

# ARIZONA SEX OFFENDER ASSESSMENT SCREENING PROFILE FOR REGULATORY COMMUNITY NOTIFICATION

Final - Effective August 1, 2002

*This instrument is to be used by criminal justice agencies as a guideline for regulatory community notification purposes.*

Completed by: \_\_\_\_\_ Offender Name \_\_\_\_\_  
(ADC/CR#, or other ID)

Agency: Phoenix Police Date: \_\_\_\_\_ DOB: \_\_\_\_\_

**GENERAL INSTRUCTIONS:** Two risk scales will be calculated, including Sex Offense Risk (S), and General Recidivism Risk (G). The combination of the two scales will be used to determine a suggested notification level for the offender. Two risk scores, designated S/G, will be assigned for each of 19 items as indicated below. These scores will be added at the end of the form to arrive at the total assessment score. Unless otherwise noted, use only officially documented data sources (PSI, DR, NCIC, FBI, prison records); where indicated, self-reported data may be included if considered reliable. Leave items blank that have no information documented only if a reasonable approximation is not possible. In many instances, if data is not available, an item may logically be judged as absent. For example, if alcohol/drug problems are not noted in the case file, item #12 would be scored as A, indicating "no interference with functioning."

## DEFINITION OF SEX OFFENSE: STATUTORY CRIMES IDENTIFIED AS SEX OFFENSES

Generally, any prior offense may be defined as a "sex/sex related offense" if the offense appears to have been sexually motivated. Arizona Revised Statutes §13-118 describes a sexually motivated offense as one in which "...one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification."

The following predicate offenses appear in Arizona Revised Statutes relating to sex offender registration (§13-3821) community notification (§13-3825) and sexually violent persons (§ 36-3701) and may also be utilized as a guide for the purpose of defining "sex/sex related offenses."

<u>STATUTE</u>	<u>OFFENSE DESCRIPTION</u>
ARS 13-1405	Sexual Conduct with a Minor
ARS 13-1406	Sexual Assault
ARS 13-1406.01	Sexual Assault of a Spouse
ARS 13-1410	Molestation of a Child

PUBLIC RECORDS  
Released pursuant to  
A.R.S. 39-121, Et. Seq  
To:

<b>ARS 13-1417</b>	<b>Continuous Sexual Abuse of a Child</b>
<b>ARS 13-1104</b>	<b>Murder, 2<sup>nd</sup> Degree*</b>
<b>ARS 13-1105</b>	<b>Murder, 1<sup>st</sup> Degree*</b>
<b>ARS 13-1203</b>	<b>Assault*</b>
<b>ARS 13-1204</b>	<b>Aggravated Assault*</b>
<b>ARS 13-1303</b>	<b>Unlawful Imprisonment*</b>
<b>ARS 13-1304</b>	<b>Kidnaping*</b>
<b>ARS 13-1508</b>	<b>Burglary, 1<sup>st</sup> Degree*</b>
<b>ARS13-1402</b>	<b>Indecent Exposure - If second or subsequent conviction to a person under 15 years, or third or subsequent conviction involving a victim of any age.</b>
<b>ARS 13-1403</b>	<b>Public Sexual Indecency - If second of subsequent conviction to a person under 15 years or a third or subsequent conviction involving a victim of any age.</b>
<b>ARS 13-1404</b>	<b>Sexual Abuse - If Victim Under 18 Years</b>
<b>ARS 13-3206</b>	<b>Taking a Child for the Purpose of Prostitution</b>
<b>ARS 13-3212</b>	<b>Child Prostitution</b>
<b>ARS 13-3552</b>	<b>Commercial Sexual Exploitation of a Minor</b>
<b>ARS 13-3553</b>	<b>Sexual Exploitation of a Minor</b>
<b>ARS 13-3554</b>	<b>Luring a Minor for Sexual Exploitation</b>
<b>ARS 13-3822</b>	<b>Failure to Register as a Sex Offender</b>
<b>ARS 13-3824</b>	<b>Violation of Sex Offender Registration Statutes</b>
<b>NOTE:</b>	<b>These offenses are current as of June 2002. Consult Criminal Code for future additions or deletions.</b>

\* if sexually motivated per ARS 13-118.

