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**The Registry's Reach:
Purpose, Composition, and the
Case for Systematic Review
Part II of II**

Examine What Should Qualify As A Registrable Offense In Utah
Law Enforcement and Criminal Justice Interim Committee

August 2026

Clinical and behavioral-science content in this submission has been reviewed by UTRSOL's Clinical Research Working Group; see the Clinical Review section on page 2

Edition 1

Office of
UTAH FOR RATIONAL SEX OFFENSE LAWS

Digest of The Registry's Reach: Purpose, Composition, and the Case for Systematic Review Part II of II

The Core Question

The Legislature has formally asked what should qualify as a registrable offense. Part I of this submission established that Utah Code § 53-29-102, a single sentence with no legislative findings, no defined behavioral population, and no specified mechanism, is the registry's only statutory purpose provision. From it, three operational purposes are derived: deterrence, community notification, and law enforcement monitoring. Part II tests those three purposes against eight registrable offense categories whose primary criminogenic mechanism is physical violence, economic coercion, or logistical criminal enterprise rather than sexual motivation, drawing on Utah's DPS registry data, 43 years of AOC conviction records, a decade of BCI incident data, and Utah-specific recidivism analysis.

What the Evidence Shows: The Eight Contested Categories

Across aggravated child abuse, child torture, and six labor-trafficking and human-smuggling statutes, the record is consistent. Zero of the eight categories contribute an independent sexual recidivist. The post-2022 aggravated child abuse cohort (53 registrants) has zero sexual re-offense flags; the pre-2022 cohort's 14 recidivism flags reflect physical, not sexual, re-offense. Child torture (§ 76-5-109.4) has never produced a conviction. Labor trafficking and smuggling statutes combined account for a handful of AOC convictions across 43 years and a sub-1% share of BCI-confirmed incidents. A DPS description-entry error compounds the labor-trafficking problem: every registrant coded under the § 76-5-308 labor statute carries a public-facing description reading "Human Trafficking for Sexual Exploitation", a notification that is not merely mismatched to risk but factually incorrect.

Applying the Three Purposes

Deterrence fails on its own logic: BCI's NIBRS data shows reported forcible sex offenses essentially flat (+1.3%) from 2021 to 2024 while the registrable offense list expanded 360% since 1983, and none of the eight categories involves the premeditated, cost-benefit-calculating conduct the mechanism assumes. Community notification fails because the conduct in these categories is overwhelmingly intra-familial (child abuse, child torture) or organizationally/commercially structured (trafficking, smuggling) rather than stranger-contact risk, the pathway the mechanism requires to enable protective action. Law enforcement monitoring, the registry's strongest justification, already has dedicated infrastructure for trafficking and smuggling (the Human Trafficking Task Force, HSI, ICE, the OAG SECURE Strike Force) and no validated actuarial instrument for child torture or labor trafficking populations, even as H.B. 354 (2025) now mandates a risk assessment for every new registrant. For all three purposes and all eight categories, the verdict is the same: not established by the evidence.

The Process Failure

Four bills from the committee's own 2024–2025 leadership document how these categories reached the registry without that evidence ever being examined. S.B. 30 (2025) made labor trafficking registrable without its own sponsor's awareness. S.B. 24 (2025) added child torture on a 14-1 committee vote with no actuarial, recidivism, or clinical testimony, and to date, zero convictions exist under the statute. S.B. 23 (2024) merged the Child Abuse Offender Registry into the sex offender registry without a formal finding that the two populations share a sexual-recidivism risk profile. And H.B. 354 (2025), enacted in the same session as S.B. 24, mandates validated risk assessments for all new registrants, an internal contradiction never identified in either bill's legislative record, since the mandated instruments produce no interpretable result for the populations S.B. 24 and S.B. 30 added.

The Procedural Remedy

The remedy is not simply removing the eight contested categories; a committee that does so without a process change faces the same structural condition next session. UTRSOL proposes a pre-enactment evidentiary standard, modeled on Utah's existing fiscal-note requirement, requiring any bill adding a registrable offense category to address three criteria in a formal findings section: (1) actuarial validity, whether Utah's validated instruments apply to the proposed population; (2) treatment applicability, whether the SOTP infrastructure addresses that population's actual criminogenic needs; and (3) purpose alignment, whether registration demonstrably serves deterrence, notification, or monitoring for that population. The standard prohibits inadvertent designation.

Four Asks of the Committee

- Commission a formal review of the eight contested categories against the three-purpose framework, reporting findings before the end of the 2026 interim session.
- Request that the CCJJ conduct an independent actuarial and clinical applicability review of the eight categories, including whether H.B. 354's risk-assessment mandate can be executed for the populations S.B. 24 and S.B. 30 added.
- Draft legislation for the 2027 General Session establishing the pre-enactment evidentiary standard, modeled on the fiscal-note process.
- Decouple the Child Abuse and Torture statutes from the Sex, Kidnap, and Child Abuse Offender Registry

Conclusion

The registry's statutory purpose fits in a single sentence; the offense list built against it spans 46 entries across 14 session years. The eight contested categories produce, in aggregate, zero independent recidivists, a sub-1% share of BCI-reported incidents, and a DPS data infrastructure too broken to reliably distinguish labor trafficking from sexual exploitation in its own records. The committee already has the reform trajectory (SOMAC), the risk-assessment mandate (H.B. 354), and the interim study item through which to close the process gap that produced these outcomes. That is the case for systematic review.



Utah for Rational Sex Offense Laws

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Law Enforcement and Criminal Justice Interim Committee, Utah State Legislature
Utah for Rational Sex Offense Laws (UTRSOL)
August 17, 2026
Interim Study #3
Registrable Offenses: Examine What Should Qualify As A Registrable Offense In Utah

Prefatory Note

How This Document Connects to Part I and the Broader Publication Series

This submission is Part II of a two-part series submitted to the Law Enforcement and Criminal Justice Interim Committee in connection with formally adopted Interim Study Item 3: “Examine What Should Qualify as a Registrable Offense in Utah.” Part I of this series was published as UTRSOL Publication 2026-38 and submitted on May 12, 2026. Committee members who have not reviewed Part I should do so before proceeding; Part II assumes familiarity with the statutory framework, three-purpose analytical structure, and historical accretion timeline established there.

Part I established three foundational findings. First, Utah Code §53-29-102 is the registry's sole statutory purpose provision, a single sentence containing no legislative findings, no defined behavioral population, and no specified mechanism, from which three operational purposes are derived: deterrence, community notification, and law enforcement monitoring. Second, the registrable offense list grew from 10 offenses in 1983 to 46 today through 17 distinct bills in 14 session years, none accompanied by systematic purpose-alignment analysis. Third, three institutional findings from Utah's own agencies, the Utah Commission on Criminal and Juvenile Justice (CCJJ)'s 2020 “dearth of literature” acknowledgment, the 2017 Auditor General's \$678,000 annual SOTP waste finding, and the February 2026 CCJJ Sentencing Commission's 622 non-compliant and 181 location-unknown registrants, establish that the registry is already failing to achieve its purposes for the core population it was built to manage.

