dangerous Crimes Against Children (DCAC) designation and how it applies not only to violent hands-on offenses but also to non-contact, non-dangerous, non-repetitive access of illegal digital images.

These materials also include how the proposed housing restrictions could create unintended consequences for sex offenders who are already struggling to secure stable housing, as well as an explanation of why the proposed amendments would not resolve the underlying problem.

Packet Contents

- 1. Policy Concerns Regarding Proposed Legislation**
- 2. Dangerous Crimes Against Children (DCAC) Statute and Application**
 - a) Understanding A.R.S. § 13-705
 - b) Relevant Sections of the Statute
 - c) History and Technological Context
- 3. Constituent Stories**
 - a) Kim Drogosz – Autism and online content access
 - b) Stephanie Sutton – Online grooming of a vulnerable minor
 - c) Rachel Bretz – Young adult, mental health and digital content exposure
 - d) Jennifer Hammer – Successful shared housing in jeopardy
- 4. Why the Amendment to SB2870 Does Not Resolve the Problem of Additional Housing Restrictions – and Why the Sex Offender Management Board OPPOSES it**
- 5. Explanation Sheet: Autism and Public Systems**

Three Moms Raise Policy Concerns Regarding the Following Bills:

SB1092, SB1709, SB1829, HB2413, HB2870, HB2966

The following concerns reflect practical, legal, and public-safety implications and the real effects these policies would have on families.

Judicial and Legal Concerns

1. Removal of judicial discretion

Several proposals replace judicial discretion with a one-size-fits-all framework, even though risk levels and circumstances vary widely among individuals.

2. Retroactive application

Some provisions apply retroactively, which conflicts with the way sentencing policy has evolved in Arizona over the past several decades.

3. Existing safeguards already govern probation termination

Termination of probation is not automatic. It requires:

- Many years of compliance
- Completion of treatment programs
- Independent risk assessments
- Judicial review in open court

Public Safety and Supervision Concerns

4. Eliminates incentives for compliance

Removing the possibility of review or termination may reduce incentives for long-term compliance and rehabilitation.

5. Increased supervision burden without demonstrated safety benefits

Expanding lifetime supervision increases probation caseloads and public costs without clear evidence that it improves public safety.

Technology and Statutory Gaps

6. Statutes have not kept pace with modern technology

Arizona law has not been updated to reflect the realities of widespread internet access, social media, smartphones, livestreaming, and algorithm-driven platforms.

7. Lack of distinction between online and physical conduct

Current statutes do not distinguish between online or virtual conduct involving no physical contact and hands-on physical offenses.

8. No statutory recognition of online grooming dynamics

Arizona law contains no provisions recognizing situations in which individuals themselves were groomed or exploited online before being prosecuted as adults.

9. No shared accountability for technology platforms

There is currently no statutory framework addressing the role of social media platforms, search engines, and algorithm-driven systems that facilitate the distribution and discovery of illegal content.

Research and Evidence

10. Sexual re-offense rates are relatively low

Decades of peer-reviewed research show that most individuals with sexual offense histories do not commit new sexual offenses.

11. Risk declines over time

Research including Arizona participants (Hanson et al.) demonstrates that each year an individual remains offense-free in the community, risk continues to decline. After approximately 10–15 years, individuals with a past sexual offense are no more likely to commit a new sexual offense than individuals with non-sexual criminal histories.¹

For these reasons, we respectfully urge lawmakers to carefully review the practical impacts of these proposals before allowing them to move forward.

¹ Hanson et al.

<https://pure.johnshopkins.edu/en/publications/reductions-in-risk-based-on-time-offense-free-in-the-community-on/>

Understanding the ARS §13-705: Dangerous Crimes Against Children (DCAC) statute

Under Arizona Revised Statutes § 13-705, the term "Dangerous Crime Against Children" is not a behavioral description of how violent or physically dangerous an offense was. It is a legal classification that applies when a person is convicted of certain enumerated offenses against a minor under the age of 15.

It does not require:

Physical violence
Coercion
Prior history

Physical contact
Injury

A weapon
Repetition

Or even that the child was physically present

Where Exploitation of a Minor Fits In

One of the listed DCAC offenses is Arizona Revised Statutes § 13-3553 – Sexual Exploitation of a Minor

Under Arizona law, this can include:

Downloading an image
Receiving an image
Forwarding an image
Possessing an image
Saving an image automatically to a device or cloud backup

If the image is determined to depict a minor under 15 in a sexualized context, the offense is automatically charged as a Dangerous Crime Against Children, even when:

The individual **did not** create the image
The individual **did not** distribute it
The individual was **groomed or coerced** into receiving it
The conduct occurred **entirely online**
There was **no physical-world contact**
The conduct occurred **when the individual was a minor**

Why This Matters for Public Safety Policy

In legislative discussions, the phrase "dangerous crimes against children" often evokes thoughts of kidnapping, molestation and violent physical abuse.

But under Arizona law, the same sentencing structure applies to a groomed teenager who receives an illegal image online during a period of documented vulnerability. Does this warrant being treated the same as a violent hands-on offense?

Because once an offense falls under §13-3553 and the depicted minor is under 15, it is legally reclassified as a Dangerous Crime Against Children under §13-705 — triggering:

Mandatory prison terms
Lifetime probation eligibility
DCAC sentencing enhancements
Limited judicial discretion

Relevant sections direct from ARS Statute 13-705

13-705. Dangerous crimes against children; sentences; definitions

F. Except as otherwise provided in this section, a person who is at least eighteen years of age or who has been tried as an adult and who is convicted of a **dangerous crime against children in the first degree** involving aggravated assault, unlawful mutilation, molestation of a child, **sexual exploitation of a minor**, aggravated luring a minor for sexual exploitation, child abuse or kidnapping shall be sentenced to a term of imprisonment as follows:

<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
10 years	17 years	24 years

T. For the purposes of this section:

1. "Dangerous crime against children":

(a) Means any of the following that is committed against a minor who is under fifteen years of age or against a person posing as a minor if the defendant knew or had reason to know that the purported minor was under fifteen years of age:

(vii) **Sexual exploitation of a minor.**

(b) For the purposes of subdivision (a), items (vi) and (vii) of this paragraph, includes a visual depiction that is indistinguishable from an actual minor who is under fifteen years of age.

Highlighted sections illustrate how the DCAC statute includes offenses involving digital images in the same statutory category as violent hands-on crimes.

History and Technological Context of Arizona's Dangerous Crimes Against Children (DCAC) Statute (A.R.S. § 13-705)

Creation of the DCAC Sentencing Structure (1985)

Arizona's Dangerous Crimes Against Children (DCAC) sentencing framework was enacted in 1985 (originally codified as A.R.S. § 13-604.01, later renumbered as A.R.S. § 13-705). The statute created enhanced and mandatory sentencing provisions for certain enumerated criminal offenses committed against children under the age of fifteen.

The law was designed to address serious crimes involving physical harm, sexual assault, or exploitation of children, establishing significantly higher prison ranges and supervision requirements than those found in Arizona's general criminal sentencing statutes.

Over time, Arizona law identified specific offenses that qualify for DCAC sentencing enhancement when committed against a minor under fifteen. One such offense is:

- **Sexual exploitation of a minor** (illegal images involving a child under the age of 15)
-

Evolution of the DCAC Statute

Since its enactment, the statute has undergone several updates, including:

- Renumbering from A.R.S. § 13-604.01 to A.R.S. § 13-705
 - Expansion of qualifying offenses over time
 - Clarification of **first-degree and second-degree DCAC designations**
 - Adjustments to sentencing ranges and mandatory minimum provisions
 - Updates addressing **electronic transmission and digital conduct** as technology evolved
-

Changing Technological Environment

When the DCAC statute was enacted in 1985:

- Exploitative material was primarily produced through **film or photographs**
- Distribution required **physical exchange or organized networks**
- Access required **coordination and deliberate effort**
- Materials were **physically stored and transported**

Today's technological environment includes:

- High-speed internet access
- Smartphones with continuous connectivity
- Digital file sharing and cloud storage
- Encrypted messaging platforms
- Global digital distribution networks

Summary:

Technological developments have significantly changed the methods through which digital content can be created, transmitted, and accessed. The ease and speed with which digital material can now be encountered online differs substantially from the technological environment that existed when the DCAC sentencing framework was enacted in 1985.

Arizona Sex Offender Management Board

Opposes Three Legislative Bills

OFFICIAL POSITION — FEBRUARY 23, 2026 BOARD MEETING

21 Board Members Present

Established by SB 1000, signed June 2024

Governor Kate Hobbs

AZ Dept. of Public Safety

The Arizona Sex Offender Management Board — a multidisciplinary, state-authorized body comprising law enforcement, judiciary, corrections, victim advocates, mental health professionals, and community representatives — **voted to officially oppose all three bills listed below.** These votes reflect the board's evidence-based mission to enhance community safety and reduce recidivism. The SOMB respectfully urges the legislature to pause and allow the board to complete its ongoing, evidence-based policy recommendations before these measures are advanced.

HB 2870

Residence of Sex Offenders; Regulation

Severely restricts the ability of registered sex offenders to live in shared housing arrangements statewide.

SOMB VOTE TO OPPOSE

19 Yes · 0 No · 2 Abstain

BOARD MEMBER TESTIMONY

"Stable housing is directly related to recidivism risk. This bill represents a significant reduction in viable housing options."

— Board Member, Sex Offender Supervision Professional

"Supervising officers already approve or deny residence on a case-by-case basis daily. Healthy individuals doing well in treatment often support one another — that flexibility should remain local, not overridden by statewide mandates."

— Board Member, Probation/Supervision Professional

"This does not benefit public safety, nor does it speak to rehabilitation. It fails to account for group homes, pathway houses, and assisted living facilities for aging and medically vulnerable populations."

— Board Member, Public Defender / Legal Professional

"If this was born from a problem in a specific city, it can and should be handled at the local level — through zoning or local ordinance — not statewide legislation."

— Board Member

HB 2966

Dangerous Crimes Against Children; Probation

Eliminates the ability of individuals with a DCAC designation to petition for early termination of probation.

SOMB VOTE TO OPPOSE

18 Yes · 0 No · 3 Abstain

BOARD MEMBER TESTIMONY

"DCAC is a legal sentencing enhancement — not a clinical risk instrument. It does not capture who the most dangerous individuals are. Basing supervision policy on a single legal label does not make the community safer."

— Board Member, Mental Health / Clinical Professional

"The ability to petition for early termination is a meaningful incentive for treatment engagement. Eliminating hope increases frustration and disengagement — outcomes that raise, not lower, risk."

— Board Member, Treatment Professional

"Individuals routinely have early termination petitions denied. This is not a rubber stamp — it is a rigorous, judge-overseen process. Eliminating judicial discretion, including for elderly or medically incapacitated individuals, is not sound policy."

— Board Chairwoman, 25 Years in Sex Offender Supervision

SB 1095

Probation; Dangerous Crimes Against Children

Mirror bill to HB 2966, excluding minors. Carries the same structural concerns regarding evidence-based supervision.

SOMB VOTE TO OPPOSE

18 Yes · 1 No · 4 Abstain

BOARD MEMBER TESTIMONY

"There are cases involving young adults — 18 or 19 — where circumstances are complex. Mandating lifetime supervision regardless of risk trajectory, treatment progress, or changed circumstances is not evidence-based policy."

— Board Member, Probation / Supervision Professional

"Risk-need-responsivity requires supervising the highest-risk individuals most intensively. These bills replace risk-based logic with offense-based categories — a step backward in public safety science."

— Board Member, Clinical / Treatment Professional

"Defense attorneys advise clients to accept plea deals based on the understanding that they can petition after seven years. Eliminating that option retroactively undermines the integrity of the plea process."

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"Public safety resources are finite. We should direct intensive supervision toward individuals who present measurable, ongoing risk — not adopt blanket policies that make no distinction between levels of danger."
— Board Chairwoman

"As a board, it is our duty to provide logic alongside the emotion that drives legislation. Both matter — but policy must be grounded in evidence."
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About the Sex Offender Management Board

Established by Arizona SB 1630, signed into law June 21, 2024 by Governor Hobbs, the SCOMB operates within the Department of Public Safety. Its mission is to enhance community safety through research-driven standards that reduce recidivism and prioritize victim protection. The board uses the risk-need-responsivity model and other evidence-based correctional frameworks to develop statewide policy recommendations.

Board Membership Includes

- Judicial officers
- Law enforcement and corrections professionals
- Licensed mental health and treatment experts
- Victim advocates
- Probation and supervision officers
- Legal professionals (prosecutors and defense)
- Education and community representatives
- Representatives from both urban and rural Arizona

Source: Official SCOMB Meeting Transcript, February 23, 2026 | azdps.gov/sex-offender-management-board | This document prepared for legislative outreach purposes.



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against children' occurred, it was a Sunday, and we were

There was:

No physical child

No solicitation

No production

No distribution

No contact with anyone

Our son had no criminal record

Our son is a VICTIM of a PREDATOR who entered our HOME through fiber optic cables and caused
unimaginable harm to our family. Our son was the one punished, not the INTRUDER who virtually entered our
home.

The Maricopa County Attorney's Office testified on February 4, 2026, during the House Judicial Committee that
many of these bills introduced this session are retroactively unconstitutional, as they violate the Ex Post
Facto Clause by altering and revoking the terms of previously negotiated plea agreements.

Thank you - Kim Drogosz [redacted] email [redacted] or [redacted]

Legislators:

My name is Kim Drogosz. My husband John and I live in Gilbert, where we raised our 3 children. One is an aerospace engineer who graduated from Embry-Riddle Aeronautical University, one is pursuing a master's degree at NAU, one earned an AA degree from Scottsdale Community College, and he has now just survived his first year of a 5-year prison sentence.

I wish I did not have to be here today

I am here because of **Arizona's legislative overreach** and the profound impact it has had, and continues to have, on my family.

When our son was 20, he was clickbaited on a gaming platform called Discord. He clicked on a link sent by a stranger. That link automatically downloaded approximately 200 images to his phone, which included images of teenagers, adult pornography, and nudist colonies. Our son deleted the images. However, unbeknownst to us, a "Google hash match code" of those images remained in the cloud.