1. **Number of convictions (or adjudications if offender is/was a juvenile) for sex/sex related offenses(including current offenses).**

Score the total number of formal legal convictions for sex/sex related offenses, including the current offense. Score both felony and misdemeanor convictions, as well as any juvenile convictions/adjudications. If several counts occurred in one trial, count those as one conviction. Separate trials indicate separate convictions. If it is documented that a sex offense was pled to a lesser offense or non-sex offense, it can be counted as a sex conviction. **EXAMPLE: IF ONE OF THE PURPOSES THE OFFENDER COMMITTED OR ATTEMPTED TO COMMIT THE CRIME WAS FOR THE OFFENDER'S SEXUAL GRATIFICATION, THE OFFENSE CAN BE COUNTED AS A SEX CONVICTION (I.E. CRIMINAL TRESPASSING, BURGLARY).**

	<u>S/G</u>
A. One	0/0
B. Two	3/7
C. Three or more	10/8
	<u>S</u> <u>G</u>
	SCORES: <u>   </u> / <u>   </u>

2. **Number of CONVICTIONS for felony offenses (or adjudications if offender is/was a juvenile) excluding sex/sex related offenses.**

Total number of formal legal convictions for non-sex related felony offenses.

	<u>S/G</u>
A. None	0/0
B. One or Two)	4/8
C. Three or more	8/10
	<u>S</u> <u>G</u>
	SCORES: <u>   </u> / <u>   </u>

3. **Other sex/sex related ARRESTS not resulting in conviction (or adjudications if offender is/was a juvenile).**

Score the actual number of sex related arrests not resulting in conviction. Exclude the arrest for the current offense.

- |                |            |
|----------------|------------|
|                | <u>S/G</u> |
| A. None        | 0/0        |
| B. One or more | 5/6        |

S G  
SCORES: \_\_\_/\_\_\_

4. **Age at first CONVICTION (or adjudications if offender is/was a juvenile) for sex/sex related offense.**

Subject's age when first convicted for a sex/sex related offense.

- |                  |            |
|------------------|------------|
|                  | <u>S/G</u> |
| A. 24 or older   | 0/0        |
| B. 23 or younger | 3/8        |

S G  
SCORES \_\_\_/\_\_\_

5. **Use of weapon in sex/sex related CONVICTION(s) (or adjudications if offender is/was a juvenile).**

Weapon used or displayed during the commission of any sex/sex related offense, past or present. A weapon is defined as an object or implement with the potential for inflicting lethal injury. The term includes a firearm. The implied presence of a weapon may also be scored B. (i.e. "I have a gun in my pocket").

- |  |            |
|--|------------|
|  | <u>S/G</u> |
| A. None present  | 0/0        |
| B. Displayed during offense/implied threat, or used to inflict injury (PIPE) | 4/8        |

S G  
SCORES: \_\_\_/\_\_\_

6. **Total number of victims in all sex OFFENSES (or adjudications if offender is/was a juvenile).**

Total number of different victims in all sex offenses from legal documentation and/or self-report by offender of sex offense history. This includes victims of counts which were dismissed in plea agreements. It does not include victims of arrests only, where the case was dismissed before it went to court.

- |                 | <u>S/G</u> |
|-----------------|------------|
| A. One          | 0/0        |
| B. Two or three | 3/0        |
| C. Four or more | 9/6        |

S G

SCORES: \_\_\_/\_\_\_

7. **Gender of victims in all sex offense CONVICTIONS (or adjudications if offender is/was a juvenile).**

Score 0 for exclusively female victims; 3 for exclusively male victims; 5 if victims of both genders. This includes victims of counts dismissed in plea agreements. If offender is female, do not reverse genders.

- |                 | <u>S/G</u> |
|-----------------|------------|
| A. Females      | 0/0        |
| B. Males        | 3/0        |
| C. Both Genders | 5/0        |

S G

SCORES: \_\_\_/\_\_\_

8. Relationship of offender to victim.

Score A if victim is immediate family member (natural or step) living in the home; B if victim is acquaintance or relative not living with the offender; C if victim is a stranger. If the offender has had more than one victim, score C. **IF OFFENDER MET THE VICTIM ON THE INTERNET (WITH INTENT TO DEVELOP A RELATIONSHIP FOR THE PURPOSE OF COMMITTING A CRIME) SCORE AS A STRANGER. THE INTENT OF THE QUESTION IS TO MEASURE WHETHER THE OFFENDER DEVELOPED A RELATIONSHIP WITH THE VICTIM OR VICTIM'S FAMILY, FOR THE PRIMARY PURPOSE OF GROOMING THE VICTIM FOR A SEX OFFENSE.**

- |                                | <u>S/G</u> |
|--------------------------------|------------|
| A. Family                      | 0/0        |
| B. Acquaintance.               | 0/6        |
| C. Stranger (multiple victims) | 5/7        |