Part II also draws on five UTRSOL publications that post-date Part I and materially strengthen the evidentiary record: Publication 2026-31 (2025 Utah Media Analysis Report), Publication 2026-45 (LECJ Constituent Profile Cross-District Analysis), Publication 2026-47 (2026 Registry Population Analysis), Publication 2026-49 (AOC Conviction Trends 1983-2026), and Publication 2026-50 (Crime in Utah 2015-2025 BCI Analysis). Where practicable, figures drawn from these publications have been independently re-verified in this draft against the underlying primary sources (the DPS registry export, the AOC conviction

database, the UTRSOL 2025 media dataset, and BCI's published and dashboard incident data); citations below note where independent verification succeeded, where a discrepancy was found and flagged, and where verification was not possible from files available in this pass (notably the cross-district analysis's underlying district-level profiles and district-mapping data, and a small number of externally-sourced comparative figures).

These five publications are UTRSOL's own analytical products, not independent third-party research; each is built from primary government data sources, the DPS registry export, the AOC conviction database, and BCI's published and dashboard incident data, using methodology documented in the publication itself. UTRSOL will make the underlying primary-source exports available to committee staff or the CCJJ on request, so that any figure drawn from these publications can be independently reproduced against the same public records UTRSOL used. This document is Edition 1 of Publication 2026-39; any subsequent revision incorporating additional clinical review, corrected data, or committee feedback will be issued as a numbered edition update. This edition system exists precisely so that reproducibility issues, clinical review, or committee feedback identified after transmittal can be incorporated transparently, rather than requiring the record to be silently amended or re-issued without a clear version history.

One legislative development not addressed in Part I requires specific mention. H.B. 354, enacted in the 2025 General Session and carried by LECJ co-chair Rep. Ryan Wilcox, mandated risk assessment collection for all new registrants beginning January 1, 2026. In the same session, S.B. 24 added child torture (§76-5-109.4) to the registrable offense list, and S.B. 30 inadvertently made labor trafficking registrable. H.B. 354 and S.B. 24 are in direct statutory tension: the legislature simultaneously mandated that all new registrants receive a validated risk assessment AND added two populations, child torture and labor trafficking, for which the Static-99R and STABLE-2007 are not validated for use with individuals whose qualifying conduct consists solely of child torture or labor trafficking and who do not otherwise meet the instruments' intended sexual-offense population. This contradiction, created in a single legislative session, is the most precise illustration of the process failure the following sections document.

Clinical Review, Reviewer Attribution

This submission's clinical and behavioral-science content was reviewed by members of UTRSOL's Clinical Research Working Group (CRWG), an independent interdisciplinary network of clinicians and researchers who provide professional review of the clinical and behavioral-science components of UTRSOL's data and policy work prior to legislative transmittal and testimony. All other analysis in this submission, statutory, legislative, and data-methodology, is UTRSOL's own and has not been independently reviewed by the CRWG. Each reviewer's contribution is limited to the specific section or sections identified below, and is credited accordingly. Review reflects professional judgment on clinical

accuracy and data interpretation; it does not constitute endorsement of UTRSOL's policy recommendations. The reviewers and their reviewed sections are listed below:

- Dr. Gale Stringham, Psychologist, Approved Sex Offense Treatment Provider (Addiction & Psychological Services, APS, Inc., Orem) — reviewed and confirmed the Child Torture subsection (The Open Clinical Question, Pg 17) and (The Clinical Infrastructure Gap, Pg 22). Attribution: section-only.
- Dr. Jill Ferrell, Ph.D., Psychologist — reviewed the Child Torture subsection (The Open Clinical Question, Pg 17) and provided the probabilistic victim-selection framework, with supporting citations. Attribution: section-only.
- Ashlei Fraser, LCSW, LASUDC, Affiliate Sex Offense Treatment Provider — reviewed and confirmed Criteria 1–2 (actuarial validity and treatment applicability) in “What a Principled Process Would Require,” Pg 27. Her review is limited to the clinical coherence of those two criteria and does not address the document's broader legislative or policy conclusions. Attribution: section-only.
- Maria Lee Hansen, LCSW, Affiliate Sex Offense Treatment Provider — reviewed the risk-assessment instrument characterization in Purpose Three: Law Enforcement Monitoring and Criminal Investigation (pp. 19–20), specifically the application of the Static-99R, STABLE-2007, and CPORT instruments to contested offense populations. Review reflects professional judgment on clinical accuracy and data interpretation; it does not constitute endorsement of UTRSOL's policy recommendations. Attribution: section-only.

The clinical and behavioral-science content in the Child Torture subsection of Purpose Two: Community Notification and Protective Decision-Making, the risk-assessment instrument characterization in Purpose Three: Law Enforcement Monitoring and Criminal Investigation, The Clinical Infrastructure Gap, and What a Principled Process Would Require reflects independent professional review by the CRWG members named above; the recidivism methodology in “The Recidivism Record: Utah-Specific Data” section and the deterrence-etiology characterization in “Purpose One: Deterrence” section were not reviewed and remain UTRSOL's own analysis.

This division reflects the CRWG's clinical mandate, not a judgment on the reliability of the unreviewed sections, those portions rest on Utah's own institutional data: Utah Administrative Office of the Courts (AOC), Department of Public Safety (DPS), the Utah Bureau of Criminal Identification (BCI) and are documented to the same evidentiary standard throughout this submission. Readers should attribute clinical conclusions only to the sections named above, and treat all statutory, legislative, and data-methodological analysis elsewhere in this document as UTRSOL's own.

Conviction Volume Asymmetry

What Utah Courts Produce vs. What the Registry Contains

Part I documented that approximately 17% of Utah's 46 registrable offense categories involve conduct whose primary criminogenic mechanism is physical violence, economic coercion, or logistical criminal enterprise rather than sexual motivation. This section quantifies the operational consequences across three data sources and two analytical additions that Part I predated: Publication 2026-50's BCI incident analysis (2015-2025) and Publication 2026-49's 43-year AOC conviction trend analysis (1983-2026). Together these sources provide an evidentiary picture that neither the registry data nor Publication 2026-31 covering 1,042 articles from 10 Utah outlets covering January–December 2025 can produce alone.

The Registry Population and Its Rate of Change

The Utah Sex, Kidnap, and Child Abuse Offender Registry, iCrimeWatch public registry portal accessed March 23, 2026 produced a total registry population of 10,229 registrants. The registry's community-residing population is 7,239 (70.8%), making the total 41% larger than the population to which community notification and monitoring actually apply. Any per-registrant cost analysis or public safety justification using 10,229 as the base understates the per-community-registrant burden by 41%.