Years later, Gilbert Police and a SWAT team in riot gear, with firearms and drones, surrounded our home and arrested our son.

Our son has autism. He scores in the 9th percentile for facial recognition and social cues and functions approximately six years below his chronological age. His actions were not predatory. He is a GAMER, vulnerable to online luring and grooming, compounded by a lifelong disability. Autism is something he will never "grow out of."

After his arrest, we spent upwards of 100,000 in attorney fees, polygraph testing, compliance, and court costs. Our son was facing 100-240 years in prison. On the advice of counsel, he took a plea deal of 5 years in prison, lifetime probation, and lifetime registry.

Let me be clear! On the date this "dangerous crime against children" occurred, it was a Sunday, and we were home as a family.

There was:

No physical child

No solicitation

No production

No distribution

No contact with anyone

Our son had no criminal record

Our son is a VICTIM of a PREDATOR who entered our HOME through fiber optic cables and caused unimaginable harm to our family. Our son was the one punished, not the INTRUDER who virtually entered our home.

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Thank you - Kim Drogosz [redacted] email [redacted]

Dear Legislators,

My name is Stephanie Sutton. I represent myself and my family, we reside in Gilbert, Arizona. We have raised our two sons here. And I have stage 4 breast cancer.

This is the first time I am publicly sharing my family's story, because what happened to our son is not an isolated case. It is a warning.

Our child was groomed online as a vulnerable teenager. He was targeted when we were deeply isolated during the pandemic. Also, as a family navigating a crisis in the wake of my diagnosis. And during the stage of a teenager's life when the brain is still developing and judgment is not fully formed. These are exactly the conditions predators hunt for.

And yet, instead of focusing on the adults who manipulate, coordinate, and prey on vulnerable youth, or the platforms, like the gaming platform Discord and SnapChat, that allow this, the system often waits until the child turns eighteen and then prosecutes that child as an adult. This happened to our son.

Think about that.

The law recognizes their vulnerability at 15, 16, 17, but enforcement waits until 18 to charge them, bypassing juvenile protections and permanently altering a life that was already harmed.

Where is the accountability of the platforms and perpetrators?

Where is the investigation?

This highly targeted bill and bills like this may be well-intentioned. But in practice, they can revictimize the very youth we need to help. They turn trauma into lifelong punishment.

There is inconsistency and bias in how these cases are handled.

Public safety is not served by punishing damaged children while ignoring the systems that target them.

I ask you today to pause on these bills, to look deeper, and to ensure our laws protect vulnerable youth instead of branding them forever. They take away judicial discretion and impose draconian measures for any offense or any probation violation: speeding, missing 1 weekly meeting, not paying their fees on time, or accessing the internet. Unfortunately, this bill and several other proposed bills are NOT supported by decades of research in this field and they WILL cause far greater public harm.

I welcome an opportunity to meet 1:1 with you to have a meaningful conversation about how these laws are applied.

This is about children trying to survive in a world that failed to protect them.

Thank you.

**Testimony from Rachel S. Bretz regarding opposition to
Dangerous Crimes Against Children Bills
-- HB2966, SB1092, SB1709, SB1829 --
- February 2026 -**

Dear Legislators,

My name is Rachel Bretz. I live in District 3. My husband retired in 2021 after 36 years with the same company, and I have spent much of my life working in technology and volunteering in our schools, church, and local community. We have two sons. Our older son works in finance in Texas. Our younger son had completed his associate degree and was beginning adulthood when his life — and ours — changed in ways we never anticipated.

In May of 2022, the course of our family's life was altered. At 21, our younger son was struggling with depression, anxiety, and a lack of direction. He had withdrawn socially and spent most of his time online gaming. There, he encountered people who introduced him to the dark web and encouraged him to explore it. One poor decision led to another, and he became involved in viewing and downloading illegal images. I will never forget the phone call from the jail in the middle of the night, hearing my son say his name on a recorded line.

We believe in accountability. The harm to the children in those images is real and lasting. This was not a victimless crime. My son accepts responsibility. He is taking required classes, participating in therapy, and working to change the thinking and behavior that brought him to that point. We soon learned how devastating the legal consequences would be. Although his offense was non-contact and labeled non-dangerous and non-repetitive, it triggered mandatory sentencing provisions, including a Dangerous Crime Against Children designation, lifetime placement on the public registry, and TWO lifetime probation terms.

Those consequences do not end when a prison sentence ends. Prison has a release date. The label does not. The probation terms do not. The registration does not. They follow him into job applications, housing applications, and relationships. They shape where he can live, where he can work, and how he is seen before anyone knows him.

Sitting across from my son in a prison visitation room is something I never imagined I would do as a parent. Watching a young adult confront shame, regret, and the uncertainty of his future is a weight that does not go away. The only piece of hope we hold onto is that after years of compliance and demonstrated rehabilitation, he may one day be able to ask a judge to review his progress. If discretion is removed entirely, there is no opportunity for that review — no matter how much growth occurs.

We are not asking for accountability to disappear. We are asking that the law allow room for proportionality — that it recognize that cases grouped under one statutory label can differ in conduct, history, and risk. Accountability matters. Public safety matters. But so does the ability of a court to consider individual circumstances.

I am asking that you leave room in the law for growth, for change, and for a judge to one day look at who my son has become — not only who he was at 21.

Sincerely,
Rachel S. Bretz
Arizona Constituent, District 3

Dear Senator:

I am writing to you to discuss the ramifications should HB2870 become law. As the mother of someone on the registry and a concerned citizen, I am respectfully asking you to please hold this bill. Here are my reasons why:

- Even with the current amendments as of February 26, 2026, thousands of people will still be affected and become homeless, and this will pose a risk to public safety.
- Most group homes are not monitored by the State Department of Corrections or the Department of Health Services.
- The current group homes would only allow for one level 2 or 3 to live in one house or one apartment. All the other people will become homeless causing considerable concern to the public.
- This directly goes against Katie Hobbs 2030 plan that was formed to help people released from prison successfully integrate into society.
- It is already extremely difficult finding a place to live when a person is on the registry, and the independent group homes that are available save many people from living on the streets. The huge influx of homeless people will affect local business owners and Phoenix citizens as homeless shelters do not allow people on the registry to stay there.
- The long-term ramifications will be severe and far reaching, unleashing thousands of people into unknown living situations and many neighborhoods.
- People on the registry who are under supervision are already monitored by regular unannounced visits from their officers.
- People under supervision take regular polygraph tests and need to consistently pass them.
- There are mandatory counseling sessions upon release which will be much harder to monitor if the person is homeless without adequate transportation or accountability.
- Levels can change when a person moves. The police department in the new area determines the person's level when they move into their jurisdiction.
- The SOMB recently opposed this bill stating that there will be many long-term consequences if passed.
- Homelessness creates despair, and the loss of hope could increase crime.

My son co-owns his home with one of his roommates, and they are both on the deed. The three roommates work for the same company, maintain their home with pride, and get along very well with their neighbors. Passing this bill will mean that two of them will have to leave and become homeless. They follow the rules and live very clean and Godly lives. I am at a loss to understand why one circumstance in one neighborhood is threatening thousands of other people's living situations. If the people on the registry living together in the Chandler neighborhood are causing issues, the problems should be addressed on the local level and not affect thousands of other people trying to rebuild their lives.

Thank you,
Jennifer Hammer
03/01/2026

Why the Amendment to SB2870 Does Not Resolve the Problem of Additional Housing Restrictions — and Why the Sex Offender Management Board Opposes It

Summary

As amended, SB2870 prohibits Level 2 and Level 3 registrants from residing together in a single-family dwelling, with limited exceptions for legally related individuals, certain pre-2026 community reentry centers, and certified behavioral health residential facilities. In practice, most shared housing arrangements for registrants do not qualify for these narrow exemptions. The bill would significantly reduce lawful housing options for individuals on probation or community supervision without creating additional treatment or supervision infrastructure. Stable housing is a foundational component of compliance and risk management. For these reasons, we respectfully ask you not to advance SB2870.

1. The Amendment Creates a Blanket Co-Residency Ban

The amended bill makes it unlawful for a Level 2 or Level 3 registrant who is on probation or community supervision to reside in a single-family dwelling with another registrant.

The only exceptions are:

- Individuals legally related by blood, marriage, or adoption
 - A state-operated community reentry center that began on or before January 1, 2026
 - A certified behavioral health residential facility subject to DHS oversight that commenced operation on or before January 1, 2026
-

2. Most Shared Registrant Housing Does Not Qualify for These Exceptions

The majority of shared housing arrangements in Arizona:

- Are ordinary rental homes
- Are not state-operated community reentry centers
- Are not certified behavioral health residential facilities
- Do not operate as licensed residential treatment programs

Residents attend required treatment and supervision off-site through probation departments and licensed providers. The residence itself is not a treatment facility. As drafted, the bill would eliminate most shared housing arrangements currently used by compliant individuals under supervision.

3. The “Facility” Exceptions Are Extremely Narrow

The amendment exempts:

- Community reentry centers operated by the Department of Corrections that began operation on or before January 1, 2026
- Certified behavioral health residential facilities that commenced operation on or before January 1, 2026

This language:

- Freezes eligibility to existing facilities
- Prevents new facilities from qualifying
- Does not apply to ordinary shared housing
- Does not address cost-sharing living arrangements

In practice, very few registrants reside in state-operated reentry centers or licensed behavioral health residential facilities.

4. Practical Public Safety Implications

Reducing lawful housing options for individuals on probation or community supervision may result in:

- Increased housing instability
- Higher financial barriers to compliance
- Greater risk of homelessness
- Harder supervision logistics
- Movement into less stable or less visible housing arrangements

Stable housing is directly tied to supervision compliance, treatment participation, and monitoring effectiveness.

5. Existing Supervision Tools Already Address Risk

Probation departments already have authority to:

- Impose individualized housing conditions
- Restrict co-residency on a case-by-case basis
- Increase supervision where concerns arise
- Conduct inspections and compliance checks

If a particular living arrangement presents a supervision or safety concern, probation officers can address it directly through individualized conditions rather than through a blanket statutory prohibition.

Importantly, the Arizona Sex Offender Management Board (SOMB) has emphasized that supervision and management tools should be applied locally and individually rather than through broad categorical housing restrictions and voted to OPPOSE this bill!

Conclusion

The amended version of SB2870 imposes a categorical co-residency ban that will significantly reduce lawful housing options for supervised individuals without expanding treatment capacity or supervision infrastructure. The narrow facility exemptions do not reflect how most registrant housing operates in practice. For these reasons, we respectfully ask you not to advance SB2870.

Autism & Public Systems

Problem + Impact + Policy Fix

Problem	Impact	Policy Fix
Autism is frequently unidentified or misunderstood at system entry points	<ul style="list-style-type: none">• Disability-related behaviors are misinterpreted as defiance or guilt• Individuals are punished rather than supported	<ul style="list-style-type: none">• Require autism and neurodivergence screening at key entry points (arrest, charging, pre-trial, intake)
Literal interpretation of language in autistic individuals	<ul style="list-style-type: none">• Misunderstanding of police commands, plea agreements, or court instructions• Increased risk of coercive or uninformed pleas	<ul style="list-style-type: none">• Mandate clear-language communication and accommodations during questioning and court proceedings
Sensory overload in high-stress environments (police, courts, jails, hospitals)	<ul style="list-style-type: none">• Meltdowns or shutdowns mistaken for noncompliance• Escalation and use of force	<ul style="list-style-type: none">• Implement sensory-aware protocols and de-escalation training across justice and healthcare systems
High rates of co-occurring mental health conditions (~70%)	<ul style="list-style-type: none">• Worsening anxiety, depression, OCD under punitive systems• Higher suicide and crisis risk	<ul style="list-style-type: none">• Expand access to autism-informed mental health treatment and crisis alternatives
Rigid sentencing laws and mandatory penalties	<ul style="list-style-type: none">• Judicial discretion removed• Disability-related behavior treated as criminal intent	<ul style="list-style-type: none">• Preserve individualized sentencing and allow consideration of neurodevelopmental status

Problem	Impact	Policy Fix
Lack of specialized training for professionals	<ul style="list-style-type: none"> • Inconsistent, unsafe, or unfair outcomes • Increased liability and system costs 	<ul style="list-style-type: none"> • Require autism-specific training for law enforcement, judges, prosecutors, educators, and healthcare providers
Misclassification of behavior as misconduct	<ul style="list-style-type: none"> • School discipline, incarceration, or denial of services • Long-term disengagement from systems 	<ul style="list-style-type: none"> • Standardize disability-informed assessments before discipline or sanctions
Limited diversion and treatment options	<ul style="list-style-type: none"> • Over-incarceration • Poor rehabilitation outcomes 	<ul style="list-style-type: none"> • Expand diversion programs that include autistic and neurodivergent individuals
Communication barriers in healthcare and education	<ul style="list-style-type: none"> • Misdiagnosis and treatment failure • Avoidance of care or school 	<ul style="list-style-type: none"> • Require alternative communication methods and individualized accommodations
One-size-fits-all public policy	<ul style="list-style-type: none"> • Increased incarceration and public spending • Poor outcomes across systems 	<ul style="list-style-type: none"> • Adopt cross-agency autism-informed policy standards and oversight

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Mirror bill to HB 2966, excluding minors. Carries the same structural concerns regarding evidence-based supervision.

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BACKGROUND MATERIAL

March 23, 2026

LETTERS OF OPPOSITION TO

SB1829

HB2870

HB2966



Arizona Sex Offender Management Board

2222 West Encanto Boulevard | Phoenix, Arizona 85009

Home Page: <https://www.azdps.gov/sex-offender-management-board>

Telephone (602) 223-2611 | Email AZSOMB@AZDPS.GOV

March 9, 2026

The Honorable Katie Hobbs
Governor of Arizona
1700 West Washington Street
Phoenix, Arizona 85007

Dear Governor Hobbs,

On behalf of the Arizona Sex Offender Management Board, I write to respectfully express the Board's opposition to three specific pending pieces of legislation currently under consideration: HB2870, HB2966 and SB1829.

Following review and discussion, the Board voted on February 23, 2026, to oppose:

- HB2870 by a vote of 19 yes, zero no, and two abstaining
- HB2966 by a vote of 18 yes, zero no, and three abstaining
- SB1829 by a vote of 16 yes, one no, and four abstaining

The recording of the meeting is available at: https://www.azdps.gov/sites/default/files/2026-02/SOMB_Board_Meeting20260223.mp3 (timestamp discussion begins at 40:30 and concludes at 1:37:50).