Scores:

\_\_\_/\_\_\_

9. Use of force (most severe).

Score only one choice, the most severe activity undertaken, the greatest degree of force used during any sex/sex-related offense conviction, past or present. **AVOID AN OVERLY BROAD INTERPRETATION. AN ARGUMENT CAN EASILY BE MADE THAT ANY AND ALL SEX OFFENSES INCLUDE USE OF FORCE. HOWEVER, THE INTENT OF THIS QUESTION IS AIMED AT MEASURING ADDITIONAL FORCE USED BEYOND THAT WHICH WAS NECESSARY TO COMPLETE THE SEX OFFENSE. (EXAMPLE: THREATENING TO SLIT THE VICTIM'S THROAT IF SHE/HIS SCREAMS, SLAPPING THE VICTIM TO INFLICT PAIN).**

- |   | <u>S/G</u> |
|---|------------|
| A. None   | 0/0        |
| B. Threats of violence, physical force or violence, substantial/great bodily harm | 3/7        |

S G

SCORES: \_\_\_/\_\_\_

**10. Other characteristics of sex/sex related CONVICTION(s) (or adjudications if offender is/was a juvenile).**

Refers to other patterns of behavior during commission of any sex/sex-related offense conviction, past or present. C refers to any single incident, not multiple incidents of on-going incest or child molestation. D refers to forcibly moving the victim away from one location to another, not merely moving the victim from room to room in one location, (OR FROM THE HOUSE TO THE YARD). Avoid an overly broad interpretation. **THE TOTAL SCORE AN OFFENDER CAN RECEIVE CANNOT EXCEED 3/7, REGARDLESS OF THE NUMBER OF BEHAVIORS THAT APPLY. THE INTENT OF THIS QUESTION IS TO MEASURE EXCEPTIONAL CHARACTERISTICS OF THE CRIME(S) WHICH DISTINGUISH THE OFFENDER'S BEHAVIOR FROM OTHER SEX RELATED OFFENSE BEHAVIORS (I.E. OFFENDER RAPED AND ABUSED VICTIM REPEATEDLY FOR A SIX HOUR PERIOD DURING THE COMMISSION OF THE CRIME, OR THE VICTIM IS DRIVEN TO AN ISOLATED AREA FOR THE PURPOSE OF RAPING).**

- |   |            |
|---|------------|
|   | <u>S/G</u> |
| A. None   | 0/0        |
| B. Victim tied up, hand-cuffed or bound                       | 3/7        |
| C. Actual or estimated duration of crime is more than 3 hours | 3/7        |
| D. Victim transported forcefully to another location          | 3/7        |
| E. Victim tortured/mutilated                                  | 3/7        |

S G  
SCORES: \_\_\_/\_\_\_

**11. Length of sexual offense history.**

**THE LENGTH OF TIME THE SUBJECT HAS BEEN OFFENDING, from any source.**

- |                       |            |
|-----------------------|------------|
|                       | <u>S/G</u> |
| A. 0 to five years    | 0/0        |
| B. Five years or more | 5/0        |

S G  
SCORES: \_\_\_/\_\_\_

**12. Alcohol/drug usage.**

The degree of interference with the offender's functioning, **PRIOR TO OR AT THE TIME OF THE OFFENSE, RELATED TO** family, work, social, interpersonal, physical, and mental; from any source, including self-report. **THE INTENT OF THIS QUESTION IS TO MEASURE THE AMOUNT OF CONTINUING INTERFERENCE DRUGS AND ALCOHOL CAUSE IN AN OFFENDER'S LIFE.**

- |                                     |                   |
|-------------------------------------|-------------------|
|                                     | <u>S/G</u>        |
| A. No interference with functioning | 0/0               |
| B. Occasional or frequent abuse     | 3/7               |
|                                     | <u>S</u> <u>G</u> |
|                                     | SCORES: ___/___   |

**13. Mental/cognitive impairment of offender.**

Score if records show diagnosed low IQ level, organic brain disorder, or record of SSI disability for such; or if subject has been diagnosed with major mental illness or mood disorder (bi-polar, etc.). Hyperactivity, attention deficit disorder, and depression are not scored. Do not credit self-report as a valid diagnosis (**TOTAL SCORE CANNOT EXCEED 6/7**).

