BACKGROUND MATERIAL

AZSOMB ADULT GUIDELINES AND STANDARDS SUBCOMMITTEE

NOVEMBER 04, 2026

DRAFT

EARLY TERMINATION CONSIDERATION FOR SEX OFFENDER

AND

TEMPLATE FOR WRITING SEX OFFENDER EARLY TERMINATION RESPONSES/FILINGS

V:11/02/2026

EARLY TERMINATION CONSIDERATIONS FOR PROBATIONERS WITH SEX OFFENDER CONDITIONS

The following are criteria considerations for an early termination of sex offender probation to include lifetime supervision. The Court makes the final decision with regard to the termination of probation in all cases. These criteria apply to offenders who were adult males at the time of their offense, not to female or juvenile offenders. Probation officers will consider the suitability of early termination on a case-by-case basis to determine if a probationer is eligible. Risk level will be considered in each case. Probationers deemed a low risk may be placed on a minimum caseload.[1] Additional factors may be taken into account, such as victims, offending history, and sexual paraphilia. Each circumstance/case will be staffed on a case-by-case basis with probation supervisors to determine the proper course of action, such as in cases involving medical issues or advanced age. Neither necessarily means an early termination will be facilitated or appropriate, but risk will be taken into account in each case. Should a probationer be interested in an early termination, the probationer is encouraged to talk with the probation officer to determine whether, and when, the probationer may be a suitable candidate, and to discuss any outstanding case plan goals.

1. The probationer has no pending criminal charges and/or outstanding warrants.
2. If the probationer was sentenced to lifetime probation prior for a Dangerous Crime Against Children (DCAC) offense prior to January 1, 2026, or if not convicted of a DCAC offense has completed at least the minimum term of probation in Arizona Revised Statutes (A.R.S.) §13-902(A). If the probationer was sentenced to lifetime probation for a DCAC offense on or after January 1, 2026, the probationer is prohibited from early termination (See A.R.S. § 13-901).
3. The probationer has completed all standard and specialized conditions of probation (community restitution hours, treatment, drug testing, deferred jail, etc.).
4. The probationer has not had a petition to revoke in the past two years.
5. The probationer does not owe any financial restitution to the victims.
6. The probationer has no other supervision issues other than the payment of fines and/or fees (if a balance is owed, it may be converted to a criminal restitution order at the time of discharge).
7. The probationer has successfully completed all aspects of primary treatment, relapse prevention and/or maintenance treatment, if applicable, unless the probationer was evaluated and it was determined that the probationer's risk to sexually reoffend may not be further reduced by participation in a treatment program.
8. The probationer demonstrates a high level of personal responsibility for sexual offending as opposed to focusing on external causes.[2]
9. All known paraphilic behaviors (sexual deviancies) have been demonstrated to be under control for a significant period of time.

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[1] Criteria for eligibility on a minimum caseload includes scoring as a low risk on the FROST, Static 99R/2000R and/or the SOTIPS or other dynamic and protective factor assessments, if eligible. Questions about offender risk level should be directed to the assigned probation officer.

[2] This item concerns the degree to which the individual believes his sexual offending behavior is the result of his personal decisions and actions as opposed to external causes. It is not required that the individual admit to all of the sexual offending behaviors for which he was convicted, rather, he needs to identify a high level of personal responsibility for sexual offending, as opposed to focusing on causes he believes are outside of his control (SOTIPS Manual, McGrath, Cumming, Lasher, 2013).

10. The probationer has successfully passed or resolved the Sex History Polygraph, if able to take a polygraph.
11. The probationer has successfully passed or resolved[3] all maintenance or specific-issue polygraphs with no risk-relevant[4] admissions, if able to take polygraphs.
12. The probationer has completed all testing and/or assessments, as required by the treatment and supervision team.
13. The probationer has a proper chaperone and/or support person, if applicable.
14. The probationer has demonstrated stability in dynamic risk factors such as cooperation with supervision, sexual preoccupation, etc.
15. The probationer has protective factors such as stable housing, pro-social support, sobriety (if a substance abuse disorder was present), etc.

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[3] Recommended minimum of two years successfully passed or resolved polygraphs with at least one polygraph passed or resolved post successful completion of sex offender treatment. Polygraphs may be resolved by satisfaction of the treatment provider and probation officer (or should be supervisor) via admission(s) or additional testing.

[4] Risk-relevant behaviors are actions or patterns of conduct by a person convicted of a sexual offense that reflect dynamic factors associated with sexual reoffending and help identify needs for treatment, supervision, and ongoing risk management. Their relevance is evaluated within four domains: sexual interest, distorted attitudes, socioaffective functioning, and self-management. Note: For Post-Conviction Sex Offender Testing (PCSOT) purposes, the practical distinction is that a behavior's risk relevance depends on its connection to these domains and the individual's offending pattern. A rule violation alone does not establish increased sexual re-offense risk, and a behavior can warrant assessment even when it does not constitute a new crime. PCSOT disclosures can inform that assessment; they do not independently establish a risk level.

TEMPLATE FOR WRITING SEX OFFENDER EARLY TERMINATION RESPONSES/FILINGS

All sex offender early termination (ET) filings and responses should be in accordance with the *Early Termination Considerations for Probationers with Sex Offender Conditions*. The following guidelines are to be followed and each topic covered when writing and submitting an ET or filing a response to an ET to the Court for probationers who are on a sex offender caseload.