The AZSOMB remains committed to working collaboratively with the Executive Branch and the Legislature to advance sound policy. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads 'Beth Goulden'.

Beth Goulden
Chairperson
Arizona Sex Offender Management Board

cc: The Hon. Steve Montenegro
The Hon. Warren Petersen
The Hon. Oscar De Los Santos
The Hon. Priya Sundareshan



Arizona Sex Offender Management Board

2222 West Encanto Boulevard | Phoenix, Arizona 85009

Home Page: <https://www.azdps.gov/sex-offender-management-board>

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March 9, 2026

The Honorable Steve Montenegro
Speaker of the Arizona House of Representatives
1700 West Washington Street
Phoenix, Arizona 85007

Dear Speaker Montenegro,

On behalf of the Arizona Sex Offender Management Board, I write to respectfully express the Board's opposition to three specific pending pieces of legislation currently under consideration: HB2870, HB2966 and SB1829.

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Beth Goulden
Chairperson
Arizona Sex Offender Management Board

cc: The Honorable Katie Hobbs
The Honorable Warren Petersen
The Honorable Oscar De Los Santos
The Honorable Priya Sundareshan



Arizona Sex Offender Management Board

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Telephone (602) 223-2611 | Email AZSOMB@AZDPS.GOV

March 9, 2026

The Honorable Oscar De Los Santos
Minority Leader of the Arizona House of Representatives
1700 West Washington Street
Phoenix, Arizona 85007

Dear Representative De Los Santos,

On behalf of the Arizona Sex Offender Management Board, I write to respectfully express the Board's opposition to three specific pending pieces of legislation currently under consideration: HB2870, HB2966 and SB1829.

Following review and discussion, the Board voted on February 23, 2026, to oppose:

- HB2870 by a vote of 19 yes, zero no, and two abstaining
- HB2966 by a vote of 18 yes, zero no, and three abstaining
- SB1829 by a vote of 16 yes, one no, and four abstaining

The recording of the meeting is available at: https://www.azdps.gov/sites/default/files/2026-02/SOMB_Board_Meeting20260223.mp3 (timestamp discussion begins at 40:30 and concludes at 1:37:50).

The AZSOMB remains committed to working collaboratively with the Executive Branch and the Legislature to advance sound policy. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Beth Goulden".

Beth Goulden
Chairperson
Arizona Sex Offender Management Board

cc: The Hon. Katie Hobbs
The Hon. Warren Petersen
The Hon. Steve Montenegro
The Hon. Priya Sundareshan



Arizona Sex Offender Management Board

2222 West Encanto Boulevard | Phoenix, Arizona 85009

Home Page: <https://www.azdps.gov/sex-offender-management-board>

Telephone (602) 223-2611 | Email AZSOMB@AZDPS.GOV

March 9, 2026

The Honorable Warren Petersen
President of the Arizona State Senate
1700 West Washington Street
Phoenix, Arizona 85007

Dear President Petersen,

On behalf of the Arizona Sex Offender Management Board, I write to respectfully express the Board's opposition to three specific pending pieces of legislation currently under consideration: HB2870, HB2966 and SB1829.

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cc: The Hon. Katie Hobbs
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The Hon. Oscar De Los Santos
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March 9, 2026

The Honorable Priya Sundareshan
Minority Leader of the Arizona State Senate
1700 West Washington Street
Phoenix, Arizona 85007

Dear Senator Sundareshan,

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Beth Goulden
Chairperson
Arizona Sex Offender Management Board

cc: The Hon. Katie Hobbs
The Hon. Warren Petersen
The Hon. Steve Montenegro
The Hon. Oscar De Los Santos



BACKGROUND MATERIAL

March 23, 2026

DRAFT BY-LAWS V4 03.17.2026

ARIZONA SEX OFFENDER MANAGEMENT BOARD

BYLAWS



Arizona Department of Public Safety

AZ SOMB | 2222 W. ENCANTO BOULEVARD, PHOENIX, ARIZONA 85009

WEBSITE: [HTTPS://WWW.AZDPS.GOV/SEX-OFFENDER-MANAGEMENT-BOARD](https://www.azdps.gov/sex-offender-management-board)

(602) 223-2611

DRAFT MARCH 2026

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DRAFT V4 03/12/2016

ARTICLE 1
NAME, AUTHORITY, PURPOSE AND DUTIES

1.1 NAME:

The official name of this public body is the Arizona Sex Offender Management Board.

1.2 AUTHORITY:

The Arizona Sex Offender Management Board (hereinafter Board) derives its existence and authority from Arizona Revised Statutes (hereinafter A.R.S.) § 13-3828.

1.3 PURPOSE AND DUTIES:

The purpose and duties of the Board are those delegated in A.R.S. § 13-3828, as well as other acts the Board believes are necessary to carry out these legislative duties. Consistent with A.R.S. § 13-3828, the Board serves as a multidisciplinary advisory body that reviews, researches, analyzes, develops, and recommends research-informed, evidence-based policies, procedures, guidelines, and standards for the evaluation, treatment, monitoring, and supervision of juvenile and adult persons who have committed sexual offenses, including those with intellectual and developmental disabilities and serious mental illness. The Board's recommendations are intended to enhance community safety while prioritizing the physical and psychological safety of victims and potential victims while also being as flexible as possible to be accessed by each offender. The Board also advises the legislature, and collaborates with state agencies to create consistent treatment guidelines, release conditions, supervision standards, and educational resources for schools and communities. Through this advisory framework, the Board fulfills its legislative mandate and strengthens the safety and well-being of Arizona communities.

ARTICLE 2
MEMBERSHIP

2.1 MEMBERS:

The Board shall consist of appointed members as specified in A.R.S. § 13-3828(A).

2.2 TERM OF APPOINTMENT:

Initial members of the Board shall assign themselves by lot to terms of two, three, and four years. All subsequent members serve four-year terms of office.

2.3 NOMINATION AND APPOINTMENT:

New Board members will be appointed by the Appointing Authority as identified in A.R.S. § 13-3828(A).

2.4 COMPENSATION:

Board members are not eligible to receive compensation, but are eligible for reimbursement of expenses pursuant to A.R.S. Title 38, Chapter 4, Article 2.

DRAFT V4 03172020

**ARTICLE 3
CHAIR AND VICE CHAIR**

3.1 APPOINTMENT OF THE CHAIR:

The members of the Board shall nominate and elect the Chair by a simple majority vote of a quorum of the Board. The Chair shall serve for a term of two years and may be reelected so long as their Board term has not expired. Elections of the Chair shall occur at a regularly scheduled meeting, each October of odd-numbered years. Any vacancy occurring in the Chair's position shall be filled by the Board as specified in this section, and the appointee shall fulfill the term remaining by the previous Chair.

3.2 DUTIES OF THE CHAIR:

The duties of the Chair shall include:

- A. Presiding over Board meetings;
- B. Signing appropriate documents and correspondence;
- C. Calling special meetings as necessary;
- D. Establishing subcommittees and appointing the initial chairs of subcommittees;
- E. Nomination of a Vice Chair; and
- F. Such other duties as designated by these bylaws and A.R.S. § 13-3828.

3.3 APPOINTMENT OF THE VICE CHAIR:

The Board Chair shall nominate, and the Board shall approve a Vice Chair by a simple majority vote of a quorum of the Board, who shall serve for a term of two years and who may be reelected so long as their Board term has not expired. Any vacancy occurring in the Vice Chair's position shall be filled by the Board as specified above in section 3.1, and the appointee shall fulfill the term remaining of the previous Vice Chair.

3.4 DUTIES OF THE VICE CHAIR:

Shall be the same as those of the Chair, when the Chair is absent or has a conflict of interest on any matter taken up by the Board. When the Vice Chair is serving in the role of Chair, this shall be documented in meeting minutes.

3.5 CONFLICT OF INTEREST:

If both the Chair and the Vice Chair have a conflict of interest on any matter taken up by the Board, the Chair shall designate another Board member to preside over the Board in that matter, after a simple majority vote of a quorum of the remaining members of the Board.

3.6 CHAIR AND VICE CHAIR ABSENCE:

If both the Chair and the Vice Chair are absent, the Board shall determine a presiding officer by a simple majority vote of a quorum of the remaining members of the Board.

DRAFT V4 03172026

ARTICLE 4 MEETINGS

4.1 REGULAR MEETINGS:

The Board shall conduct regular meetings at least bi-monthly (every other month), and more often as needed. Notice shall be supplied to Board members of the date, time, and location of the meeting at least seven (7) days in advance of the meeting.

4.2 SPECIAL MEETINGS:

Special meetings may be called by the Chair, or if no Chair is in office, the Vice Chair, on an as-needed basis with a minimum of three (3) working days' notice to Board members.

4.3 SUBCOMMITTEES:

Subcommittees of the Board shall be governed by Article 8 of these bylaws. Recommendations of subcommittees shall be ratified by a majority of a quorum of the Board members at a regular or special meeting, unless authority for decision-making is otherwise delegated to the subcommittee by a majority of a quorum of the Board. Any such delegation shall be recorded as provided in Article 8.

4.4 ATTENDANCE:

Board members are expected to attend every regular meeting. In the event a Board member cannot attend, he or she shall notify Board staff in a timely manner, so as to facilitate a determination of whether quorum will be met.

4.5 AGENDA:

The conduct of business will be pursuant to an agenda prepared by the staff liaison with approval of the Chair. The agenda will be made a matter of record.

4.6 ADDITIONS TO AGENDA:

Any Board member may add an agenda item to a regular or special meeting of the Board by notifying the staff liaison at least seven (7) working days in advance of the meeting. A

4.8 OPEN MEETINGS:

All Board meetings (regular, special, and subcommittee) are subject to the Open Meeting Law (A.R.S. § 38-431, *et. seq.*). If held remotely, the Board shall ensure public access.

**ARTICLE 5
QUORUM**

5.1 DEFINITION:

The minimum number of Board or subcommittee members required to be present so that the decisions and proceedings are valid. The calculation of a quorum includes vacant seats on the Board. Arizona statutes generally define a quorum as a majority of the members of a board or commission. A.R.S. § 1-216(B). In applying the Open Meeting Law, this definition applies in the absence of a more specific definition.

5.2 DETERMINATION OF A QUORUM:

If a quorum is not present at the scheduled time of the meeting, business may not be transacted. If following the declaration of a quorum, one or more appointed Board or subcommittee members leave, no longer establishing a present majority, the quorum is lost.

DRAFT V4 03/12/2020

ARTICLE 6
VOTING AND DEVELOPMENT OF CONSENSUS

6.1 VOTING:

The Board and subcommittees will work to develop consensus on issues under consideration by the Board. If consensus is reached and no formal vote is taken, the consensus decision will be noted for the record. When consensus is not possible, a simple majority vote of a quorum of the Board or subcommittee members, on a motion, which has been seconded, shall be the official decision of the Board or subcommittees. All votes of the Board and subcommittees will be recorded in meeting minutes or audio recording, identifying how each individual member voted on each decision item, including abstentions. Board members abstaining from a vote does not impact the establishment of a quorum.

6.2 PROXY VOTES:

Board members may not vote by proxy.

6.3 CONFLICT OF INTEREST:

A Board member shall abstain from voting when it has been determined by the Board member or by a vote of the remaining Board members that they have a conflict of interest, or appearance of a conflict of interest, as set forth by Article 7. For current definitions and examples of conflict of interest refer to Article 7.

6.4 VOTE OF THE CHAIR:

The Chair shall vote on all motions before the Board, unless absent or a conflict of interest exists.

**ARTICLE 7:
ETHICS AND CONFLICT OF INTEREST**

7.1 DEFINITION:

A “conflict of interest” exists when a member of the Board, or the member’s relative, has a substantial interest in any matter, decision, recommendation, or action of the Board. For purposes of these bylaws, a substantial interest means an interest that is financial or proprietary in nature, whether direct or indirect, and that is not speculative or remote. A conflict of interest arises when a Board action could result in a financial or ownership benefit or detriment to the member or the member’s relative that is different from the effect on the public generally.

Conflicts of interest are governed by Arizona law, including A.R.S. §§ 38-501 through 38-511. These statutes define “substantial interest,” “remote interest,” and “relative,” and establish when disclosure and non-participation are required. In the event of any ambiguity or inconsistency between these bylaws and Arizona law, the statutory provisions shall control.

7.2 DECLARATION OF A CONFLICT OF INTEREST:

If a Board or appointed subcommittee member is unsure whether a conflict of interest exists, outreach shall be done to the Board or subcommittee Chair after review of the agenda prior to the meeting, or during the meeting. Any recusal during a regular, special, or subcommittee meeting of the Board, will be included in the minutes. The Board or appointed subcommittee member shall recuse themselves from any discussion of a topic if a conflict of interest is declared.

7.3 PROHIBITIONS:

No Board or appointed subcommittee member shall accept any stipend, fee, gratuity, or other compensation of any kind or nature from any person, unit, agency, or organization for the purpose of influencing a vote, decision, or recommendations of a Board or appointed subcommittee member or staff member on a matter before the Board or subcommittee.

7.4 CODE OF CONDUCT:

Board members shall conduct themselves in a professional manner and treat public and fellow Board members with dignity and respect, regardless of age, race, gender, ethnicity, religion, sexual orientation, or any other identifying class.

**ARTICLE 8
SUBCOMMITTEES**

8.1 APPLICABILITY OF BYLAWS TO SUBCOMMITTEES:

To the extent applicable, and unless specifically noted, the bylaws of the Board extend to the operations of each subcommittee.

8.2 SUBCOMMITTEE DEFINED:

A permanent sub-group of the Board formed pursuant to A.R.S. § 13-3828.

8.3 CHAIR OF SUBCOMMITTEES:

Each subcommittee shall have a designated Chair. The Chair of the Board will appoint the initial Chair of each subcommittee for a term of two years. Following the initial term of the subcommittee Chair, subcommittee members may either re-elect the Chair of the subcommittee for subsequent terms, or elect a new Chair for subsequent terms. The appointed Chair of a subcommittee must be a currently appointed Board member.

