

# ***Adult Sex Offender Registration Requirements***

## ***ARKANSAS***

### **Requirements**

<b>Registrable Offenses</b>	<ul style="list-style-type: none"> <li>• Rape</li> <li>• Sexual indecency with a child</li> <li>• Sexual assault (1st degree)</li> <li>• Sexual assault (2nd degree)</li> <li>• Sexual assault (3rd degree)</li> <li>• Sexual assault (4th degree)</li> <li>• Incest</li> <li>• Engaging children in sexual explicit conduct for use in visual or print medium</li> <li>• Transportation of minors for prohibited sexual conduct</li> <li>• Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child</li> <li>• Employing or consenting to use of a child in a sexual performance</li> <li>• Producing, directing or promoting sexual performance</li> <li>• Promoting prostitution (1st degree)</li> <li>• Stalking when ordered by the court to register as a sex offender</li> <li>• Indecent exposure, if a felony level offense</li> <li>• Exposing another person to HIV when ordered by the court to register as a sex offender</li> <li>• Kidnapping, when the victim is a minor and the offender is not the parent of the victim</li> <li>• False imprisonment (1st and 2nd degree), when the victim is a minor and the offender is not the parent of the victim.</li> <li>• Permitting abuse of a child</li> <li>• Computer child pornography</li> <li>• Computer exploitation of a child</li> <li>• Permanent detention or restraint when the offender is not the parent of the victim.</li> <li>• Distributing, possessing or viewing matter depicting sexually explicit conduct involving a child</li> <li>• The attempt, solicitation or conspiracy to commit any of the offenses enumerated</li> </ul>
<b>Information Maintained in Sex Offender Registry</b>	<p><i>A.C.A. § 12-12-908 (West 2008)</i></p> <p>(b) The registration file required by this subchapter shall include:</p> <ol style="list-style-type: none"> <li>(1) The offender's full name and all aliases that the offender has used or under which the offender has been known;</li> <li>(2) Date of birth;</li> <li>(3) Sex;</li> <li>(4) Race;</li> <li>(5) Height;</li> <li>(6) Weight;</li> <li>(7) Hair and eye color;</li> <li>(8) Address of any temporary residence;</li> <li>(9) Anticipated address of legal residence;</li> <li>(10) Driver's license number or state identification number, if available;</li> <li>(11) Social security number;</li> <li>(12) Place of employment, education, or training;</li> <li>(13) Photograph, if not already obtained;</li> <li>(14) Fingerprints, if not already obtained;</li> <li>(15) Date of arrest, arresting agency, offense for which convicted or acquitted, and arrest tracking number for each adjudication of guilt or acquittal on the grounds of mental disease or defect;</li> <li>(16) A brief description of the crime or crimes for which registration is required;</li> <li>(17) The registration status of the offender as a sexually violent predator, aggravated sex offender, or sex offender;</li> <li>(18) A statement in writing signed by the offender acknowledging that the offender has been advised of the duty to register imposed by this subchapter; and</li> <li>(19) Any other information that the center deems necessary, including, but not limited to:             <ol style="list-style-type: none"> <li>(A) Criminal and corrections records;</li> </ol> </li> </ol>