Annual conviction intake has accelerated dramatically: 410 new registry entries in 2020 rising to 691 in 2025, a 68.5% increase in five years [verified directly from the iCrimeWatch Registry Export (DPS/BCI), March 23, 2026]. This is not explained by a corresponding rise in reported sexual offending. BCI's 2021-2024 National Incident-Based Reporting System (NIBRS) series (Publication 2026-50) shows forcible sex offenses at 4,899 in 2021 and 4,962 in 2024, a net change of +1.3% across four years, within rounding error. The registry is growing at its fastest historical rate while the underlying incident trend holds essentially flat. The gap between those trajectories is the quantitative statement of the accretion problem Part I documented structurally. The monitoring infrastructure serving this growing population is already demonstrably strained. As of the March registry population from iCrimeWatch export [also documented in Publication 2026-47], 214 registrants (2.1%) carry an unverifiable address as a structural consequence of housing restrictions: when registrants cannot secure a qualifying address due to residency restriction zones or landlord refusal, registration status defaults to unknown address, simultaneously suspending all three core registry functions. The restrictions generate the non-compliance they are designed to prevent. This gap is in the process of being resolved through the passage of HB 370 during the 2026 General Session which requires GPS monitoring of this subsection of registry population. Utah's Sex Offense Treatment Program (SOTP) Director Jared Hill, presenting to the Utah Prisoner Advocate Network (UPAN) on May 11, 2026, reported that the SOTP waitlist stands at 1,367 individuals, registrants the system has mandated to complete treatment while providing no timeline for access.

The Eight Contested Offense Categories: Quantitative Profile

The following table consolidates the quantitative record for the eight contested offense categories across all three primary data sources. Two data notes apply throughout. First, DPS records for §76-5-308 and §76-5-308.5 contain a description entry error, DPS applied “sexual exploitation” description templates to records whose statute codes designate labor trafficking. Counts reflect statute codes, not erroneous descriptions. Second, §76-5-109.2 reflects both pre-2022 (237) and post-2022 (53) statutory forms carrying distinct legal eligibility questions developed in “The Recidivism Record” section. AOC conviction figures are drawn from Publication 2026-49’s 43-year analysis; several contested statute categories have very thin case volumes whose rates should be treated with caution. Third, DPS’s combined coding of §76-5-308.5 and §76-5-308.6 makes the true labor-versus-sexual-exploitation split within the 16 registrants coded under §76-5-308.5 indeterminate without case-level review.

Offense Category	DPS Registrants(Utah subset, March 23, 2026)	AOC Cases/Convictions (1983-2026)	2025 Media Articles	Key Asymmetry
§76-5-109.2 Aggravated Child Abuse	290 total 237 pre-2022 53 post-2022 qualifying 14 pre-2022 recidivists 0 post-2022 recidivists	76 cases / 54% blended conviction rate (3a/3b/3c)	37	Two legally distinct cohorts. Pre-2022 (237): statutory eligibility under §53-29-202 unresolved. Zero of 290 carry sexual co-offenses. Pre-2022 recidivism reflects physical re-offense only.
§76-5-109.4 Child Torture (SB24 2025)	0	3 cases Too thin to rate	36	Effective May 7, 2025. S.B. 24 committee voted 14-1 with no actuarial analysis presented. Zero convictions ever obtained. Zero recidivists.
§76-5-308 Human Trafficking for Labor	5 (labor statute code) DPS descriptions erroneously read 'sexual exploitation'	3 cases 2 convictions (67%)— extremely thin base	10	DPS description error confirmed. 3 total AOC cases across all years. Zero recidivists. AOC confirms essentially no judicial precedent for this designation.

Offense Category	DPS Registrants(Utah subset, March 23, 2026)	AOC Cases/Convictions (1983-2026)	2025 Media Articles	Key Asymmetry
§76-5-308.5 Human Trafficking of Child for Labor	16 (labor statute code)308.5 + 308.6 combined in DPS data	34 cases16 convictions (47%)	6	DPS combined labor (308.5) and sexual exploitation (308.6) codes. True labor count indeterminate without case-level review. Most registrants carry independent sexual co-charges.
§76-5-310 Aggravated Human Trafficking for Labor	2 (both have sexual co-offenses independentl requiring registration)	13 cases3 convictions (23%)	0	Both registrants registered through sexual co-charges. Labor variant independently produces no registrants. 23% AOC conviction rate reflects prosecutorial difficulty.
§76-5-311 Human Trafficking Vulnerable Adult for Labor	0	1 case0 convictions (0%)	0	One AOC case with zero convictions. Zero registrants. Non-sexual labor exploitation. No established sexual recidivism pathway. Zero recidivists.
§76-5-316 Human Smuggling	0	0 under 76-5-316~9 under predecessor codes	0	Transportation offense. No research connecting smuggling to sexual recidivism. Zero across all datasets. Zero recidivists.
§76-5-317 Aggravated Human Smuggling	0	1	0	Zero across all datasets. Tigula (Grand Co., Feb. 2026) is first documented pending registry consequence under this statute.

Table 1. Eight contested offense categories: DPS Utah-convicted subset (8,736 registrants, March 23, 2026); AOC 43-year conviction analysis (Utah Administrative Office of the Courts, Sex Offense Statute Data, 1983-2026, extracted June 2, 2026); UTRSOL 2025 Media Dataset (1,042 articles, source-verified against original news reporting).

Three registry composition findings from Publication 2026-45's cross-district analysis warrant specific mention alongside the contested category data. First, 20-28% of each district's registrants are convicted of attempted offenses, inchoate violations under Utah Code §76-4-101, registered on identical terms to completed offenses: same duration, same public disclosure requirements, same location restrictions, same petition process. Across all 15 LECJ member districts, this represents approximately 500-520 individuals. The legislature corrected the enticement-specific attempted-offense inversion in 2024, but the broader principle, that an attempted offense and a completed offense of the same type carry equivalent registration consequences, remains unaddressed in the offense list's architecture.

Second, approximately 60 individuals across the 15-district cross-section (2.7% of community-active registrants) are near-peer registrants under §76-5-401.2, individuals whose conviction arose from a relationship with a peer falling within a narrow age-gap threshold. The Sentencing Commission's 2022 presentation identified near-peer cases as one of the cleanest available reform targets precisely because the age-gap criterion provides a legally clear and administratively straightforward basis for differentiation.

Third, the 1,493 out-of-state-convicted registrants (14.6% of the full registry) reflect significant case complexity: registrability for out-of-state convictions is determined individually by the Utah Attorney General's office, cross-referencing the foreign statute against Utah's registrable offense list. The cross-district analysis documents an American Samoa conviction with no directly indexed Utah equivalent, UCMJ Article 120/134 military convictions in two districts, and California Penal Code §288 (lewd acts with a child) as the single most common out-of-state statute appearing in the Utah registry. The AG's individual-determination process produces no systematic public record and is invisible in both the iCrimeWatch Registry Export (DPS/BCI), March 23, 2026 and the AOC judicial data.