8.4 APPOINTED MEMBERS OF SUBCOMMITTEES:

The Chair of the Board shall appoint subcommittee members pursuant to A.R.S. § 13-3828.

8.5 REPORT TO THE BOARD:

Reports to the Board on activities from standing subcommittees shall be made in accordance with A.R.S. § 13-3828.

8.8 ADVISORY NATURE OF SUBCOMMITTEES:

In accordance with A.R.S. § 13-3828, each subcommittee is advisory to the Board.

ARTICLE 9
DEPARTMENT OF PUBLIC SAFETY STAFF LIAISON

9.1 PROVISION OF STAFF LIAISON SERVICES:

Within the fiscal resources available, the Arizona Department of Public Safety (AZ DPS) shall provide the staff liaison to the Board, designated by the AZ DPS Director.

9.2 DUTIES AND RESPONSIBILITIES:

In addition to other assigned duties, it shall be the duty of the staff liaison or designee to attend all regular and special meetings of the Board and assigned subcommittee meetings, provide administrative staff functions for the Board, and coordinate with the Chair, other Board members, and members of the public on behalf of the Board.

DRAFT V4 031206

ARTICLE 10
CONSULTATION TO THE BOARD

10.1 USE OF CONSULTANTS AND TRAINERS:

In recognition of the complexity of the fields of sex offender treatment and management, the Board or any subcommittee of the Board, with the permission of the Chair, may consult with experts to supplement the expertise of the Board and to assist in making informed decisions, to present to the Board, and testify upon request.

10.2 INPUT FROM NON-BOARD MEMBERS:

The Board may also request or receive expertise and input from non-Board members on matters of general standards development, research, or implementation of its mandates.

DRAFT V4 03172026

ARTICLE 11
ROBERT'S RULES OF ORDER

11.1 PARLIAMENTARY MATTERS:

All matters not covered by the bylaws, or policies and procedures that have been approved by the Board, shall be governed by the most recently published version of Robert's Rules of Order.

DRAFT V4 03172026

ARTICLE 12
AMENDMENT OF BYLAWS

12.1 PROCESS TO AMEND BYLAWS:

These bylaws may be amended at any regular or special meeting of the Board by a two-thirds (2/3) majority vote of the seated Board, after a proposed amendment has received one (1) reading at a regular meeting. Proposed amendments shall be distributed to Board members at least thirty (30) days preceding the meeting at which the vote for modification will take place.

DRAFT V4 03172026



BACKGROUND MATERIAL

March 23, 2026

ARIZONA DEPARTMENT OF CORRECTIONS

COMMUNITY CORRECTIONS DIVISION

ADC'S Use of the Arizona Sex Offender Risk Assessment

August 23, 1999

PROVIDED BY

MS. AMANDA ADKINS

ARIZONA DEPARTMENT OF CORRECTIONS
Community Corrections Division

ADC'S Use of the Arizona Sex Offender Risk Assessment

August 23, 1999

Frequently Asked Questions on the History, Development and Use of the Arizona Sex Offender Risk Assessment Profile for Regulatory Community Notification (herein: "the instrument")

Introduction

In 1995, Arizona's 42nd Legislature passed the state's first sex offender community notification statute, A.R.S. §13-3825. The statute required local police departments to notify communities of the presence of certain convicted sex offenders. The effective date of the legislation was delayed for one year pending establishment of a Community Notification Guidelines Committee and submission of the Committee's recommendations to the Legislature.¹

The Guidelines Committee met a number of times during the following year and reviewed many different statutes and practices in other states. Early in the process, the Committee recognized the need to assess the risk each sex offender posed to the community and develop a means to gauge that risk. A decision was made to begin creating an instrument for use in Arizona by modifying an instrument that had been developed by the State of Minnesota as a pre-release tool for judging the status of sex offenders pending release from prison in that state. The majority of items in the instrument were derived from past studies by numerous U.S. and Canadian researchers on risk factors contributing to sex offender recidivism.² The Committee also studied criteria for risk utilized by other states that have community notification laws. The Arizona risk assessment instrument was designed to be completed by criminal justice professionals, i.e. police, probation, parole and detention officers. After reading available information about the offender from files, police reports, court or prison records, the rater determines the appropriate response to each scored factor and arrives at a total score that equates to a commensurate notification level. **It was not designed as a clinical instrument, but was devised as a simple instrument that was effective even in the absence of a large amount of data.** Since the risk posed by sex offenders can change, the law enforcement agency that completes notification has an opportunity to update the risk assessment prior to implementing each community notification occurring when an offender changes residence. The ultimate decision as to the extent of community notification and the method of that notification

¹see A.R.S. §13-3826

²Sex Offender Risk Assessment and Disposition Planning: A Review of Empirical and Clinical Findings; Robert J. McGraff, M.A., compiled by Dr. Steven Gray.

is made by law enforcement. The Committee believed that law enforcement was the group who would be consistently held responsible for protecting the public and were most appropriate to educate and respond to questions and concerns raised by their constituents.

The current risk assessment tool was approved by the Community Notification Guidelines Committee as the standard for use within the State of Arizona for community notification purposes.

The following is a list of answers to frequently asked questions on the instrument's use:

1. Under what circumstances is the risk assessment instrument utilized?

From Arizona Revised Statutes §13-3825: *Within seventy-two hours after a person who was convicted is released from confinement or who was accepted under the interstate compact for the supervision of parolees and probationers and has arrived in this state, the agency that had custody or responsibility for supervision of the person who was convicted of committing an offense for which the person was required to register pursuant to section 13-3821 or that has accepted supervision under the interstate compact for the supervision of parolees and probationers shall provide.... A risk assessment of the offender... to the department of public safety...*

Generally, Arizona's Community Notification law applies to persons who were in one of the above categories on or after June 1, 1996.

2. Who completes the risk assessment instrument?

The risk assessment instrument may be completed by staff of the Arizona Department of Corrections, the various county probation agencies or by local law enforcement officers depending on the circumstances. The following responsibilities are assigned by statute:

Arizona Department of Corrections

- ▶ Convicted sex offenders released from prison.
- ▶ Sex offenders convicted in other states, released from **prison** in those states under community supervision who have been accepted for supervision in Arizona under the Interstate Compact for Parolees and Probationers.

County Probation Offices

- ▶ Convicted sex offenders sentenced to probation by the superior courts.
- ▶ Sex offenders sentenced to **probation** in other states who have been accepted for supervision in Arizona under the Interstate Compact for Parolees and Probationers.
- ▶ Certain sex offenders convicted in the lower courts, ie. third or subsequent misdemeanor conviction for Indecent Exposure or Public Sexual Indecency.

Law Enforcement Agencies

- ▶ Any offender included in the above two categories (county probation or ADC) when the offender locates or relocates in a community.
- ▶ Convicted sex offenders who relocate to Arizona but who are not under parole or probation supervision.

3. What professional training or qualification is required before a person may complete the risk assessment instrument?

The Arizona Department of Corrections has developed a training course for criminal justice professionals in use of the risk assessment instrument. The majority of risk assessments completed on sex offenders pending release from ADC are completed by a small group of highly experienced parole officers working in the Sex Offender Notification Unit within the Criminal Justice Support Bureau of the Community Corrections Division. The parole officers in the Unit completed training in application of the risk assessment instrument. Each officer individually completes approximately one hundred assessments each month.

The risk assessment instrument simply assigns point values to particular elements which appear in the sex offender's criminal history records, for example; the number of times the sex offender has been convicted; the age, gender and number of victims, whether the offender used a weapon to inflict injury, etc. The nineteen scored elements that comprise the risk assessment instrument utilize objective rather than subjective criteria.

4. Has the risk assessment tool been statistically validated?

Yes. During initial development of the instrument, 75 Arizona sex offenders previously released on probation or parole were assessed using the instrument. Of this group, 25 were on probation in Pima County, 25 were on probation in Maricopa County and 25 were to be released from ADC. This pool of offenders was used to refine the specific weights assigned to factors on the risk assessment instrument to ascertain rater reliability and to define the scores delineating the categories of risk. These preliminary results confirmed the instrument's accuracy.

In 1998, Dr. Daryl Fischer, Research Unit Manager of the Arizona Department of Corrections (ADC) completed a validation study of the instrument based on a two year population base of sex offenders who were either placed on probation or released from ADC statewide and subject to community notification. The study tracked the offenders to determine the rate of re-arrest and return to custody. The results indicated that the largest number of sex offenders returned to custody were originally scored in the Level 3 (highest) range. The second largest group were in the Level 2 range and only one offender in the Level 1 category (lower) was returned to custody, thus validating the instrument's statistical accuracy. Additionally, in 1999, using the above study group, ADC in

conjunction with the Federal Bureau of Investigation initiated the second phase of the Arizona risk assessment validation study to determine whether any of these Arizona offenders were re-arrested or convicted in another jurisdiction outside of Arizona. The initial data was submitted to the FBI in mid-July 1999. ADC staff will continue to work closely with the FBI until the research is completed. Based on the results of the second phase of the validation study, adjustments to the risk assessment instrument will be proposed along with refinements to the instrument which will clarify instructions and make the completion of the instrument more user friendly. If adjustments to the level cutoff scores are justified, and the instrument is modified, statewide training must again occur to reflect the changes made. Since no funds have been appropriated for statewide training, validation or modifications to the Sex Offender Profile and Notification database within the Arizona Criminal Justice Information System, it is prudent for any modification or recommendation being submitted to the Sex Offender Guidelines Committee be a comprehensive proposal. By presenting one modification/adjustment package and making changes in a coordinated manner and only when necessary, the consistency and integrity of the instrument is maintained.

5. Why does ADC use the the risk assessment tool in screening inmates for civil commitment under the state's sexually violent persons statute?

Arizona Revised Statutes §36-3702 *Notice of release; referral; immunity* is silent on the means ADC may utilize to screen inmates for evaluation and civil commitment under the law, stating in part:

A. If an agency that has jurisdiction over a person, who is at least eighteen years of age, determines that the person may be a sexually violent person, the agency shall refer the person in writing to the county attorney in the county in which the person was convicted, was found incompetent or will be released or to the attorney general...

... The agency shall provide the county attorney or attorney general with the following to support the written request that a petition be filed:

... A report of the person's condition that was completed within the preceding one hundred and twenty days and that includes an opinion expressing to a reasonable degree of psychiatric, psychological or professional certainty that the person has a mental disorder and that, as a result of that mental disorder, the person is likely to engage in a sexually violent offense.

As a normal part of daily functioning, the Sex Offender Coordination Unit within ADC reviews packets on the inmates who are being released to the community with or without post prison community supervision. Staff complete this task to ascertain whether the inmates are subject to sex offender registration and/or community notification. It was logical and reasonable to expand the existing process completed for community notification purposes to identify those inmates who are subject to the sexually violent persons law as determined by their current or past criminal offenses. Those inmates who are assessed to be in the Level 2 and 3 community notification risk categories

are referred for a mental health assessment to determine if they meet the mental disorder requirement, and if, as a result of a mental disorder, are likely to engage in a sexually violent offense. **The mental health report is a requirement of the statute, and no referral can be made to the county attorney unless a psychologist believes that the person has a mental disorder and is likely to engage in a sexually violent offense.** ADC has chosen to exclude from the mental health assessment those sex offenders who score in the Level 1 community notification range unless exceptional circumstances are present. It would be difficult to present a compelling case as to why an offender should be civilly committed to the state hospital indefinitely when the offender's risk score is in the Level 1 category. This is supported by the fact that Level 1 does not require law enforcement to notify the community upon the offender's release from prison.

The risk assessment instrument is a valid initial screening tool utilized by ADC to determine when an incarcerated sex offender will be considered for a formal mental health assessment by a psychologist or psychiatrist preparatory to a civil commitment referral to the county attorney.

6. What records must be reviewed in order to complete the risk assessment instrument?

Generally speaking, the person completing the instrument should review all available criminal history records for the offender, including all police reports, presentence reports, statements made by the offender, psychological evaluations and related documents.

The risk assessment instrument consists of 19 different factors, each assigned an individual point value depending on the nature or frequency of occurrence in the offender's criminal history. The assigned point values were calculated on each factor after a statistical analysis was completed from an initial research population. The following is a summarized list of those components (in order) and suggested sources of information to be utilized for accurate completion of the instrument:

<u>Component</u>	<u>Information Source</u>
Number of convictions for sex/sex related offenses (including current offense)	NCIC criminal history records, past and current presentence report(s)
Number of convictions for felony offenses (excluding sex/sex related offenses)	NCIC criminal history records, past and current presentence report(s)
Other sex/sex related charges not resulting in conviction	NCIC criminal history records, past and current presentence report(s)
Age at first conviction for sex/sex related offense	NCIC criminal history records, past and current presentence report(s)
Use of weapon in sex/sex related conviction(s)	Current and past presentence reports, police reports

Use of weapon in sex/sex related conviction(s)	Current and past presentence reports, police reports
Total number of victims in all sex offense convictions	Current and past presentence reports, police reports
Gender of victims	Current and past presentence reports, police reports
Relationship of offender to victim	Current and past presentence reports, police reports
Use of force	Current and past presentence reports, police reports
Other characteristics of sex/sex related convictions	Current and past presentence reports, police reports
Length of sexual offense history	NCIC criminal history records
Alcohol/drug usage	Current and past presentence reports, police reports
Mental/cognitive impairment of offender	Psychological evaluations, current and past presentence reports
Employment history	Current and past presentence reports
Presence of multiple paraphilias/sexually deviant interests	Psychological evaluations, current and past presentence reports, police reports
Felony committed upon previous release from institution	NCIC criminal history records
Discipline history while in prison/jail	Prison/jail records, presentence reports
Chemical dependency treatment while in prison/jail	Prison/jail records, presentence reports
Sex offender treatment while in prison/jail	Psychological evaluations, prison/jail records, presentence reports

7. How are the levels of community notification related to the risk assessment score?

Offenders whose risk assessment score totals are 14 points and below are considered to be in the Level 1 (lower) community notification category. Arizona Revised Statutes §13-3826 *Community notification guidelines committee; members; powers; duties; definition* requires:

“For level one offenders, the local law enforcement agency that is responsible for notification shall maintain information about the offender. The local law enforcement agency **may** disseminate this information to other law enforcement agencies and **may** give notification to the people with whom the offender resides.”