	<p>(B) Non-privileged personnel records;  (C) Treatment and abuse registry records; and  (D) Evidentiary genetic markers.  (c) Certain information such as social security number, driver's license number, employer, information that may lead to identification of the victim, and the like may be excluded from the information that is released during the course of notification.</p>
<b>Community Notification and Websites</b>	<i>A.C.A. § 12-12-913 (West 2008)</i>
	(b): In accordance with guidelines promulgated by the Sex Offenders Assessment Committee, local law enforcement agencies having jurisdiction shall disclose relevant and necessary information regarding sex offenders to the public when the disclosure of such information is necessary for public protection.
<b>Limitations on Residency or Employment</b>	<i>A.C.A. § 5-14-128 (West 2008)</i>
	<u>Registered offender living near school, public park, youth center, or daycare prohibited</u>
	(a) It is unlawful for a sex offender who is required to register under the Sex Offender Registration Act of 1997, § 12-12-901 et seq., and who has been assessed as a Level 3 or Level 4 offender to reside within two thousand feet (2,000') of the property on which any public or private elementary or secondary school, public park, youth center, or daycare facility is located.
	(b)(1) It is not a violation of this section if the property on which the sex offender resides is owned and occupied by the sex offender and was purchased prior to the date on which the public or private elementary or secondary school, public park, youth center, or daycare facility was established.
	<i>A.C.A. § 5-14-129 (West 2008)</i>
	<u>Registered offender working with children prohibited</u>
	(a) It is unlawful for a sex offender who is required to register under the Sex Offender Registration Act of 1997, § 12-12-901 et seq., and who has been assessed as a Level 3 or Level 4 offender to engage in an occupation or participate in a volunteer position that requires the sex offender to work or interact primarily and directly with a child under sixteen (16) years of age.
	<i>A.C.A. § 5-14-131 (West 2008)</i>
<u>Registered offender living near victim or having contact with victim prohibited</u>	
(b) It is unlawful for a person who is required to register under the Sex Offender Registration Act of 1997, § 12-12-901 et seq., and who has been assessed as a Level 3 or Level 4 offender to knowingly:	
(1) Reside within two thousand feet (2,000') of the residence of his or her victim;	
(c)(1) It is an affirmative defense to a prosecution for a violation of subdivision (b)(1) of this section if the property where the sex offender resides is owned and occupied by the sex offender and was purchased prior to the date on which his or her victim began residing within two thousand feet (2,000') of the residence of the sex offender.	
<i>A.C.A. § 5-14-132 (West 2008)</i>	
<u>Registered offender prohibited from entering upon school campus-</u>	
(b) It is unlawful for a sex offender who is required to register under the Sex Offender Registration Act of 1997, § 12-12-901 et seq., and who has been assessed as a Level 3 or Level 4 offender to knowingly enter upon the campus of a public school.	
(c) It is not a violation of this section if the sex offender:	
(1) Is a minor and is a student;	
(2) Enters upon the campus for the purpose of attending a school-sponsored event for which an admission fee is charged or tickets are sold or distributed, a graduation ceremony, or a baccalaureate ceremony;	
(3) Enters upon the campus on a day that is not designated a student contact day by the school district's	

	<p>calendar or on a day in which no school-sponsored event is taking place upon the campus; or</p> <p>(4) Is the parent or guardian of a student enrolled in a public school district and enters upon the campus where the student is enrolled for the purpose of:</p> <p>(A) Delivering to the student medicine, food, or personal items, provided that the items are delivered directly to the school office; or</p> <p>(B) Attending a scheduled parent-teacher conference, provided the sex offender is escorted to and from the conference by a designated school official or employee.</p> <p>(d)(1) A sex offender who is the parent or guardian of a child enrolled in a public school district and wishes to enter upon the campus in which the student is enrolled for any other purpose must give reasonable notice to the school principal or his or her designee.</p>
<p><b>Duration of Registration</b></p>	<p><i>A.C.A. § 12-12-919 (West 2008)</i></p> <p>(a): Lifetime registration is required for a sex offender:</p> <ol style="list-style-type: none"> <li>1. Offenders convicted of an aggravated offense</li> <li>2. Sexually violent predators, or</li> <li>3. Offenders adjudicated guilty of a second or subsequent offense under a separate case number, not multiple counts of the same charge.</li> </ol> <p>(b)(1)(A)(i) Any other sex offender required to register under this subchapter may make application for an order terminating the obligation to register to the sentencing court fifteen (15) years after release from incarceration or other institution or fifteen (15) years after having been placed on probation or any other form of community supervision by the court.</p> <p>(ii) A sex offender sentenced in another state but permanently residing in Arkansas may make an application for an order terminating the obligation to register to the court of the county in which the sex offender resides.</p> <p>(B)(i) The court shall hold a hearing on the application at which the applicant and any interested persons</p>