- |  |                   |
|--|-------------------|
|  | <u>S/G</u>        |
| A. No known mental health abnormality        | 0/0               |
| B. IQ under 70                               | 6/7               |
| C. Diagnosed mental illness or mood disorder | 6/7               |
|  | <u>S</u> <u>G</u> |
|  | SCORES: ___/___   |



**14. Employment history.**

Score A if offender is a homemaker, retired, or disabled/unable to work (**THIS INCLUDES THOSE COLLECTING SOCIAL SECURITY [SSI]**). Score B if offender has a stable work history which may include part-time, seasonal, or full-time employment, **OR SCHOOL**. Score C if offender has had an unsteady or sporadic employment history **DURING THE PERIOD PRIOR TO INCARCERATION OR BEING SENTENCED TO PROBATION (WHICHEVER IS APPLICABLE)**. Full or part-time school attendance may be substituted for employment, if applicable (**I.E. A JUVENILE**). **THE INTENT IS TO MEASURE THE GOOD FAITH EFFORT OF THE OFFENDER HAS MADE TO USE HIS/HER TIME PRODUCTIVELY/RESPONSIVELY.**

	<u>S/G</u>
A. Homemaker, disabled, or retired	0/0
B. Stable employment	0/0
C. Unstable or in need of additional employment	4/8
	<u>S</u> <u>G</u>
	SCORES ___/___

**15. Presence of DOCUMENTED BEHAVIOR WHICH INDICATES multiple sexually deviant interests (check all that apply).**

Any sexually deviant behavior from records or self-report. Fetishism typically requires an attraction to an inanimate object, but in practice is often lumped together with partiality, which includes an attraction to body parts (i.e. breasts, buttocks, feet, etc.). Pedophilia is typically broken down into two categories, male and female, and refers to children generally 13 years or younger. All of these categories should be mutually exclusive and not be included under other categories. For example, if someone were to disrobe both himself and the child during a molest, that should not be counted as exhibitionism, voyeurism, and molests. It should be counted simply as a molest (pedophilia). Avoid an overly broad interpretation.

**PARAPHILIC BEHAVIOR** A sexual deviation characterized by recurrent, intense sexual urges, fantasies, or behaviors that involve unusual objects, activities, or situations and cause clinically significant distress or impairment in social, occupational, or other important areas of functioning.

\_\_\_ **Fetishism -** Sexual involvement with inanimate (i.e. non-living) objects. Can include, but is not limited to female undergarments, shoes, stuffed animals, etc. (The most common problem here is theft of these objects or engaging in this behavior in the presence of others without their consent.)

\_\_\_ **Pedophilia -** Sexual contact with a male or female child who is thirteen (13) years of age or younger with a sexual motive or interest. **DOCUMENTED USE OR VIEWING OF CHILD PORNOGRAPHY CAN BE INCLUDED (I.E. MAGAZINES OR THE INTERNET).**

\_\_\_ **Voyeurism -** The act of observing a person without their consent, who is either engaging in sexual activity, or is naked, or is in the process of disrobing (I.E. PEEPING TOM).

\_\_\_ **Obscene Phone Calling -** The act of making a phone call to an unsuspecting, non-consenting person for the purpose of sexual arousal or motive.

\_\_\_ **Bestiality -** Sexual contact with any animal for the expressed purpose of sexual arousal or motive (often referred to as Zoophilia).

\_\_\_ **Exhibitionism -** The act of exposing one's self to an adult or child with a sexual motive and the victim has not consented to the exposure: In the case of a child, a person under the age of 18 cannot give consent.

**Frotteurism** The rubbing of one's genitals against a nonconsenting person for the

- \_\_\_ or Frottage - express purpose of sexual arousal or motive.
- \_\_\_ Sexual Sadism - Sexual acting out in which the victim is being humiliated, beaten, bound, or otherwise made to suffer (do not code this unless it is mentioned specifically in the collateral data report).
- \_\_\_ Sexual - Sexual pleasure or gratification, or sexual motive associated with  
 \_\_\_ Masochism humiliated, beaten, bound, or otherwise made to suffer (do not code it unless it is mentioned specifically in the collateral data).
- \_\_\_ Rape/Sexual - Sexual assault of an adult male or female which involves the forcing of  
 \_\_\_ Assault the penis, finger, tongue, or other body part and/or object into any orifice of an adult male or female without their consent. Also includes any aggressive or violent sexual conduct as described above with a minor child.
- \_\_\_ Toucherism - Grabbing or groping with the hands, the genitals, including breasts and buttocks of a non-consenting person.
- \_\_\_ Hebophilia - Sexual contact with a male or female child fourteen (14) years of age or older with a sexual motive or interest. **DOCUMENTED USE OR VIEWING OF CHILD PORNOGRAPHY CAN BE INCLUDED (I.E. MAGAZINES OR THE INTERNET).**
- \_\_\_ Necrophilia - The act of engaging in sexual contact with a corpse.
- \_\_\_ Partialism - A sexual attraction to a specific body part that is usually expressed in toucherism, frottage, voyeurism, masturbatory props, including pornography.