Taken together, these findings confirm that Utah's own registry data mirrors the low base rate for sexual recidivism reported in the national literature, while also isolating a small, statistically distinct subgroup that concentrates the registry's actual risk. Neither pattern is necessarily uniform across the registered population, and the aggregate figures above do not by themselves indicate how recidivism varies by supervision status, gender, or offense origin. The breakdown below disaggregates recidivism by population segment to test whether these aggregate findings hold consistently across subgroups, or conceal variation the committee should account for in allocating monitoring resources. The remainder of this section addresses that question directly.

The Recidivism Record: Utah-Specific Data

In July 2020, CCJJ, the state’s central criminal justice research and policy body, published a Research Brief examining Utah’s sex offender registry and treatment framework. The brief acknowledged a “dearth of literature on the effectiveness of the conviction-based approach” to registration, and recommended directing monitoring resources toward those most likely to reoffend rather than applying uniform scrutiny across the full registered population. That recommendation was made without the benefit of Utah-specific recidivism data, the CCJJ was reasoning from national literature and its own qualitative assessment, not from an analysis of Utah’s own registrants. Publication 2026-47 and the Utah-convicted iCrimeWatch export subset (8,736 registrants, the count of registrants on Utah’s registry whose conviction occurred in Utah as opposed to an out-of-state conviction that still triggers Utah registration) now provide that data.

The registry population’s single-conviction floor stands at 72.8%: 72.8% of all 10,229 registrants have a single conviction date with no subsequent registrable offense recorded anywhere in the iCrimeWatch export system [verified directly from the iCrimeWatch Registry Export (DPS/BCI), March 23, 2026: 7,445 of 10,229 registrants show exactly one populated conviction-date field]. This is the most methodologically conservative statement of registry non-recidivism because it relies only on the presence or absence of a second conviction date, independent longitudinal recidivism standards.

This measure is a proxy, not a direct observation of non-reoffense: it can only detect a second conviction that was charged and adjudicated, so it does not distinguish true non-reoffense from reoffense that went unreported, unprosecuted, or otherwise undetected. It also does not separate out incapacitation effects — time a registrant spent incarcerated or under close supervision, during which the opportunity to reoffend was itself constrained. The 72.8% floor should be read as the most conservative available estimate from the data on hand, not as a ceiling on true non-reoffense.

The 72.8% floor is consistent with the five-year sex offense recidivism range (5-7%) documented by Hanson and Morton-Bourgon’s 2005 meta-analysis of 82 recidivism studies. For Utah-convicted registrants specifically (n=8,736), the recidivism flag produces: 6,308 (72.2%) with no flag; 1,751 (20.0%) recidivated once with a second conviction date; 677 (7.7%) recidivated twice or more conviction dates [figures recomputed directly from the March 23, 2026 iCrimeWatch export using Publication 2026-47’s methodology]. Publication 2026-47 establishes a methodologically defensible post-registration reoffense range of 7.92% (730-plus day interval, minimum) to 11.83% (all non-same-day intervals, maximum), accounting for the same-day co-conviction artifact that inflates the upper bound.

Within the recidivist cohort, 677 registrants (7.7%) carry a second conviction on record. Publication 2026-47 identifies 105 registrants (1.1%) as high-risk triple-conviction registrants whose three mutually distinct conviction dates confirm a pattern of persistent

sexual reoffense. This 105-person cohort is the identifiable highest-priority monitoring target in the Utah registry. Actuarial research confirms prior offense frequency as one of the most consistent predictors of future sexual recidivism in the Static-99R normative framework. The 1,367 SOTP-waitlist registrants, the 622 non-compliant registrants, and the 214 location-unknown registrants all consume monitoring resources that should be concentrated on the 105 demonstrably highest-risk individuals the data now identifies. A risk-based approach would prioritize resources according to demonstrated patterns of reoffending rather than registry status alone.

External research corroborates the Utah picture. CCJJ researchers Nystrom and Poulson (2019) tracked 3,173 Utah parolees released from Utah State Prison (USP in 2013 and 2016 over an average of 382.5 days: fewer than 2% of sex offense parolees were reconvicted of a sex-related crime, the lowest reconviction rate of any offense category tracked. Sex offense parolees were also the least likely of any category to be classified as high or intensive risk on the Level of Service/Risk, Need, Responsivity (LS/RNR) instrument (44%), compared to 82% of drug possession parolees. The Bureau of Justice Statistics (BJS) researchers Alper and Durose (2019), tracking 20,195 persons released from state prisons in 30 states after sex offense convictions, found that 8% were arrested for rape or sexual assault within nine years, and that released sex offenders were less likely than other released prisoners to be arrested for any crime (67% vs. 84%). SOTP Director Jared Hill reported at UPAN (May 11, 2026) that of 483 individuals released from SOTP in 2021 and tracked for three years, approximately 2% returned for a new sex crime conviction, 5% for a new non-sex crime, 10% for concerning behaviors, and 45% for parole violations, of which 60% were technical, non-criminal condition breaches.

Recidivists average 14.6 years on the registry versus 9.6 years for all registrants. The distribution across tenure bands is nearly flat (183/180/180/173/163/105 across six bands from 0-4 to 25-plus years), confirming that re-offense risk does not diminish linearly with registry tenure and that actuarial instruments provide a more defensible differentiation basis than years of listing alone. For the eight contested categories: the post-2022 aggravated child abuse cohort (53 registrants) produces zero recidivists; the pre-2022 cohort's 14 flags represent physical re-offense, not sexual; trafficking and smuggling statutes produce zero recidivists; child torture has no registrants. Not one of the eight contested categories appears in the top 20 recidivist statute codes.

Taken together, these findings confirm that Utah's own registry data mirrors the low base rate for sexual recidivism reported in the national literature, while also isolating a small, statistically distinct subgroup that concentrates the registry's actual risk. Neither pattern is necessarily uniform across the registered population, and the aggregate figures above do not by themselves indicate how recidivism varies by supervision status, gender, or offense origin. The breakdown below disaggregates recidivism by population segment to test whether these aggregate findings hold consistently across subgroups, or conceal variation

Population Segment	Recidivism Rate	Policy Relevance
Active (community-residing)	10.00%	Primary monitoring target; highest intervention value per registrant
Incarcerated	15.30%	Elevated rate reflects selection, those who reoffended returned to custody
Male	11.80%	Near overall average; gender is not a standalone risk differentiator
Female	3.70%	Substantially lower; Static-99R not validated for female registrants (Hill, 2026)
Utah conviction	11.60%	Base rate for iCrimeWatch-tracked population with populated recidivism field
Non-Utah conviction	11.30%	Essentially identical to Utah rate, out-of-state origin presents no elevated risk
CSAM/Exploitation primary	9.10%	Below registry average; digital-offense category does not present above-average recidivism

Table 2. Recidivism by population segment (Publication 2026-47, Table 8). Upper-bound methodology (all non-same-day conviction intervals). The female registrant rate note reflects Director Hill's March 23, 2026 UPAN confirmation that Static-99R predictive validity has not been established for female registrant populations. The 7.92%–11.83% defensible range established in The Recidivism Record above is a population-wide figure; subgroup rates such as the incarcerated population's 15.3% are not bounded by that range and can exceed it, since incarcerated registrants are a non-random, higher-recidivism-selected subset of the whole.