Offenders whose risk assessment scores are between 15 and 39 points, require:

“For level two offenders, the notification **may** be made to the immediate neighbors, schools, appropriate community groups and prospective employers which **may** include a flyer with a photograph and address or the general area where the offender will be residing as well as a brief general summary of the offender’s status and criminal background.”

Offenders whose risk assessment scores are 40 points and higher require:

“For level three offenders, the notification **shall** be made to surrounding neighborhood, area schools, appropriate community groups and prospective employers which **shall** include a flyer with a photograph and exact address of the offender as well as a summary of the offender's status and criminal background. A press release and a level three flyer shall be given to the local electronic and print media to enable information to be placed in a local publication.

8. Please explain the “mitigating circumstances/not part of the screening criteria” box on the risk assessment instrument?

Criminal justice and mental health professionals working in the field of sex offender supervision and treatment have long recognized the benefit of strong family and social support systems in reducing individual sex offender recidivism. These factors, while not readily quantified, may in some cases serve to mitigate the extent of community notification required for an offender. The information contained in this section merely serves as a reminder to the local law enforcement agency responsible for completing community notification that these factors, if present, may be taken into consideration. Upon an offender’s relocation, if law enforcement receives new information about an offender completing sex offender treatment, becoming medically incapacitated, developing additional family or community support, etc. then a reduction in the level of community notification may occur at the discretion of law enforcement. **The consultation by law enforcement with parole and probation officers is an important factor in understanding the impact of these factors.** Since these factors are dynamic, they could not be included in the scoring of other static factors or given a specific weight.

9. Are there any circumstances where the local law enforcement agency conducting community notification may increase or decrease the level of notification to the community?

Yes. Local law enforcement agencies may “override” by increasing or decreasing the community notification completed on an offender. An increase to the level or extent of notification can be made when an offender:

- ▶ Used a deadly weapon or dangerous instrument during commission of the offense.
- ▶ Tortured or mutilated the victim or inflicted great bodily harm.
- ▶ If the victim was transported forcefully to another location
- ▶ Or whenever law enforcement receives new information that was not available when the previous assessment was completed.

A decrease may occur when law enforcement believes it is not in the best interest of the community or the state of Arizona to follow the established guidelines. Refer to question #8.

This document was created by the staff of the Criminal Justice Support Bureau of the Community Corrections Division. If additional information is required, please contact:

Ken Marion
Manager, Fugitive/Sex Offender Notification Unit
Arizona Department of Corrections
363 N. First Avenue
Phoenix, AZ 85003

(602) 255-4244

NEH/KM/pw

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BACKGROUND MATERIAL

March 23, 2026

PENDING LEGISLATION

SB1239

SB1240

SB1585



ARIZONA STATE SENATE
Fifty-Seventh Legislature, Second Regular Session

FACT SHEET FOR S.B. 1239

sex offenders; statute of limitations

Purpose

Adds failing to register as a sex offender to the list of offenses for which there is an unlimited statute of limitations and a prosecution may be commenced at any time.

Background

Statute allows a prosecution for a homicide, conspiracy to commit homicide that results in the death of a person, various sexual offenses, terrorism, unlawful use of an infectious biological substance or radiological agent, misuse of public monies or a felony involving falsification of public records to be commenced at any time. Prosecutions for other offenses must be commenced within their respective time periods after actual discovery by the state or the political subdivision having jurisdiction of the offense, with the time periods being: 1) for a class 2 through class 6 felony, seven years; 2) for a misdemeanor, one year; and 3) for a petty offense, six months ([A.R.S. § 13-107](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Adds failing to register as a sex offender to the list of offenses for which a prosecution may be commenced at any time.
2. Makes technical changes.
3. Becomes effective on the general effective date.

Prepared by Senate Research
January 23, 2026
ZD/MY/ci

Senate Engrossed

sex offenders; statute of limitations

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1239

AN ACT

AMENDING SECTION 13-107, ARIZONA REVISED STATUTES; RELATING TO TIME
LIMITATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-107, Arizona Revised Statutes, is amended to
3 read:

4 13-107. Time limitations

5 A. A prosecution for any homicide, any conspiracy to commit
6 homicide that results in the death of a person, any offense that is listed
7 in chapter 14 or 35.1 of this title and that is a class 2 felony, any
8 violent sexual assault pursuant to section 13-1423, any violation of
9 section 13-2308.01, 13-2308.03, ~~or 13-3212,~~ OR 13-3824, any misuse of
10 public monies or a felony involving falsification of public records or any
11 attempt to commit an offense listed in this subsection may be commenced at
12 any time.

13 B. Except as otherwise provided in this section and sections
14 28-672, 28-1381 and 28-1382, prosecutions for other offenses must be
15 commenced within the following periods after actual discovery by the state
16 or the political subdivision having jurisdiction of the offense or
17 discovery by the state or the political subdivision that should have
18 occurred with the exercise of reasonable diligence, whichever first
19 occurs:

- 20 1. For a class 2 through a class 6 felony, seven years.
- 21 2. For a misdemeanor, one year.
- 22 3. For a petty offense, six months.

23 C. For the purposes of subsection B of this section, a prosecution
24 is commenced when an indictment, information or complaint is filed.

25 D. The period of limitation does not run during any time when the
26 accused is absent from the state or has no reasonably ascertainable place
27 of abode within the state.

28 E. The period of limitation does not run for a serious offense as
29 defined in section 13-706 during any time when the identity of the person
30 who commits the offense or offenses is unknown.

31 F. The time limitation within which a prosecution of a class 6
32 felony shall commence shall be determined pursuant to subsection B,
33 paragraph 1 of this section, irrespective of whether a court enters a
34 judgment of conviction for or a prosecuting attorney designates the
35 offense as a misdemeanor.

36 G. If a complaint, indictment or information filed before the
37 period of limitation has expired is dismissed for any reason, a new
38 prosecution may be commenced within six months after the dismissal becomes
39 final even if the period of limitation has expired at the time of the
40 dismissal or will expire within six months of the dismissal.



ARIZONA STATE SENATE
Fifty-Seventh Legislature, Second Regular Session

FACT SHEET FOR S.B. 1240

probation success incentive payments; calculation

Purpose

Excludes probationers who are convicted of a *dangerous crime against children* (DCAC) from being included in the calculation that determines probation success incentive payments to counties.

Background

The Administrative Office of the Courts (AOC) must calculate a probation success incentive payment using a formula specified in statute, the basis for which is equal to the number of probationers successfully prevented from entering prison. Subject to legislative appropriation, incentive payments must be proportionately allocated to each county probation department to improve supervision and rehabilitative services for probationers. The AOC must submit annual reports to the Governor, President of the Senate, Speaker of the House of Representatives and Joint Legislative Budget Committee on incentive payment implementation ([A.R.S. § 12-270](#)).

DCACs are specific legal designations for serious crimes and sexual offenses committed against a minor who is under 15 years old, including: 1) second degree murder; 2) aggravated assault; 3) sexual assault; 4) sexual conduct with a minor; 5) sexual abuse; 6) sex trafficking; and 7) luring and aggravated luring of a minor for sexual exploitation ([A.R.S. § 13-705](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits the AOC, when calculating county probation success incentive payments, from including probationers who are convicted of a DCAC.
2. Makes technical changes.
3. Becomes effective on the general effective date.

Prepared by Senate Research
January 26, 2026
ZD/ci

Senate Engrossed

probation success incentive payments; calculation

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1240

AN ACT

AMENDING SECTION 12-270, ARIZONA REVISED STATUTES; RELATING TO STATE AID FOR PROBATION SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-270, Arizona Revised Statutes, is amended to
3 read:

4 12-270. Probation success incentive payments and grants;
5 baseline calculations; annual reports; definitions

6 A. The administrative office of the courts, in consultation with
7 each county's adult probation department, shall calculate a county
8 probation success incentive payment for each county for the most recently
9 completed fiscal year. **IN MAKING THIS CALCULATION, THE ADMINISTRATIVE**
10 **OFFICE OF THE COURTS SHALL EXCLUDE PROBATIONERS WHO ARE CONVICTED OF A**
11 **DANGEROUS CRIME AGAINST CHILDREN AS DEFINED IN SECTION 13-705.** Each
12 county's probation success incentive payment equals the number of
13 probationers successfully prevented from entering prison, compared to the
14 county-specific historical baselines calculated in subsection G, paragraph
15 1 of this section multiplied by fifty percent of the marginal cost of
16 incarceration as required by subsection F of this section. The
17 administrative office of the courts shall calculate a statewide probation
18 success incentive grant payment that equals the number of probationers
19 successfully prevented from entering prison statewide, compared to the
20 statewide historical baseline calculated in subsection G, paragraph 1 of
21 this section multiplied by twenty-five percent of the marginal cost of
22 incarceration as required by subsection F of this section. Subject to
23 legislative appropriation, the administrative office of the courts shall
24 proportionately allocate the county probation success incentive payments
25 to each county based on the specific calculations made pursuant to
26 subsection G of this section. Subject to legislative appropriation, the
27 administrative office of the courts shall deposit the statewide probation
28 success incentive grant payment in a subaccount established by the
29 administrative office of the courts for the purpose of recidivism
30 reduction and improving probation services.

31 B. Each county shall use its probation success incentive payment
32 and any monies received from a statewide probation success incentive grant
33 to improve supervision and rehabilitative services for probationers,
34 including any of the following:

35 1. Implementing and expanding evidence-based practices for risk and
36 needs assessments for individualized programming.

37 2. Implementing and expanding intermediate sanctions, including
38 mandatory community restitution, home detention, day reporting,
39 restorative justice programs and work furlough programs.

40 3. Expanding the availability of evidence-based practices for
41 rehabilitation programs, including drug and alcohol treatment, mental
42 health treatment, anger management, cognitive behavior programs and job
43 training and employment services.

44 4. Recognizing and rewarding probation officers in adult probation
45 departments whose work has advanced the implementation of evidence-based

1 practices or who have contributed to the probation department's recidivism
2 reduction efforts.

3 5. Paying for continuing education and training that focuses on
4 evidence-based practices for probation officers or probation staff, or
5 both.

6 6. Evaluating the effectiveness of rehabilitation and supervision
7 programs and ensuring program fidelity.

8 C. The administrative office of the courts shall allocate county
9 probation success incentive payments to each county for distribution to
10 the county's adult probation department to implement the programs
11 prescribed in subsection B of this section. A board that includes the
12 chief probation officer from each county shall determine the distribution
13 of statewide probation success incentive grant monies. A county's chief
14 probation officer must be recused in a vote that may award a grant to the
15 chief probation officer's probation department. The county and statewide
16 probation success incentive payments allocated pursuant to this section
17 shall be used to supplement, not supplant, any other state or county
18 appropriation for the adult probation department.

19 D. For any county or statewide probation success incentive payments
20 allocated or grants awarded to a county, the county shall distribute the
21 allocated monies to its adult probation department, which must use the
22 monies for improving probation services and recidivism reduction funding
23 activities prescribed in subsection B of this section. In the county's
24 discretion, the county may retain up to fifteen percent of the allocated
25 monies for administrative and data collection purposes.

26 E. In any fiscal year in which a county receives incentive payments
27 or grants, the monies shall be made available to the county's adult
28 probation department to implement probation programming within sixty days
29 after the allocation of those monies. The county adult probation
30 department shall maintain a complete and accurate accounting of all monies
31 received pursuant to this section.

32 F. At the end of each fiscal year, the director of the state
33 department of corrections shall calculate the marginal cost of
34 incarceration for that fiscal year and provide that information to the
35 administrative office of the courts. The calculation shall take into
36 consideration factors such as the average length of stay in prison and
37 variable corrections costs, including health care services, food and
38 clothing.

39 G. At the end of each fiscal year, the administrative office of the
40 courts shall gather data on, calculate and report the following for each
41 fiscal year:

42 1. The probation failure rate for this state and each county. To
43 make this calculation, the baseline probation failure rate equals the
44 average number of adult probationers who failed to successfully complete a
45 term of probation during fiscal years 2007-2008, 2014-2015 and 2018-2019,

1 as a percentage of the average number of probationers who successfully
2 completed a term of probation during that same time period. When
3 calculating probation failure, if a person on probation spends fewer than
4 fourteen days in detention, that person's detention is not a probation
5 failure. For the purposes of calculating the probation failure rate and
6 the baseline probation failure rate, the number of adult probationers who
7 failed to successfully complete a term of probation includes the
8 following:

9 (a) A probationer whose probation was revoked for a new crime or
10 technical violation.

11 (b) A probationer whose whereabouts are unknown and for whom an
12 arrest warrant was issued during the fiscal year.

13 (c) A probationer whose probation is terminated on serving a
14 sentence in a county jail in lieu of probation revocation for a new crime
15 or technical violation.

16 2. An estimate of the number of adult probationers this state and
17 each county successfully prevented from failing probation. This estimate
18 is calculated based on the reduction in the probation failure rate as
19 calculated annually pursuant to the baseline probation failure rate
20 calculated pursuant to paragraph 1 of this subsection. In making this
21 estimate, the administrative office of the courts, in consultation with
22 the adult probation department, shall adjust the calculations to account
23 for changes in the adult probation caseload in the most ~~recent~~ RECENTLY
24 completed fiscal year as compared to the adult probation population during
25 fiscal years 2007-2008, 2014-2015 and 2018-2019.

26 3. The current total population of probationers for the last three
27 years per county as of the date of the required report.

28 H. If data of sufficient quality and of the types required by this
29 section are not available, the administrative office of the courts shall
30 use the best available data to estimate probation success rates using a
31 methodology that is as consistent with that described in this section as
32 is reasonably possible.

33 I. The administrative office of the courts shall include an
34 estimate of the total monies to be held and administered in the following
35 fiscal year as part of the judiciary's proposed budget.

36 J. Each county board of supervisors shall periodically provide
37 oversight regarding the allocation of incentive payment grants to the
38 specific departments that are tasked with administering the probation
39 programming to ensure that disbursed monies are appropriately used as
40 specified in subsection B of this section.

41 K. Each adult probation department shall define and track specific
42 outcome-based measures, including all of the following:

43 1. The percentage of probationers who are supervised in accordance
44 with evidence-based practices.