- |                                |            |
|--------------------------------|------------|
|                                | <u>S/G</u> |
| A. None or one                 | 0/0        |
| B. Two or source not available | 0/0        |
| C. Three or more               | 3/0        |

**S G**  
**SCORES: \_\_\_/\_\_\_**

**16. Felony committed upon previous release from prison, jail, juvenile facility, or treatment center.**

Actual or estimated length of time from the date offender was released from an institution (prison, jail, secure juvenile facility, etc.) after serving any sentence (Date #1), to the date he committed a felony resulting in a conviction (Date #2). This can be any time period prior to the current incarceration. If the current incarceration is the offender's first, then score as A. The intent of this question is to gauge the shortest span of time between the offender's release from custody after serving any sentence, and the date of commission of any new *felony* offense.

- |  |            |
|--|------------|
|  | <u>S/G</u> |
| A. Not applicable (first incarceration)            | 0/0        |
| B. More than 12 months following release           | 3/0        |
| C. Up to and including 12 months following release | 7/10       |

S G

SCORES: \_\_\_/\_\_\_

**17. Discipline history while in prison or jail, or juvenile facility, or juvenile treatment center (most serious).**

Inmate's officially documented disciplinary infractions during any period of imprisonment. This may include jail, prison, or confinement in any other secure detention or treatment facility. **THE INTENT OF THIS QUESTION IS TO MEASURE THE DISRUPTIVE BEHAVIOR OF THE OFFENDER WHILE INCARCERATED IN A SECURE DETENTION OR TREATMENT FACILITY. MAJOR DISCIPLINE (REPORTS) ARE RULE VIOLATIONS OF SUCH MAGNITUDE THAT THEY RESULT IN PENALTIES SUCH AS LOSS OF TIME CREDITS (GOOD TIME), PLACEMENT IN DETENTION AND/OR ISOLATION, LOSS OF VISITATION, AND MAY REQUIRE RESTITUTION. THEY ALSO MAY RESULT IN THE FILING OF CRIMINAL CHARGES. EXAMPLE: TAKING A HOSTAGE OR KIDNAPING, INCITING OR PARTICIPATING IN A RIOT, ATTEMPTED ESCAPE, ASSAULT OR BATTERY (ON OFFENDERS OR STAFF), AND POSSESSION OF OR MANUFACTURE OF DANGEROUS CONTRABAND TO INCLUDE WEAPONS, EXPLOSIVES, ETC.**

- |   |            |
|---|------------|
|   | <u>S/G</u> |
| A. No major reports                       | 0/0        |
| B. Major reports with or without violence | 4/8        |

S G

SCORES: \_\_\_/\_\_\_

**18. Substance abuse treatment.**

If #12 (Alcohol drug usage) is scored A, then score this question A. If #12 is scored B, then score this question as appropriate. This question relates to the offender's involvement or lack of involvement in chemical dependency programming during any term of incarceration or term of probation. **TREATMENT IS DEFINED AS AN AUTHORIZED PROGRAM DEVELOPED AND/OR PRESENTED BY CORRECTIONS OR PROBATION STAFF, OR THEIR CONTRACTORS WHO HAVE BEEN TRAINED IN THE DELIVERY OF SUBSTANCE ABUSE PREVENTION/INTERDICTION PROGRAMMING. OFFENDER FACILITATED PROGRAMS AND/OR SUPPORT GROUPS SUCH AS AA OR NA, BY THEMSELVES, DO NOT QUALIFY AS TREATMENT FOR THIS QUESTION.**

- A. No dependency; or completed program S/G  
0/0
- B. Not involved in treatment; involved, but did not complete program 4/7
- (It may apply to treatment received in the community **AS PART OF OFFENDER SUPERVISION.**) S G