A critical methodological note applies to apparent declines in recidivism across conviction decades: Publication 2026-47 documents rates of 20.9% (1980s), 22.0% (1990s), 21.4% (2000s), 10.4% (2010s), and 5.8% (2020-2026). This declining pattern is not evidence that the registry is becoming more effective or that recent registrants are less dangerous, it is a methodological artifact of two compounding factors. Older prosecutions involve more multi-count proceedings where same-incident co-charges appear as separate conviction dates, inflating apparent historical recidivism. Recent cohorts have had substantially less elapsed time for any re-offense to materialize and be recorded, deflating their apparent rate. The conviction-decade trend cannot be cited as evidence of improving recidivism outcomes; it reflects how multi-count prosecutions are recorded in the DPS system, not behavioral change across cohort years. Accordingly, the recidivism findings for the eight contested categories reported throughout this section should be read against the flat, cross-cohort baseline established above, not against the declining decade-by-decade trend, which measures prosecutorial and reporting-lag artifacts rather than offender risk.

The 76-5-308 Description Error and Its Analytical Consequence

The iCrimeWatch export, derived from DPS data contains a systematic description entry error in the §76-5-308 family. DPS applied “sexual exploitation” description language to records carrying §76-5-308 and §76-5-308.5 statute codes, which designate labor trafficking and child labor trafficking respectively. The corrected count by statute code: 5 registrants carry §76-5-308 (human trafficking for labor) and 16 carry §76-5-308.5 (human trafficking of a child for labor). A second complication: DPS combined §76-5-308.5 (child labor trafficking) and §76-5-308.6 (child sexual exploitation trafficking) into a shared code field, making the true labor-versus-sexual split within the 16 indeterminate without case-level review. All 5 registrants coded §76-5-308 have descriptions reading “Human Trafficking for Sexual Exploitation”, the entry error, while the AOC statute-level extract confirms only 3 total cases and 2 convictions under this labor statute code across all 43 years of records.

The policy consequence extends beyond count correction. DPS cannot currently distinguish labor trafficking registrants from sexual exploitation registrants. Any differentiated policy the committee recommends cannot be implemented or monitored until DPS resolves this infrastructure failure. The error also means the registry's public notification for these 5 registrants currently communicates sexual threat for conduct that may be labor exploitation, a notification that is not just analytically misaligned but factually incorrect.

3.5 The Conviction Volume and Dismissal Structure

Publication 2026-49's analysis of 48,755 District Court case-outcomes across 43 years provides structural context neither the registry data nor the BCI incident data can supply. The year 2025 is simultaneously the all-time high for sex offense case volume (2,688 cases) and the lowest conviction rate in decades (40.2%). The system generates more registry-eligible proceedings than ever while converting a smaller share into actual registry-mandating outcomes. This is structural, not COVID-era: five years of sustained volume surge alongside a conviction rate decline.

The dismissal structure has undergone a revolution with direct implications for how registry expansion legislation is justified. Before 2014, virtually all dismissed sex offense cases were dismissed without prejudice. By 2016, more than 60% were dismissed with prejudice. In 2025, 62.5% of all dismissed sex offense cases (970 cases) were dismissed with prejudice, permanently closed. The charging activity and arrest data that generates political pressure for registry expansion increasingly reflects proceedings that will never produce a registry entry. A 2025 charge is permanently closed without conviction in the majority of non-guilty cases.

The charge-to-case ratio (1.77:1 overall) identifies a related problem in legislative testimony. When agencies cite charges filed rather than defendants charged, they describe a population 77% larger than the actual defendant count. For Aggravated Sexual Abuse of a Child the ratio is 2.04:1; for CSAM statutes it reaches 4.84:1. Policy built on charge

statistics systematically overstates the defendant population. The four-decade trend also reveals a durable two-tier conviction structure: non-penetrative offenses convert at 54-67% (Forcible Sexual Abuse 54%; Sexual Abuse of a Child 56%; Unlawful Sexual Activity with Minor 64%), while penetrative child offenses convert at 18-30% (Rape of a Child 28%; Sodomy on a Child 27%; Object Rape 24%; Object Rape of a Child 20%). The registry exit pathway is nearly a dead letter: an estimated 4,833 registrants reached ten-year termination eligibility between 2008 and 2024; only 83 submitted petitions between 2015 and 2019; only 20 individuals have been removed through early termination across the entire documented period.

The lewdness registration threshold provisions illustrate the inversion the two-tier structure produces in practice. Publication 2026-49 documents that lewdness statutes (§76-9-702 requiring four or more convictions to trigger registration) generated 276 combined convictions in their first two years of registrability, a higher annual conviction volume than Object Rape of a Child has produced in its entire documented history. At current conviction rates, lewdness will surpass Object Rape of a Child's cumulative conviction total within approximately three years. The registry is growing fastest at its lower-severity end, in the categories that convert most readily from charge to conviction, while the highest-severity founding-category offenses, those that originally justified the registry's architecture, produce convictions at rates less than half as high and in some cases at barely 20%.

The Aggravated Kidnapping charge (§76-5-302) illustrates a distinct structural dynamic UTRSOL terms the 'leverage function' [verified directly against the AOC statute-level extract: 3,181 total cases across all §76-5-302 variants, 575 convictions, 18.1% conviction rate]. Of 3,181 total Aggravated Kidnapping cases in the 43-year AOC record, only 18% result in conviction, a 74% overall dismissal rate; the remaining ~8% reflects acquittals and pending dispositions. These charges are filed alongside sex offense charges as prosecutorial leverage and are almost universally dismissed when the underlying sex offense charge resolves. The 18% conviction rate is stable before and after the 2008 change making Aggravated Kidnapping a registrable offense, confirming that the registration consequence has not altered prosecutor charging behavior. What the 2008 change did produce is a population of Aggravated Kidnapping registrants whose primary offense is better understood as a prosecutorial tool than as an independent registrable harm, yet who carry the full registration consequence on identical terms to registrants whose Aggravated Kidnapping conviction reflects actual stranger-abduction conduct.

BCI Incident Stability vs. Registry Expansion

The most direct empirical rebuttal to the premise that registry expansion is calibrated to underlying offense trends comes from BCI's NIBRS data (2021 and 2024 Crime in Utah Reports, Utah Department of Public Safety, Bureau of Criminal Identification). The 2021-2024 NIBRS series shows forcible sex offenses moving from 4,899 to 4,962, a net change of +1.3% across four years, within statistical rounding. Non-forcible offenses (statutory rape

and incest) declined 44% (181 to 101). Against this flat incident background, the registrable offense list has expanded from 10 categories to 46, a 360% increase while reported incidents held essentially flat. Furthermore, two-thirds of §53-29-202's 46 categories have no BCI NIBRS equivalent whatsoever: sexual extortion, CSAM possession and distribution, voyeurism, lewdness threshold provisions, sexual exploitation of vulnerable adults, enticing a minor, and custodial sexual relations do not appear as distinct NIBRS line items. The incident data is structurally blind to a substantial share of what the registry statute covers.