- 1 2. The specific supervision policies, procedures, programs and
2 practices that were eliminated.
- 3 3. The percentage of probationers who successfully complete the
4 period of supervision.
- 5 4. The number of probation absconders who are located each year and
6 the disposition of these cases.
- 7 5. The amount of monies received by each adult probation
8 department.
- 9 L. On or before December 31, 2022 and annually thereafter, each
10 adult probation department that receives incentive payments or grants
11 pursuant to this section shall submit a written report to the
12 administrative office of the courts and the county board of supervisors
13 that accounts for incentive payments received and grants awarded and that
14 evaluates the effectiveness of the program.
- 15 M. On or before July 1, 2023 and annually thereafter, the
16 administrative office of the courts shall submit to the governor, the
17 speaker of the house of representatives, the president of the senate and
18 the joint legislative budget committee a comprehensive report on the
19 implementation of this section. The report must include all of the
20 following information:
- 21 1. The effectiveness of programs based on the reports of
22 ~~performance-based outcome~~ **OUTCOME-BASED** measures required in subsection K
23 of this section.
- 24 2. The percentage of adult probationers whose supervision was
25 revoked for the year that the report is being made.
- 26 3. The percentage of probationers who were convicted of criminal
27 offenses during the probationer's term of supervision for the year that
28 the report is being made.
- 29 4. The impact of the incentive payments allocated pursuant to this
30 section to enhance public safety by:
- 31 (a) Reducing the percentage and the number of probationers whose
32 supervision was revoked for the year the report is being made for
33 violations or new convictions.
- 34 (b) Reducing the number of probationers who return to prison or
35 jail or who abscond from probation for the year that the report is being
36 made.
- 37 5. Any recommendations regarding resource allocations or additional
38 collaboration with other state, regional, federal or local entities for
39 improvements made pursuant to this section.
- 40 6. The number of probationers whose supervision was revoked solely
41 for a violation of the terms of probation and the number of probationers
42 whose supervision was revoked because of the commission of a new offense.

1 N. For the purposes of this section:
2 1. "Baseline probation failure rate" means the average of the
3 probation failure rates for fiscal years 2007-2008, 2014-2015 and
4 2018-2019. Each fiscal year's failure rate is the quotient of the number
5 of persons on probation who failed to successfully complete the person's
6 term of probation that is divided by the total number of persons on
7 probation and that is calculated on a statewide basis and for each county.
8 2. "Evidence-based practices" means supervision policies,
9 procedures, programs and practices demonstrated by scientific research to
10 reduce recidivism among persons on probation.
11 3. "Marginal cost of incarceration" means the sum of all short-term
12 variable costs associated with incarcerating a person in a state
13 department of corrections facility and includes only those correctional
14 costs that marginally change in proportion to the inmate population of a
15 facility.
16 4. "Probation programming" means all programs established pursuant
17 to title 13, chapter 9 and consists of a system of probation supervision
18 services dedicated to all of the following goals:
19 (a) Enhancing public safety through managing and reducing offender
20 risk while a probationer is under supervision and on reentry from prison
21 into the community.
22 (b) Providing a range of supervision tools, sanctions and services
23 that are applied to probationers based on a risk or needs assessment, or
24 both, to reduce criminal conduct and promote individualized behavioral
25 change that results in reducing recidivism and promoting successful
26 reintegration into the community.
27 (c) Maximizing offender restitution, reconciliation and restorative
28 services to crime victims, when applicable.
29 (d) Holding probationers accountable for successful compliance with
30 applicable court orders and conditions of probation.
31 (e) Improving public safety outcomes for a person who is placed on
32 probation after an offense, as measured by the person's successful
33 completion of probation and commensurate reduction in the rate of
34 probationers returning to prison as a result of a revocation or conviction
35 of a new offense.



ARIZONA STATE SENATE
Fifty-Seventh Legislature, Second Regular Session

FACT SHEET FOR S.B. 1585

sex offenders; fund; assessment; subcommittee

Purpose

Outlines minimum qualifications for individuals who provide sex-offender specific evaluation, treatment and polygraph services. Establishes the Sex Offender Surcharge Fund (Fund) and outlines additional assessments levied on specified sexual offenses that are deposited into the Fund. Appropriates \$200,000 and two FTEs from the state General Fund (state GF) in FY 2027 to the Department of Public Safety (DPS) for support of the Sex Offender Management Board (Board).

Background

The Board is established within DPS consisting of members who have expertise in adult and juvenile issues that relate to sex offenders. Members of the Board are appointed by the Chief Justice of the Arizona Supreme Court, President of the Senate, Speaker of the House of Representatives, Governor, prosecuting attorneys and various state agencies. The Board must develop, implement and revise guidelines and standards to treat adult sex offenders and juveniles who have committed sexual offenses, including those with intellectual and developmental disabilities and serious mental illness. The recommended guidelines and standards must incorporate the concepts of the risk-need-responsivity or another evidence-based correctional model ([Laws 2024, Ch. 241](#)).

S.B. 1585 appropriates \$200,000 and two FTEs from the state GF in FY 2027 to DPS.

Provisions

1. Prohibits the Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR), the Judicial Branch, the DPS Criminal Investigations Division, the DPS Criminal Justice Services Bureau and the Department of Health Services from employing, contracting or allowing individuals or entities to provide sex-offender specific evaluations, treatment or polygraph services unless the treatment or service conforms with the prescribed guidelines and standards for sex-offender specific evaluation and treatment developed by the Board.
2. Requires an individual who provides sex offender-specific evaluation or treatment to:
 - a) at a minimum, have a baccalaureate degree in a behavioral science with training in counseling or therapy, or professional experience in counseling or therapy;
 - b) hold a professional mental health license or be approved by the Board of Behavioral Health Examiners as an unlicensed psychotherapist, certified addiction counselor, licensed professional counselor candidate, licensed marriage and family therapist candidate or psychologist candidate; or
 - c) be a clinical social worker.

FACT SHEET

S.B. 1585

Page 2

3. Requires a polygraph examiner to have graduated from a school accredited by the American Polygraph Association and to have a baccalaureate degree from a four-year higher education institution.
4. Requires ADCRR to complete annual compliance monitoring of contracted providers and polygraph examiners who are not approved by the Board as outlined.
5. Stipulates that ADCRR must terminate a provider's contract if the contracted provider is found to have violated the prescribed guidelines and standards for sex-offender specific evaluation and treatment.
6. Requires supervising officers to follow the prescribed guidelines and standards when working with sex offenders.
7. Requires the agencies that employ supervising officers to collaborate with the Board to develop procedures to hold a supervisor who fails to follow the guidelines and standards accountable.
8. Modifies Board membership to require public members appointed by the President of the Senate, the Speaker of the House of Representatives and the Governor to have expertise in adult or juvenile issues that relate to sex offenders, rather than requiring the outlined members to have expertise in both adult and juvenile issues.
9. Decreases, from 80 percent to 62 percent, the number of members of the Board Subcommittee that must be approved treatment providers.
10. Modifies Board duties to include consulting with the Legislature, on request, and making recommendations regarding proposed legislation involving sexual offenses or sex offender risk management.
11. Establishes, beginning January 1, 2027, additional assessments that the court must order a person who is convicted of a sexual offense or an offense involving sexual exploitation of children to pay, including:
 - a) \$2,000 for a class 1 felony;
 - b) \$1,500 for a class 2 felony;
 - c) \$1,000 for class 3 felony;
 - d) \$500 for a class 4 felony;
 - e) \$375 for a class 5 felony;
 - f) \$250 for a class 6 felony;
 - g) \$200 for a class 1 misdemeanor;
 - h) \$150 for a class 2 misdemeanor; and
 - i) \$75 for a class 3 misdemeanor.
12. Requires the court to transmit the additional assessments collected to the county treasurer, or the city or town treasurer for municipal courts, for transmittal to the State Treasurer.
13. Establishes the Fund consisting of legislative appropriations and the additional assessments levied on sexual offenses and offenses involving sexual exploitation of children.
14. Requires the State Treasurer to deposit the outlined additional assessments in the Fund.

FACT SHEET

S.B. 1585

Page 3

15. Requires DPS to administer the Fund for the purpose of defraying costs relating to the Board.
16. Appropriates \$200,000 and two FTEs from the state GF in FY 2027 to DPS for support of the Board.
17. Exempts the appropriation from lapsing.
18. Makes technical and conforming changes.
19. Becomes effective on the general effective date, with a delayed effective date as noted.

Prepared by Senate Research

February 6, 2026

ZD/KS/ci

Senate Engrossed

sex offenders; fund; assessment; subcommittee

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1585

AN ACT

AMENDING TITLE 12, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 12-116.13; AMENDING SECTION 13-3828, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 38, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3828.01; APPROPRIATING MONIES; RELATING TO SEX OFFENDER MONITORING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 12, chapter 1, article 1, Arizona Revised
3 Statutes, is amended by adding section 12-116.13, to read:

4 12-116.13. Additional assessment for sexual offenses

5 A. IN ADDITION TO ANY OTHER ASSESSMENT OR RESTITUTION, IF A PERSON
6 IS CONVICTED OF A VIOLATION OF TITLE 13, CHAPTER 14 OR 35.1, THE COURT
7 SHALL ORDER THE PERSON TO PAY AN ADDITIONAL ASSESSMENT IN ONE OF THE
8 FOLLOWING AMOUNTS:

9 1. FOR A CLASS 1 FELONY, \$2,000.

10 2. FOR A CLASS 2 FELONY, \$1,500.

11 3. FOR A CLASS 3 FELONY, \$1,000.

12 4. FOR A CLASS 4 FELONY, \$500.

13 5. FOR A CLASS 5 FELONY, \$375.

14 6. FOR A CLASS 6 FELONY, \$250.

15 7. FOR A CLASS 1 MISDEMEANOR, \$200.

16 8. FOR A CLASS 2 MISDEMEANOR, \$150.

17 9. FOR A CLASS 3 MISDEMEANOR, \$75.

18 B. THE COURT SHALL TRANSMIT THE ASSESSMENTS COLLECTED PURSUANT TO
19 THIS SECTION TO THE COUNTY TREASURER, EXCEPT THAT MUNICIPAL COURTS SHALL
20 TRANSMIT THE ASSESSMENTS TO THE CITY OR TOWN TREASURER.

21 C. THE CITY, TOWN OR COUNTY TREASURER SHALL TRANSMIT THE
22 ASSESSMENTS TO THE STATE TREASURER. THE STATE TREASURER SHALL DEPOSIT,
23 PURSUANT TO SECTIONS 35-146 AND 35-147, THE ASSESSMENTS IN THE SEX
24 OFFENDER SURCHARGE FUND ESTABLISHED BY SECTION 13-3828.01.

25 Sec. 2. Section 13-3828, Arizona Revised Statutes, is amended to
26 read:

27 13-3828. Sex offender management board; duties; report

28 A. The sex offender management board is established within the
29 department of public safety and consists of members who represent urban
30 and rural areas of this state, who have expertise in adult and juvenile
31 issues that relate to sex offenders and who are appointed as follows:

32 1. The chief justice of the supreme court shall appoint the
33 following members, who may be active or retired and who have sufficient
34 experience in the field:

35 (a) One member who represents the judicial department.

36 (b) One member who is a superior court judge.

37 (c) One member who is either a juvenile court judge or a juvenile
38 hearing officer.

39 2. The director of the state department of corrections shall
40 appoint one member who represents the state department of corrections.

41 3. The director of the department of economic security shall
42 appoint one member who represents the department of economic security and
43 who has recognizable expertise in intellectual and developmental
44 disabilities.

1 4. The director of the department of child safety shall appoint the
2 following members:

3 (a) One member who is a provider of out-of-home placement services
4 and who has recognizable expertise in providing services to juveniles who
5 have committed sexual offenses.

6 (b) One member who represents the department of child safety.

7 5. The director of the department of public safety shall appoint
8 the following members:

9 (a) Two members who are licensed mental health professionals and
10 who have recognizable expertise in the treatment of adult sex offenders.

11 (b) Two members who are licensed mental health professionals and
12 who have recognizable expertise in the treatment of juveniles who have
13 committed sexual offenses.

14 (c) One member who is a public defender and who has recognizable
15 expertise related to sexual offenses.

16 (d) One member who represents law enforcement and who has
17 recognizable expertise in addressing sexual offenses and victimization.

18 (e) Three members who are recognized experts in the field of sexual
19 abuse and who represent sexual abuse victims and victims' rights
20 organizations.

21 (f) One public member who has expertise related to the evaluation,
22 treatment or supervision of sex offenders.

23 (g) One member who is a clinical polygraph examiner and who is
24 trained in postconviction sex offender testing.

25 (h) One member who is a current or former probation representative
26 and who has recognizable expertise related to sexual offenses.

27 (i) One member who is a county director of human or social services
28 and who is appointed after consultation with a statewide group
29 representing counties.

30 (j) Two members who are members of a county board of supervisors or
31 who are members of the governing council for a jurisdiction that is a
32 contiguous city and county, one of whom represents an urban or suburban
33 county and one of whom represents a rural county, and who are appointed
34 after consultation with a statewide group representing counties.

35 (k) One member who represents the highway patrol division in the
36 department of public safety.

37 6. The director of the Arizona prosecuting attorneys' advisory
38 council shall appoint one member who represents the interests of
39 prosecuting attorneys and who has recognizable expertise in prosecuting
40 sexual offenses.

41 7. The superintendent of public instruction shall appoint one
42 member who has experience with juveniles who have committed sexual
43 offenses and who is in the public school system.

44 8. The speaker of the house of representatives shall appoint two
45 public members who are from different political parties and who have

1 expertise in adult ~~and~~ OR juvenile, OR BOTH, issues that relate to sex
2 offenders.

3 9. The president of the senate shall appoint two public members who
4 are from different political parties and who have expertise in adult ~~and~~
5 OR juvenile, OR BOTH, issues that relate to sex offenders.

6 10. The governor may appoint up to two additional members who are
7 from different political parties AND WHO HAVE EXPERTISE IN ADULT OR
8 JUVENILE, OR BOTH, ISSUES THAT RELATE TO SEX OFFENDERS.