SCORES: \_\_\_/\_\_\_

19. Sex offender treatment while in prison; or in the community (if on probation).

**THE INTENT OF THIS QUESTION IS TO DETERMINE IF THE OFFENDER SUCCESSFULLY COMPLETED A FORMAL, THERAPEUTIC SEX OFFENDER TREATMENT PROGRAM (APPROVED BY THE AGENCY WHO HAS JURISDICTION OVER THE OFFENDER). VERIFICATION THAT THE OFFENDER FULFILLED ALL OF THE REQUIREMENTS OF THE PROGRAM, WITHOUT DEFICIENCIES, MUST BE PRESENT FROM A REVIEW OF THE AVAILABLE DOCUMENTATION. OTHER FACTORS SUCH AS LACK OF PROGRAM AVAILABILITY, INABILITY OF THE OFFENDER TO ACCESS THE PROGRAM DUE TO CUSTODY LEVEL, INSUFFICIENT TRANSPORTATION TO ATTEND THE PROGRAM, THE OFFENDER'S MOTIVATION (OR LACK THEREOF) TO ATTEND OR COMPLETE A PROGRAM, INELIGIBILITY DUE TO THE OFFENDER'S REFUSAL TO ACCEPT RESPONSIBILITY FOR THE OFFENSE, ETC. SHOULD NOT BE CONSIDERED BECAUSE THESE FACTORS ARE NOT PRECISELY MEASURABLE FROM AN ACTUARIAL STANDPOINT, AND CANNOT BE DISTINGUISHED RELATED TO THEIR PREDICTIVE VALUES. WHEN SCORING THIS FACTOR, THE INTENT IS TO MEASURE THE INCREASED RISK ASSOCIATED WITH BEING AN UNTREATED SEX OFFENDER.**

- A. Successfully completed treatment S/G  
0/0
- B. Failed to attend, failed to complete, denied admittance, program not available, etc 3/0

S G

SCORES: \_\_\_/\_\_\_

Sex Offense Risk Score (S) \_\_\_\_\_

Level \_\_\_\_\_

General Recidivism Risk Score (G) \_\_\_\_\_

<u>Sex Offense Risk (S)</u>	<u>Range</u>	<u>General Recidivism Risk (G)</u>	<u>Range</u>
Very High Risk .....	48+	Ultra High Risk .....	69+
High Risk .....	31-47	Very High Risk .....	53-68
Intermediate Risk .....	21-30	High Risk .....	45-52
Lower Risk .....	0-20	Intermediate Risk .....	20-44
		Lower Risk .....	0-19

Suggested Community Notification Level (Please circle appropriate level)

Level III      High or Very High Sex Offense Risk or Very High or Ultra High General Recidivism Risk

Level II      Intermediate Sex Offense Risk or Intermediate or High General Recidivism Risk  
*(Include all those offenders who do not meet the criteria for Level I or Level III)*

Level I      Lower Sex Offense Risk and Lower General Recidivism Risk

**Note:**

The initial risk assessment score and community notification level ascertained by the original agency having custody of or responsibility for supervision of the offender, i.e. the Department of Corrections or county adult probation department is not binding upon the law enforcement agency performing the community notification. Arizona Revised Statutes § 13-3825 (C) authorizes the local law enforcement agency to “categorize each offender and place each offender into a notification level”.

## **Other Factors Affecting Community Notification Level (For Law Enforcement Use Only)**

Certain factors, while not readily quantified, may in some cases serve to mitigate or aggravate the extent of community notification required for an offender. **The local law enforcement agency responsible for completing community notification should note that these factors, if present, may be utilized to override the notification level otherwise indicated by the risk assessment score.** Since these factors are dynamic, they are not included in the scoring of other static factors or given a specific weight:

### **Mitigating factors may include, but not be limited to:**

- ◆ The offender's housing within a secure in-patient treatment program, i.e. the Arizona State Hospital or other secure in-patient facility.
- ◆ Permanent medical incapacitation of the offender.
- ◆ The location of the offender's place of residence, including remoteness, lack of access to children, and transportation.
- ◆ Completion of a formal residential or outpatient sex offender treatment program, with attendant written diagnosis by a board certified psychologist or psychiatrist that the offender's risk for re-offense is minimal.
- ◆ The presence of any factors which indicate that the risk of harm to the offender or immediate family members outweighs the potential benefit to be derived from the distribution of community notification flyers.
- ◆ The offender's long term, stable presence in the community absent further criminal activity.
- ◆ The offender is under some form of intensive community supervision, and is residing in a community residential treatment placement.

### **Aggravating factors may include, but not be limited to:**

- ◆ The offender's use of a deadly weapon or dangerous instrument during commission of the offense.
- ◆ The offender tortured or mutilated the victim or inflicted great bodily harm.
- ◆ Under circumstances where a law enforcement agency receives new information that was not available when the previous assessment was completed.