BCI's NIBRS Interactive Dashboard (captured May 10, 2026, calendar year 2025) documents the confirmed incident base across all sex offense categories:

Offense Category	2025 BCINIBRS Incidents	% of Total	Notes
Fondling	2,780	54.10%	Largest single category; primarily non-stranger, intra-familial
Rape	1,662	32.30%	Utah 7th nationally at 59.5/100K vs. 40/100K national average
Forcible Sodomy	388	7.60%	Combined with rape in some reporting years
Sexual Assault w/Object	125	2.40%	—
Statutory Rape	114	2.20%	Declining trend: non-forcible offenses fell 44% (2021-2024)
Involuntary Servitude (Labor Trafficking)	36	0.70%	Only 2 AOC convictions across 43 years; 0 registry entries
Incest	20	0.40%	Non-forcible; declining trend
Commercial Sex Trafficking	16	0.30%	Distinct from labor trafficking; both together = 1.0% of total
TOTAL CONFIRMED INCIDENTS	5,141	100%	Represents ~27% of estimated actual incidence (IBIS 2022)

Table 3. BCI 2025 NIBRS incident breakdown (Utah Bureau of Criminal Identification, NIBRS Interactive Dashboard, captured May 10, 2026, date filter 1/1/2025-12/31/2025, all counties, all agencies; independently confirmed against Publication 2026-31's identical citation of the same Dashboard capture). 5,141 confirmed incidents represent approximately 27% of estimated actual incidence given Utah's 27% rape/sexual assault reporting rate (IBIS 2022). Publication 2026-31 reports approximately 419 unique media defendants (8.1% of 5,141). The 8.1% media-coverage figure should be treated as an approximate pending reconciliation of the exact defendant count.

The labor trafficking incident pipeline, when assembled across all three data sources, illustrates the zero-flow problem with the precision that no single source can provide alone. BCI confirmed 36 Involuntary Servitude (labor trafficking) incidents in 2024. Approximately 18 of 1,042 articles in UTRSOL's 2025 media dataset carry a trafficking statute, roughly 2% of coverage despite S.B. 30 having made labor trafficking broadly registrable. The AOC's full 43-year conviction record produces 2 total convictions under §76-5-308 (human trafficking for labor) and 0 convictions under §76-5-311 (human trafficking of a vulnerable adult for labor). And the DPS registry contains 0 labor-specific registrants whose designation is independent of sexual co-offense charges. The pipeline is: 36 BCI confirmed incidents → ~18 media appearances → 2 AOC convictions (across 43 years) → 0 independent registry entries. S.B. 30 made registrable an offense category whose incident-to-conviction-to-registration pipeline has never functioned at any stage.

3.7 The Structural Mismatch: What Media Covers vs. What the Registry Contains

UTRSOL's 2025 media dataset, 1,042 articles across 10 Utah outlets, documents the gap between the registry's actual population and public perception of it, and Publication 2026-31 identifies seven structural mechanisms producing that gap. The seven biases are: (1) The Reporting Rate Illusion, Utah's 27% rape/sexual assault reporting rate (IBIS 2022) means media covers only the 27% entering law enforcement, excluding the estimated 73% that do not; (2) The Arrest-Stage Capture Problem, 87% of defendants in the dataset lack any reported case resolution; (3) The Perpetrator Type Inversion, DOJ research establishes 34% family and 59% acquaintance perpetrators, while the dataset shows approximately 62% coded as stranger-perpetrated, an 8.9-fold overrepresentation; (4) The Juvenile Perpetrator Blindspot, research establishes 30-40% juvenile perpetration; the dataset shows approximately 2%; (5) The CSAM Conflation Error, digital exploitation offenses are treated analytically equivalent to contact offenses in media framing despite representing a distinct population; (6) The Severity Selection Cascade, editors systematically select the most severe cases from the extreme tail of the distribution; and (7) The Registry Salience Pump, prior registry listing makes cases more newsworthy, creating a feedback loop that overrepresents recidivist cases.

These mechanisms produce the quantitative mismatch: Forcible Sexual Abuse (38.8% of registry entries) appears in 18.2% of articles; Sexual Abuse of a Child (27.0% of entries) in 3.2% of articles; Aggravated Child Abuse (0.9% of entries) receives 3.6% of articles (3.8x its registry share); Child Torture (zero entries, zero convictions) accounts for 3.5% of all coverage. Anderson & Madsen (2025), UWLP Research Snapshot #56, Jon M. Huntsman School of Business, Utah State University, documents a 161:1 state spending ratio (\$92M perpetrator management vs. \$569K prevention, 2011 Utah state budget data) and a 12:1 crime-to-prevention coverage ratio (1,042 crime articles, confirmed directly from the UTRSOL 2025 Media Dataset, vs. approximately 85 prevention articles tracked in a companion dataset not independently verified in this pass). The same distortion that inflates public perception of registry risk also shapes which offense categories generate

political pressure for expansion, regardless of their actual contribution to reoffense.

For the eight contested categories specifically, trafficking statutes appear in approximately 18 of 1,042 articles (~2%) despite S.B. 30 having made labor trafficking broadly registrable in 2025. The legislative record supporting that expansion was built almost entirely on CSAM and contact offense cases, containing almost no information about the population S.B. 30 was inadvertently capturing.

The media funnel's conversion rate is directly confirmable: of 5,141 BCI confirmed sex offense incidents in 2025 [BCI NIBRS Interactive Dashboard, captured May 10, 2026], Publication 2026-31 reports 419 defendants (8.1%) generated any media coverage whatsoever. The 91.9% of confirmed incidents that produce no coverage are invisible in the legislative environment where registry expansion is debated. The 8.1% that do reach media are systematically filtered through the seven structural biases above, meaning the 419 visible cases are not a random sample of the 5,141 confirmed incidents but a selection skewed toward stranger perpetrators, serious felonies, CSAM-adjacent conduct, and novel prosecution categories like child torture.

The 95.3%/4.7% first-offense/registry split documented in the dataset requires a precise methodological note: Publication 2026-31 classifies this as conservative because the 'Reoffender' column in the media dataset was populated only when reporters explicitly noted prior registry status in their article text. The actual share of defendants who carried prior registry status may be modestly higher, but Publication 2026-31 finds that even doubling the reoffender estimate to 9% does not alter the structural finding. Ninety-one percent or more of sex offense defendants appearing in Utah media coverage were not registered sex offenders at the time of their offense, regardless of the precise methodology used to estimate the reoffender share.

The Three-Purpose Analysis

Evaluating Contested Categories Against the Registry's Enacted Rationale

Part I established Utah Code §53-29-102 as the registry's sole statutory purpose provision. From that single sentence, UTRSOL identified three operational purposes as the registry's own enacted rationale: deterrence, community notification, and law enforcement monitoring. This is one reasonable reading of the statute, not an exhaustive catalog; a committee could identify additional purposes not tested here, such as record consolidation or cross-jurisdictional flagging. UTRSOL evaluated the eight contested categories against the three purposes it identified as operative, and applied them individually rather than invoking them collectively as a general warrant for broad inclusion.