9 11. The director of the department of health services shall appoint
10 one member who represents the Arizona community protection and treatment
11 center.

12 B. The board shall elect a chairperson from among its membership to
13 serve a two-year term as chairperson.

14 C. Members who are appointed pursuant to subsection A of this
15 section serve at the pleasure of the appointing authority. The initial
16 members shall assign themselves by lot to terms of two, three and four
17 years. All subsequent members serve four-year terms of office. The
18 chairperson shall notify the governor's office of these terms. Board
19 members are not eligible to receive compensation but are eligible for
20 reimbursement of expenses pursuant to title 38, chapter 4, article 2.

21 D. The board shall do all of the following and shall present its
22 recommendations, as applicable, to the legislature:

23 1. Develop, prescribe and revise, as appropriate, standard
24 procedures to evaluate adult sex offenders, including adult sex offenders
25 with developmental disabilities and serious mental illness. The
26 recommended procedures shall:

27 (a) Provide for evaluating adult sex offenders.

28 (b) Recommend management, monitoring and treatment based on
29 existing research.

30 (c) Incorporate the concepts of the risk-need-responsivity or
31 another evidence-based correctional model.

32 2. Develop a procedure for evaluating, on a case-by-case basis,
33 reliably lower-risk sex offenders whose risk to sexually reoffend may not
34 be further reduced by participation in a treatment program that is
35 implemented pursuant to paragraph 4 of this subsection.

36 3. Develop and recommend methods of intervention for adult sex
37 offenders. The methods must prioritize the physical and psychological
38 safety of victims and potential victims. The methods must also be
39 appropriate to the assessed needs of the particular adult sex offender.

40 4. Develop, implement and revise, as appropriate, guidelines and
41 standards to treat adult sex offenders, including adult sex offenders with
42 intellectual and developmental disabilities and serious mental illness.
43 The recommended guidelines and standards must incorporate the concepts of
44 the risk-need-responsivity or another evidence-based correctional model.
45 The guidelines and standards may be used in the treatment of adult sex

1 offenders who are placed on probation, imprisoned in the state department
2 of corrections or placed on community supervision. Programs recommended
3 to be implemented pursuant to the guidelines and standards must:

4 (a) Be as flexible as possible so that the programs may be accessed
5 by each adult sex offender to prevent the adult sex offender from harming
6 victims and potential victims.

7 (b) Include a continuing monitoring process and a continuum of
8 treatment options that are available to an adult sex offender as the adult
9 sex offender proceeds through the criminal justice system. Treatment
10 options must be determined by a current risk assessment and evaluation and
11 may include group counseling, individual counseling, family counseling,
12 outpatient treatment, inpatient treatment, shared living arrangements or
13 treatment in a therapeutic community.

14 (c) To the extent possible, be accessible to all adult sex
15 offenders in the criminal justice system, including those adult sex
16 offenders with behavioral, mental health and co-occurring disorders.

17 5. Establish a subcommittee to make recommendations to the board on
18 revising the guidelines and standards developed pursuant to paragraph 4 of
19 this subsection. At least ~~eighty~~ SIXTY-TWO percent of the members of the
20 subcommittee must be approved treatment providers, including one polygraph
21 examiner.

22 6. Develop annual recommendations to allocate monies deposited in
23 the state general fund pursuant to section 13-3821, subsection Q and
24 section 13-3824, subsection B. These recommendations shall include
25 recommendations regarding the coordination of spending monies from the
26 state general fund with any monies spent by the state department of
27 corrections, the department of public safety or the judicial department to
28 evaluate and treat adult sex offenders and juveniles who have committed
29 sexual offenses. These recommendations shall be presented to the
30 legislature before the start of each legislative session.

31 7. Consult on and propose revisions to the legislature, as
32 necessary, to the sex offender community notification risk assessment
33 prescribed in section 13-3825. The board shall consider research on adult
34 sex offender risk assessment and shall consider as one element the risk
35 posed by an adult sex offender who suffers from a paraphilic disorder,
36 psychopathy or a personality disorder that makes the person more likely to
37 engage in sexually violent predatory offenses.

38 8. CONSULT WITH THE LEGISLATURE, ON REQUEST, AND MAKE
39 RECOMMENDATIONS REGARDING PROPOSED LEGISLATION INVOLVING SEXUAL OFFENSES
40 OR SEX OFFENDER RISK MANAGEMENT.

41 ~~8-~~ 9. Research, either through direct evaluation or through a
42 review of relevant research articles and sex offender treatment empirical
43 data, and analyze, through a comprehensive review of evidence-based
44 practices, the effectiveness of the evaluation and treatment policies and
45 procedures for adult sex offenders that are developed pursuant to

1 paragraph 4 of this subsection. This research shall specifically include
2 reviewing and researching recidivism and factors that contribute to
3 recidivism for adult sex offenders, the effective use of cognitive
4 behavioral therapy to prevent recidivism, the use of polygraphs in
5 treatment and the containment model for adult sex offender management and
6 treatment and its effective application. The board shall advise the
7 legislature regarding revision of the guidelines and standards for
8 evaluation, identification and treatment, as appropriate, based on the
9 results of the board's research and analysis. The board shall also
10 develop and recommend a system to implement the guidelines and standards
11 that are developed pursuant to paragraph 4 of this subsection.

12 ~~9.~~ 10. In collaboration with the state department of corrections,
13 the judicial department and the board of executive clemency, develop
14 proposed criteria and make recommendations, as appropriate, for measuring
15 an adult sex offender's progress in treatment. The recommended criteria
16 shall assist the court and the board of executive clemency in determining
17 whether an adult sex offender may appropriately be released from
18 incarceration, whether the adult sex offender's level of supervision may
19 be reduced or whether the adult sex offender may appropriately be
20 discharged from probation or parole. At a minimum, the recommended
21 criteria must be designed to assist the court and the board of executive
22 clemency in determining whether the adult sex offender could be
23 appropriately supervised in the community if the offender were released
24 from incarceration, released to a reduced level of supervision or
25 discharged from probation or parole.

26 ~~10.~~ 11. In collaboration with the state department of corrections,
27 the judicial department, the Arizona community protection and treatment
28 center and the board of executive clemency, make recommendations for the
29 establishment of standards for community entities that provide supervision
30 and treatment specifically designed for adult sex offenders who have
31 developmental disabilities or who are deemed sexually violent persons. At
32 a minimum, the recommended standards must determine whether an entity
33 would provide adequate support and supervision to minimize any threat that
34 the adult sex offender may pose to the community.

35 ~~11.~~ 12. Review the current delivery of services and the
36 establishment of release conditions at the Arizona community protection
37 and treatment center. The Arizona community protection and treatment
38 center shall implement any guidelines and standards for sex offender
39 treatment and supervision that are established by the board.

40 ~~12.~~ 13. Research, analyze and make recommendations that reflect
41 best practices for living arrangements for and the location of adult sex
42 offenders within the community, including shared living arrangements. At
43 a minimum, the board shall consider the safety issues raised by the
44 location of adult sex offender residences, especially in proximity to
45 public or private schools and child care facilities, and public

1 notification of the location of adult sex offender residences. The board
2 shall make recommendations for the adoption and revision, as appropriate,
3 of the guidelines as it deems appropriate regarding the living
4 arrangements for and location of adult sex offenders and adult sex
5 offender housing.

6 ~~13.~~ 14. Develop and make recommendations for revision, as
7 appropriate, of recommended standard procedures to evaluate juveniles who
8 have committed sexual offenses, including juveniles with developmental
9 disabilities. The recommended procedures shall:

10 (a) Provide for evaluating juvenile offenders.

11 (b) Recommend behavior management, monitoring, treatment and
12 compliance.

13 (c) Incorporate the concepts of the risk-need-responsivity or
14 another evidence-based correctional model based on the knowledge that all
15 unlawful sexual behavior poses a risk to the community and that certain
16 juveniles may have the capacity to change their behavior with appropriate
17 intervention and treatment. The board shall develop and make
18 recommendations for the implementation of methods of intervention for
19 juveniles who have committed sexual offenses. The methods must have as a
20 priority the physical and psychological safety of victims and potential
21 victims and, if the methods do not reduce the safety of victims and
22 potential victims, the methods must also be appropriate to the needs of
23 the particular juvenile offender.

24 ~~14.~~ 15. Develop, implement and revise, as appropriate, guidelines
25 and standards to treat juveniles who have committed sexual offenses,
26 including juveniles with intellectual and developmental disabilities. The
27 guidelines and standards must incorporate the concepts of the
28 risk-need-responsivity or another evidence-based correctional model. The
29 guidelines and standards may be used for juvenile offenders who are placed
30 on probation or placed under the jurisdiction of the department of
31 juvenile corrections or the state department of corrections. Programs
32 recommended to be implemented pursuant to the guidelines and standards
33 must:

34 (a) Be as flexible as possible so that the programs may be accessed
35 by each juvenile offender to prevent the juvenile from harming victims and
36 potential victims.

37 (b) Include a continuing monitoring process and a continuum of
38 treatment options that are available to a juvenile offender as the
39 juvenile proceeds through the justice system. Treatment options may
40 include group counseling, individual counseling, family counseling,
41 outpatient treatment, inpatient treatment, shared living arrangements and
42 treatment in a therapeutic community.

43 (c) To the extent possible, be accessible to all juveniles who have
44 committed sexual offenses and who are in the justice system, including
45 juveniles with behavioral, mental health or co-occurring disorders.

1 ~~15.~~ 16. Establish a subcommittee to make recommendations to the
2 board on revising the guidelines and standards developed pursuant to
3 paragraph ~~13~~ 14 of this subsection. At least eighty percent of the
4 members of the subcommittee must be approved treatment providers,
5 including one polygraph examiner.

6 ~~16.~~ 17. Research and analyze the effectiveness of the evaluation,
7 identification and treatment procedures developed pursuant to paragraph ~~13~~
8 14 of this subsection for juveniles who have committed sexual offenses.
9 The board shall make recommendations for the revision of the guidelines
10 and standards for evaluation, identification and treatment, as
11 appropriate, based on the results of the board's research and analysis.
12 The board shall also develop and prescribe a system to implement the
13 guidelines and standards that are developed pursuant to paragraph ~~13~~ 14 of
14 this subsection.

15 ~~17.~~ 18. In collaboration with law enforcement agencies in this
16 state, victim advocacy organizations, the department of education and the
17 department of public safety, develop and revise, as appropriate, for use
18 by schools educational materials regarding general information about adult
19 sex offenders and juveniles who have committed sexual offenses, safety
20 concerns related to the offenders and other relevant materials. The board
21 shall provide the materials to the department of education, and the
22 department of education shall make the materials available to schools in
23 this state.

24 E. If sufficient monies are appropriated to the department of
25 public safety, the board may request that individuals or entities that
26 provide evaluation, treatment or polygraph services specifically to sex
27 offenders that conform with the standards developed by the board pursuant
28 to subsection D, paragraph 4 of this section submit to the board data and
29 information as determined by the board. The board may use this data and
30 information to evaluate the effectiveness of the guidelines and standards
31 developed pursuant to this section for all of the following:

32 1. To evaluate the effectiveness of individuals or entities that
33 provide evaluation, treatment or polygraph services specifically to sex
34 offenders.

35 2. For any other purpose consistent with this section.

36 F. This section does not grant the board any rulemaking or spending
37 authority.

38 G. The attorney general, each county attorney and every agency and
39 political subdivision of this state shall supply the chairperson of the
40 board, on request, with such assistance and information as is reasonably
41 necessary to effectuate the purposes of this section.

42 H. The board shall adopt recommendations by majority vote, but the
43 recommendations to be voted on are subject to the discretion of the
44 chairperson, who must approve a recommendation that is to be voted on.

1 I. THE STATE DEPARTMENT OF CORRECTIONS, THE JUDICIAL BRANCH, THE
2 CRIMINAL INVESTIGATIONS DIVISION IN THE DEPARTMENT OF PUBLIC SAFETY, THE
3 CRIMINAL JUSTICE SERVICES BUREAU IN THE DEPARTMENT OF PUBLIC SAFETY AND
4 THE DEPARTMENT OF HEALTH SERVICES SHALL NOT EMPLOY, CONTRACT WITH OR ALLOW
5 AN ADULT SEX OFFENDER OR A JUVENILE WHO HAS COMMITTED A SEXUAL OFFENSE TO
6 EMPLOY OR CONTRACT WITH AN INDIVIDUAL OR ENTITY TO PROVIDE SEX
7 OFFENDER-SPECIFIC EVALUATION, TREATMENT OR POLYGRAPH SERVICES PURSUANT TO
8 THIS SECTION UNLESS THE SEX OFFENDER-SPECIFIC EVALUATION, TREATMENT OR
9 POLYGRAPH SERVICES CONFORM WITH THE GUIDELINES AND STANDARDS THAT ARE
10 DEVELOPED PURSUANT TO THIS SECTION.

11 J. AN INDIVIDUAL WHO PROVIDES SEX OFFENDER-SPECIFIC EVALUATION OR
12 TREATMENT MUST:

13 1. AT A MINIMUM HAVE A BACCALAUREATE DEGREE IN A BEHAVIORAL SCIENCE
14 WITH ONE OF THE FOLLOWING:

15 (a) TRAINING IN COUNSELING OR THERAPY.

16 (b) PROFESSIONAL EXPERIENCE IN COUNSELING OR THERAPY

17 2. HOLD A PROFESSIONAL MENTAL HEALTH LICENSE OR BE APPROVED BY THE
18 BOARD OF BEHAVIORAL HEALTH EXAMINERS AS AN UNLICENSED PSYCHOTHERAPIST,
19 CERTIFIED ADDICTION COUNSELOR, LICENSED PROFESSIONAL COUNSELOR CANDIDATE,
20 LICENSED MARRIAGE AND FAMILY THERAPIST CANDIDATE OR PSYCHOLOGIST
21 CANDIDATE.

22 3. BE A CLINICAL SOCIAL WORKER.