- **Purpose Statement:** State the purpose of the memo, i.e. "This memo is forwarded at the Court's request reference the above captioned individual's petition to terminate probation supervision."
- **Index Offense**: Provide a summary of the index offense; include behaviors and victims, including dismissed counts. The index offense is the sexual offense for which the probationer is on probation. Include the date of when the offense occurred, the age of the probationer and victim(s) at the time of the offense, and the amount of time that has lapsed since the offense occurred.
- **Sexual History**: Provide a summary to include additional victims and their ages, their gender and their relationship to the probationer. Summarize any sexual behaviors this probationer has engaged in, including the age the probationer first began to offend and the length of time the offending went on. Clarify whether that behavior was with the index victim or additional victims. Indicate whether or not the probationer has successfully passed or resolved the Sex History Polygraph, including the date.
- **Treatment Status:** Provide a summary of the probationer's treatment history and status. Include any and all discharge information and/or successful completion of treatment – dates are important; include all dates. Include the treatment provider's recommendation. If there is no recommendation from the treatment provider, indicate why.
- **Abel Assessment**: Include Abel Assessment results as summarized by the treatment provider, including the date any Abel Assessments were taken.
- **Multiphasic Sex Inventory II (MSI II) Results**: Include MSI II results summarized by the treatment provider, including dates of any MSI assessments taken.
- **Other Treatment Assessments**: Provide information and/or summaries of any other assessments that have been completed by a treatment provider, including dates of assessments taken.
- Indicate whether or not the defendant has been clinically diagnosed by an approved evaluator or treatment provider of paraphilic disorder, psychopathy, intellectual and developmental disabilities, and/or serious mental illness (see *Early Termination Considerations for Probationers with Sex Offender Conditions* for more information). This is not the probation officer's assessment of the probationer; this is a clinical diagnosis and should be provided by the treatment provider.
- **Polygraph History**: Provide a summary of the probationer's polygraph history and include whether the probationer has successfully passed or resolved all maintenance, monitoring, or specific issue polygraphs with no risk-relevant[1] admissions for the past two years. Include dates

[1] Risk-relevant behaviors are actions or patterns of conduct by a person convicted of a sexual offense that reflect dynamic factors associated with sexual reoffending and help identify needs for treatment, supervision, and

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of when the polygraphs were taken, the time period covered by the polygraph, and the relevant topics covered when summarizing them.

- **Risk Assessments:** These assessments should be current assessments using the current coding rules. Indicate the dates each of the assessments were scored and whether the assessments were scored by a treatment provider or by adult probation. Include the results of other static, dynamic, and protective risk factor tools that may have been scored.
- **PERFORMANCE WHILE ON PROBATION**:
    - Indicate whether or not the probationer has any pending Court matters (pending petition to revoke, criminal charges, outstanding warrants).
    - Summarize the probationer's progress and regression since being placed on probation, including the probationer's stability with housing and how financially supported (Social Security, employment, etc.) the probationer is.
    - Include whether any permissions have been given to the probationer and when such permission was granted, such as permissions to use the internet, have a smartphone, travel, have contact with minors, engagement in community activities, etc.
    - Include whether or not the probationer has completed all standard and specialized conditions of probation and treatment as directed by the adult probation department (community restitution hours, treatment, drug testing, deferred jail, etc.).
    - Include the probationer's financial status in regard to court-ordered fines, fees, and restitution.
    - Provide a summary of how long has passed since the probationer completed treatment and how the probationer has progressed/regressed since being out of treatment.
    - Indicate whether or not the probationer has demonstrated control over all known paraphilic behaviors/sexual deviancies for a significant period of time if the probationer was given a clinical diagnosis by the treatment provider.
- **Chaperone Status**: Indicate whether or not the probationer was determined to need a chaperone. If the probationer has a chaperone, indicate if this person(s) is current with the treatment provider on the refresher classes. Indicate if the probationer has any offense informed support persons in addition to or in lieu of a chaperone.
- **Sex Offender Registration Status**: This section should be used to advise the Court of the probationer's registration status and current notification level if applicable. Indicate whether this probationer is required to register as a sexual offender per current statute. Any outstanding or deferred registration issues should be discussed in this section, and a recommendation regarding registration made when applicable.

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ongoing risk management. Their relevance is evaluated within four domains: sexual interest, distorted attitudes, socioaffective functioning, and self-management. Note: For Post-Conviction Sex Offender Testing (PCSOT) purposes, the practical distinction is that a behavior's risk relevance depends on its connection to these domains and the individual's offending pattern. A rule violation alone does not establish increased sexual re-offense risk, and a behavior can warrant assessment even when it does not constitute a new crime. PCSOT disclosures can inform that assessment; they do not independently establish a risk level.

- **Victim Input:** Indicate whether the victim has opted in or not. If the victim opted in, provide the victim's position on the request and address any concerns raised. If unable to contact the victim who opted in, summarize the attempts made to reach the victim.
- **Discussion and Evaluation/Recommendation**: Provide a recommendation, summarize the reasons for it, and provide support for the recommendation. Discuss risks and goals for the probationer to achieve an early termination if that is not currently recommended. Discuss with the Court how the probationer may not ever be a candidate for ET and why or why not.
- **Submission**: Because e-filing does not allow the document to be dated when submitting the memo, please include the following statement at the end: "This memo is being submitted by Probation Officer [insert name] on [insert date of submission]." This is so the Court has a clear understanding of when the document was submitted.

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AZSOMB ADULT GUIDELINES AND STANDARDS SUBCOMMITTEE

NOVEMBER 04, 2026

PROPOSED MEETING DATES FOR 2027

ARIZONA SEX OFFENDER MANAGEMENT BOARD

2027 Adult Guidelines and Standards Subcommittee Meetings

Date: **January 20, 2027**

February 3, 2027

March 10, 2027

April 7, 2027

May 5, 2027

June 2, 2027

July 7, 2027

August 4, 2027

September 8, 2027

October 6, 2027

October 27, 2027

December 8, 2027

Time: 1 p.m. – 2:30 p.m.

Location: Virtual Microsoft Teams Meeting

Dated November 3, 2026