This section applies them to the eight contested categories against the full evidentiary record now available: empirical, clinical, comparative, and Utah-specific. Clinical analysis of

whether the registry's treatment and monitoring infrastructure applies to the populations in each contested category is incorporated throughout and reviewed by UTRSOL's Clinical Research Working Group; see the Clinical Review section for reviewer attribution by subject area.

Purpose One: Deterrence

Of the registry's three statutory purposes, deterrence is the most straightforward to test empirically: it makes a specific, falsifiable claim that registration and notification reduce the incidence of registrable offenses by altering prospective offenders' cost-benefit calculations. This subsection examines that claim against Utah-specific and comparative evidence before applying the resulting findings to the eight contested categories individually.

What the Research Shows

Deterrence holds that prospective offenders calculate the cost of public registration and are discouraged from committing registrable offenses. The CCJJ's 2020 Research Brief cited Letourneau et al. (2010), Zgoba et al. (2008), and Adkins et al. (2000) as independently finding no measurable reduction in first-time sexual offenses attributable to registration and notification laws, and acknowledged a "dearth of literature on the effectiveness of the conviction-based approach." A 2024 University of Utah Master of Public Policy analysis found no attributable deterrent trend across 22 years of Utah DOC data. The BCI incident data in Publication 2026-50 adds the Utah-specific empirical confirmation: reported sex offense incidents held essentially flat from 2021 to 2024 (+1.3%) despite the registry expanding from roughly 35 to 46 categories across that period.

If deterrence were operating at a meaningful scale, an expanding registry should produce a declining incident trend. Director Jared Hill's presentation to UPAN May 11, 2026 adds a comparative dimension: some Scandinavian countries impose a small fraction of Utah's sentence length and achieve comparable or lower sexual recidivism rates, research does not establish a linear relationship between sentence length, registration scope, and reduced sexual recidivism. The CCJJ 2019 analysis (Nystrom and Poulson) found that sex offense parolees had the lowest high-risk share of any offense category on the LS:RNR instrument (44% vs. 82% for drug possession offenders), confirming that the registered population is not uniformly high-risk and that a mechanism calibrated to deter high-risk actors cannot be assumed to operate on the full registered population. The deterrence mechanism also faces the structural population problem: approximately 93-95% of sexual offense arrests involve individuals with no prior sex offense conviction, not deterred by a registry they had never been required to join.

Application to the Eight Contested Categories: Deterrence

For all eight contested categories, deterrence cannot be established as a functioning mechanism. Labor trafficking and human smuggling are instrumentally organized,

commercial recruiting pipelines, transportation networks, employment fraud, and respond to enforcement probability and economic incentives. No criminological literature identifies sex offender registry placement as a deterrent for either. For aggravated child abuse and child torture, the conduct is predominantly impulse- or circumstance-driven, caregiver stress, domestic conflict, crisis escalation, rather than premeditated in the manner a rational cost-benefit deterrence framework requires. The BCI flat-incident finding establishes that the registry's recent expansion has not coincided with a declining offense trend for the core sexual offense categories the registry was originally built around; the case for deterrence for the contested additions is correspondingly weaker.

Purpose Two

Community Notification and Protective Decision-Making

This rests on a narrower and more conditional claim than deterrence: rather than preventing offending outright, it assumes that public access to registry information lets community members recognize risk and take protective action in specific, identifiable circumstances. Whether that mechanism can function for a given offense category therefore depends on whether the category's actual risk pathway, stranger or acquaintance, recurring or situational, is one notification is capable of addressing at all.

The Community Notification Mechanism

Community notification holds that public registry access enables community members to take protective action by identifying and avoiding known offenders. Part I established that this mechanism requires two conditions: the registrant's conduct must likely recur in contexts where community awareness enables protective action, and the offense category must present a stranger-or-community-member contact risk pathway. Part I documented that those conditions fail for the majority of the core sexual offense population. Salt Lake County District Attorney Sim Gill acknowledged publicly on April 27, 2026 that 90% of child sexual abuse is perpetrated by known individuals, not strangers.

The UWLP's 2023 statewide survey (Anderson and Madsen) found that 65.4% of Utah respondents could not affirm child sexual abuse is a problem in their community, documenting the notification audience gap from the receiving end. Snyder, H.N. (2000), Sexual Assault of Young Children as Reported to Law Enforcement, DOJ Bureau of Justice Statistics NCJ 182990, documents an 8.9-fold stranger overrepresentation in media coverage relative to the actual 7% stranger-perpetrator share it found in law-enforcement-reported cases; UTRSOL's 2025 media dataset independently confirms the media-side ~62% stranger-coded share underlying this ratio. This explains why the public's protective mental model does not match the statistical reality: seven structural biases, identified in Publication 2026-31, systematically distort the information environment in which notification is received. Because the public is primed to watch for strangers rather than the family members and acquaintances who account for the large majority of cases, community notification cannot deliver the protective response its statutory purpose assumes.

Aggravated Child Abuse: Two Legally Distinct Cohorts

The Utah registry contains two legally distinct populations within the §76-5-109.2 designation. The post-2022 cohort (53 registrants under §76-5-109.2(3)(a)/(b), effective May 4, 2022) represents the qualifying offense as currently written in §53-29-202. These 53 registrants have been on the registry at most four years, carry zero recidivism flags, and carry zero sexual co-offenses. Every one is listed on the public registry for physically abusive conduct presenting an intra-familial rather than community-contact risk. The pre-2022 cohort (237 registrants under §76-5-109(2)(a)/(b), covering 05/09/2017 through 05/04/2022) arrived on the Child Abuse Offender Registry under an earlier statutory form before S.B. 23 (2024) consolidated the registries.

Whether their designations satisfy the current §53-29-202 qualifying language, “aggravated child abuse under Subsection 76-5-109.2(3)(a) or (b)”, is a statutory interpretation question DPS has not formally resolved. Their 14 recidivism flags represent physical abuse re-offense under a pre-2022 statute, not sexual recidivism. For both cohorts, community notification does not operate. Physical child abuse is overwhelmingly intra-familial: the Centers for Disease Control establishes that approximately 90% of child abuse victimization involves perpetrators known to the child. Notifying community members that a person convicted of physical child abuse lives among them does not enable a protective response to conduct that occurs within the home.

The Julio Cesar Mena case (Eagle Mountain, 4th District Court, charged May 14, 2026) illustrates this precisely. Mena faces first-degree felony aggravated child abuse under §76-5-109.2(3)(a) for forcibly restraining his 14-year-old daughter and shaving her head in anger over her school grades. If convicted, public registry listing would communicate sexual threat to his neighbors for conduct with no sexual element, against his own daughter, within the family home. The preliminary hearing waiver was scheduled June 1, 2026 before Judge Kraig Powell (4th District Court records; KSL News, Pat Reavy, May 18, 2026).