23 K. A POLYGRAPH EXAMINER MUST HAVE GRADUATED FROM AN ACCREDITED
24 AMERICAN POLYGRAPH ASSOCIATION SCHOOL AND HAVE A BACCALAUREATE DEGREE FROM
25 A FOUR-YEAR INSTITUTION OF HIGHER EDUCATION. THE STATE DEPARTMENT OF
26 CORRECTIONS SHALL COMPLETE COMPLIANCE MONITORING OF CONTRACTED PROVIDERS
27 AND POLYGRAPH EXAMINERS WHO ARE NOT APPROVED BY THE BOARD PURSUANT TO
28 SUBSECTION I OF THIS SECTION ON AN ANNUAL BASIS.

29 L. IF A PROVIDER WHO CONTRACTS WITH THE STATE DEPARTMENT OF
30 CORRECTIONS IS FOUND TO HAVE VIOLATED THE GUIDELINES AND STANDARDS THAT
31 ARE DEVELOPED PURSUANT TO THIS SECTION, THE STATE DEPARTMENT OF
32 CORRECTIONS SHALL TERMINATE THE CONTRACT WITH THE PROVIDER.

33 M. SUPERVISING OFFICERS SHALL FOLLOW THE GUIDELINES AND STANDARDS
34 THAT ARE DEVELOPED PURSUANT TO THIS SECTION WHEN WORKING WITH SEX
35 OFFENDERS. THE AGENCIES THAT EMPLOY SUPERVISING OFFICERS SHALL
36 COLLABORATE WITH THE SEX OFFENDER MANAGEMENT BOARD TO DEVELOP PROCEDURES
37 TO HOLD ACCOUNTABLE A SUPERVISING OFFICER WHO FAILS TO FOLLOW THE
38 GUIDELINES AND STANDARDS.

39 Sec. 3. Title 13, chapter 38, article 3, Arizona Revised Statutes,
40 is amended by adding section 13-3828.01, to read:

41 13-3828.01. Sex offender surcharge fund

42 A. THE SEX OFFENDER SURCHARGE FUND IS ESTABLISHED AND CONSISTS OF
43 MONIES DEPOSITED PURSUANT TO SECTION 12-116.13 AND LEGISLATIVE
44 APPROPRIATIONS. THE DEPARTMENT OF PUBLIC SAFETY SHALL ADMINISTER THE
45 FUND. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION AND ARE

1 EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO THE LAPSING OF
2 APPROPRIATIONS.

3 B. THE DEPARTMENT OF PUBLIC SAFETY SHALL USE MONIES IN THE FUND FOR
4 THE PURPOSES OF DEFRAYING THE COSTS RELATED TO THE SEX OFFENDER MANAGEMENT
5 BOARD.

6 Sec. 4. Appropriations; department of public safety; sex
7 offender management board; exemption

8 A. The sum of \$200,000 and two FTEs are appropriated from the state
9 general fund in fiscal year 2026-2027 to the department of public safety
10 for support of the sex offender management board established by section
11 13-3828, Arizona Revised Statutes.

12 B. The appropriation made in subsection A of this section is exempt
13 from the provisions of section 35-190, Arizona Revised Statutes, relating
14 to lapsing of appropriations.

15 Sec. 5. Effective date

16 Section 12-116.13, Arizona Revised Statutes, as added by this act,
17 is effective from and after December 31, 2026.



BACKGROUND MATERIAL

March 23, 2026

OVERVIEW OF SEX OFFENDER REGISTRATION IN ARIZONA PRESENTATION

BY

DETECTIVE BEN COOK

SEX OFFENDER REGISTRATION REQUIREMENTS

Law Enforcement



IN-STATE VS OUT-OF-STATE CONVICTIONS

- Arizona - 16,359
 - In state convictions – 11,016
 - Out of state – 5,343

- Pinal County - 970
 - In state convictions – 580
 - Out of state convictions - 390

REGISTRATION REQUIREMENTS

- Registration information
 - Maintained by Department of Public Safety
- System called Offenderwatch
 - Based in Louisiana used by 36 states
 - Comes with add-ons
 - Express system used by Pinal County \$\$\$



13-3821

Scan me!

WHO MUST REGISTER? ARS 13-3821

- A person must register if:
 - Convicted of a designated sex offense in Arizona or
 - Convicted in another jurisdiction that would qualify in Arizona or
 - Required to register in convicting jurisdiction
 - Judge determined Sexual motivation ARS 13-118
 - Lives, works or attends school in Arizona

REGISTRATION REQUIREMENTS

- Initial registration
 - County Sheriff is responsible for registrations
 - Agency of jurisdiction assumes responsibilities
 - DPS maintains database (NCIC) and responsible for Website

REGISTRATION REQUIREMENTS ARS 13-3821

- Within 10 days of conviction
 - Within seventy-two hours, excluding weekends and legal holidays, after entering and remaining for at least seventy-two hours in any county of this state
 - Lifetime Registration
 - Juvenile registration terminates at 25 years of age
 - As long as there are no further sex offenses committed**
- #19

REQUIRED INFORMATION ARS 13-3821

- I. Annually confirm registration requirements as required by DPS director:
 - All names and aliases
 - Online identifiers
 - Internet communication identifiers
 - Motor vehicles owned, operated, or registered
 - Residence location
 - Child custody information and school location

REQUIRED INFORMATION ARS 13-3821.J

- Annually confirm all required information in person during the month of persons birth.
- Obtain and possess a valid ID or Driver's License
- Class 6 Felony

DEFINITIONS ARS 13-3821

- Definitions
 - Legal custody: “means the right to have physical possession of a child”
 - Residence: (b) If the person is transient and does not spend at least three nights in any location or place within a thirty-day period, the geographic areas of the county where the person spends the nights

DEFINITIONS

- 13-3821
- "Required online identifier" means any electronic email address information or instant message, chat, social networking or other similar internet communication name but does not include a social security number, date of birth or pin number.
- 13-3827
- "Required online identifier" (a) Means:
 - (i) Any email address information, instant message or chat information.
 - (ii) A social networking platform account name or identifier.
 - (iii) Any identifier used for communicating on a mobile application or internet website.
 - (iv) A mobile telephone number.
 - (v) Any mobile device identification information.
 - (vi) Any other similar internet communication name.
- (b) Does not include a social security number, date of birth, personal password or pin number.



13-3822
NOTICE
OF
MOVING

REQUIRED INFORMATION 13-3822.A

- Report a change of address in person and in writing within 72 hours. Notification is required when moving to or from a residence.
- Must be in person

REQUIRED INFORMATION 13-3822.B

- The Sheriff must make notification to the jurisdiction in which the person is moving
- If the person does not register, charging lies with (any agency within) the county of last registration.
- Use of the SORNA website

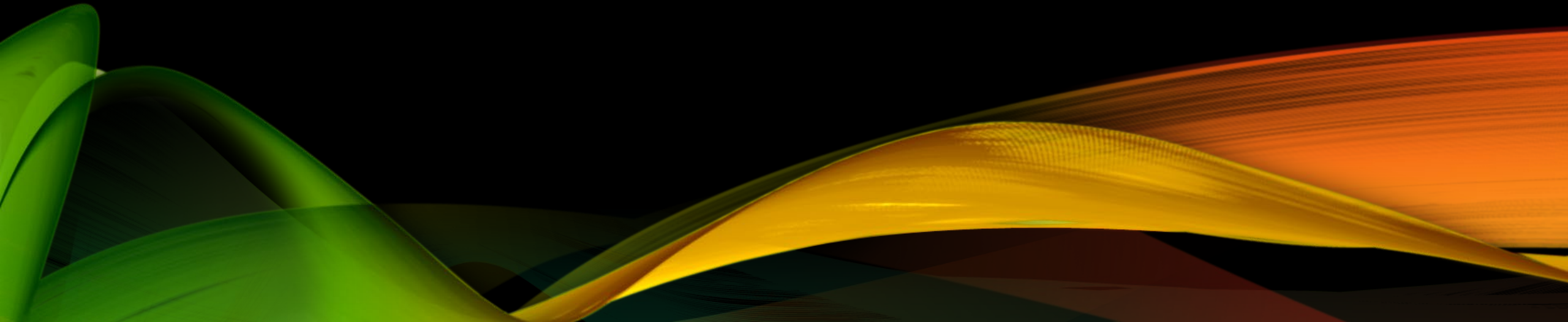
REQUIRED INFORMATION 13-3822

- C. Must report online identifiers within 72 hours and prior to their use.
- D. 72 hours to register a change in vehicle status
- E. 72 hours to report a change in the status of children
- C4F

13-3822 NOTICE OF MOVING

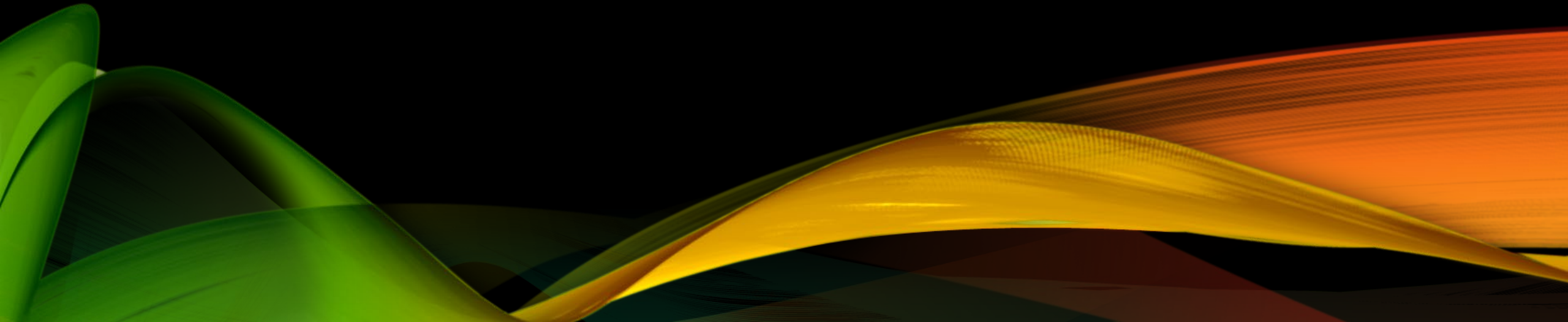
- Transient must register not less than every 90 days
- If more than one residence must register not less than every 90 days – Winter visitors

ARS 13-3823 ACCESS TO RECORDS

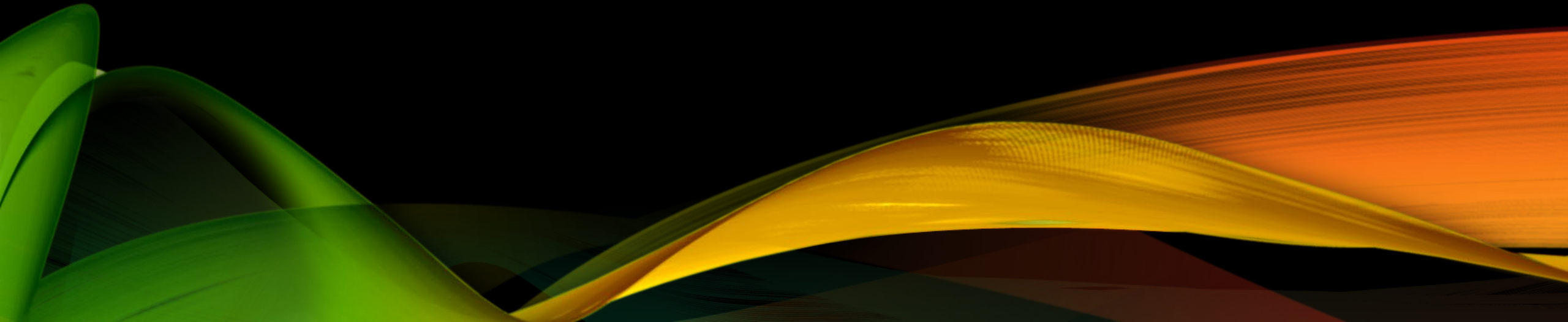


ARS 13-3824 VIOLATION, CLASSIFICATION

- A. A person who is subject to registration under this article and who fails to comply with the requirements of this article is guilty of a class 4 felony.
- B. 13-3821.J is a Class 6 felony



ARS 13-3825 COMMUNITY NOTIFICATION



PETITION TO TERMINATE SEX OFFENDER REGISTRATION

ARS 13-3826



ARS 13-3826

- An offender who successfully completes a term of probation. The defendant shall avow to all of the following:
 - Defendant at least 35, and under 22 when offense committed
 - Victim at least 15
 - If the violation was sexual conduct with a minor, it was “consensual”
 - Did not violate any sex offender terms of probation
 - Defendant did not commit another felony offense, in the last ten years
 - The court did not determine “sexually violent”
 - Single victim
 - Not sentenced to prison
 - Not convicted of more than one offense, involving more than one person.

ARS 13-3826

- Not convicted of one of the following offenses:
 - 13-1406, 13-1410, 13-1417, 13-1423, 13-3206, 13-3212 or 13-3553.
 - Sexual Assault
 - Molestation of a child
 - Continuous sexual abuse of a child
 - Violent sexual assault
 - Taking a child for the purpose of prostitution
 - Child sex trafficking
 - Sexual exploitation of a child
 - The court shall deny the petition if the court finds that any factor is not met or if the court finds that a denial is in the best interest of justice or safety of the public.



13-3827

ARS 13-3827

- Any offender whose risk has been determined to be Level 2 or 3.
- Any offender who at the time of the offense:
 - was eighteen years of age or older
 - Convicted of one on the list of offenses
 - Completed or preparatory
 - substantially similar offense in another state or jurisdiction
- Many of the listed offenses include DCAC
- Many include the victim age 12 or under

ARS 13-3827

- Shall include the following information:
 - Offenders name, address and age
 - Current photograph (gained from DL photo)
 - Offense committed and assessment level

ARS 13-3827

- The department of public safety shall annually verify the addresses of all sex offender registration records contained within the Arizona criminal justice information system.



ARS 13-3828 SEX OFFENDER
MANAGEMENT BOARD

The background features a black field with dynamic, flowing waves of green and yellow. The waves originate from the top left and bottom left, moving towards the right side of the frame. The colors transition from a vibrant green to a bright yellow and then to a warm orange, creating a sense of movement and energy.

ARS 13-3829 CRIMINAL
STREET GANG AND SEX
OFFENDER MONITORING.

CONCLUSION

- Timelines are critical
 - 72 hours in most cases
- Accurate data collection is essential
- Community notification based on risk level
- Violations