Mena's case remains pending, and nothing above should be read as a comment on his guilt or innocence; the value of the illustration lies in what a conviction would trigger under current law, not in the specific facts still before the court. That mismatch generalizes across both cohorts: registration under a sex-offense framework is being applied to conduct the framework was never built to notify on, regardless of which statutory form produced the conviction. The same non-sexual, intrafamilial pattern reappears in the next contested category, where the structural mismatch is, if anything, more severe.

Taken all together, these two illustrations show the same registry doing two incompatible things at once: providing meaningful community protection where stranger or extrafamilial contact risk is real, and manufacturing false community alarm where the underlying conduct is neither sexual nor stranger-perpetrated. A registry that cannot distinguish between those two situations is not fulfilling its stated purpose for either one.

The following subsection incorporates the joint clinical review of Dr. Gale Stringham and Dr. Jill Ferrell (section-only attribution; see Clinical Review index). Their review covers the victim-selection literature and its application to Utah's child torture statute — through the paragraph noting that this is "a probability distribution derived from victim-selection research, not a diagnostic determination." The closing paragraph's recommendation that the committee commission case-by-case clinical assessment is UTRSOL's own procedural proposal, built on that clinical foundation, and was not itself reviewed or endorsed by Dr. Stringham or Dr. Ferrell.

Child Torture: The Open Clinical Question

Child torture, as defined by §76-5-109.4, has no inherent sexual element, the qualifying conduct is severe, sustained physical harm. The open clinical question is whether that conduct nonetheless correlates with sexual sadism: a recognized paraphilic condition whose presence would elevate the population's risk of future sexual, not just physical, reoffense, the risk category the registry exists to track. The available clinical literature does not leave this an open, unresolvable question; it supports a probabilistic, not deterministic, clinical framework.

Sexual sadism is a recognized paraphilic condition with documented associations with sexual offense behavior, and victim-selection pattern is one of the more consistent markers the literature associates with it. Seto, Lalumière, and colleagues (Seto et al., 2015) and Dietz, Hazelwood, and Warren's foundational sadistic-offender research (Dietz et al., 1990) both document that individuals whose offending is organized around sexual sadism overwhelmingly select extrafamilial victims, and that the more extreme the sexual deviance, the more likely extrafamilial victim selection becomes. A more recent latent class analysis of 735 sexual sadists in France (Reale et al., 2022) maps distinct offender subtypes by victim-selection pattern and corroborates this association.

Applied to Utah's child torture statute, this literature supports the following probabilistic framework rather than a flat agnostic statement: intrafamilial child torture without a proven sexual element is, on the balance of the victim-selection literature, unlikely to reflect sexual sadism; intrafamilial child torture with a proven sexual element is more likely to involve it than intrafamilial torture without one; and extrafamilial child torture, particularly where the conduct is sexual in nature, is the pattern in which sexual sadism is most probable. This is a probability distribution derived from victim-selection research, not a diagnostic determination, and it does not substitute for individualized clinical assessment of any specific case.

The committee should commission qualified clinicians to assess, case by case, whether a given child torture prosecution falls into the lower-probability intrafamilial-nonsexual pattern (in which case the registry-inclusion analysis follows the same structure developed for non-sexual child abuse above) or the higher-probability extrafamilial/sexual pattern (in

which case case-by-case actuarial review, rather than blanket inclusion or exclusion, is warranted). The current record, 3 AOC cases too thin to rate, 7 defendants with zero convictions, all documented as intrafamilial and non-sexual, places Utah's child torture cases, as prosecuted to date, in the lower-probability category under this framework, though the sample is too small to treat as conclusive.

Labor Trafficking, Smuggling, and the DPS Description Error

The Asian Association of Utah's FY2025 data (141 primary trafficking survivors: 45% labor trafficking only, 47% sexual exploitation only, 8% dual) establishes that labor trafficking survivor services operate in a categorically different context than sexual exploitation services. Routing labor trafficking perpetrator convictions through the sex offender registry channel misrepresents the nature of the risk to the community, to survivor organizations serving this population, and to AAU, which co-facilitates the Utah Trafficking in Persons Task Force with the Attorney General's office. The DPS description error compounds this: all 5 registrants carrying the §76-5-308 labor trafficking statute code have public-facing descriptions reading "Human Trafficking for Sexual Exploitation", the registry's notification to the community is not just misaligned with the labor trafficking risk profile; it is factually incorrect for this cohort.

The Miguel Angel Chay Tiguila case (Grand County, convicted February 11, 2026) provides the most current smuggling illustration. A jury convicted Tiguila on three counts of Aggravated Human Smuggling for transporting seven individuals, including three unaccompanied minors ages 15-16, for commercial gain. The OAG SECURE Strike Force investigated; prosecution was handled by Colleen Magee and Emma Bykerk. If registry placement follows, public notification through the sex offender registry channel would communicate sexual threat for what was a commercial transportation operation. No sexual element exists in the public record. The conduct-over-conviction distinction is particularly relevant for smuggling: some smuggling operations involve sexual exploitation of transported individuals as a component, generating separate sexual offense charges that independently trigger registration. Most commercial smuggling does not. The appropriate policy for smuggling may be conduct-based analysis at sentencing rather than categorical designation.

The mechanism on community notification for labor and smuggling does not operate for the conduct involved. For labor trafficking and smuggling, the DPS description error generates inaccurate public notifications. For child abuse and child torture, the intra-familial conduct structure removes the community-contact protective pathway. For all eight, public listing through the sex offender registry channel misrepresents risk to community members without a corresponding protective benefit. The result is a notification system that can create public alarm without providing a meaningful or proportionate safety benefit.

The following subsection incorporates the clinical review of Maria Hansen, LCSW (section-only attribution; see Clinical Review index). Her review covers the risk-assessment instrument characterization and its application to contested offense populations, through the paragraph establishing that H.B. 354's risk-assessment framework cannot operate in the same manner for populations whose qualifying conduct consists solely of child torture or labor trafficking and for whom no validated instrument exists. The closing analysis characterizing this as an internal statutory contradiction requiring legislative remedy is UTRSOL's own policy argument, built on that clinical foundation, and was not itself reviewed or endorsed by Maria Hansen.

Purpose Three: Law Enforcement Monitoring and Criminal Investigation

Of the three statutory purposes, law enforcement monitoring is the most direct in mechanism: it does not depend on deterring future conduct or informing third-party protective decisions, only on giving investigators a reliable, current record of who is subject to registration and where. That directness makes its evaluation a capacity question rather than a mechanism question, whether the current system can actually deliver the tracking and resource-targeting it claims to provide for the population already on the registry, before any of the eight contested categories are added to it.

The Monitoring Mechanism and Current Capacity

Law enforcement monitoring is the registry's strongest purpose, but the current monitoring infrastructure is already failing its core population. The CCJJ's 2020 Research Brief recommended directing monitoring resources toward those most likely to reoffend. The 2022 Auditor General audit of AP&P found that treating all sex offenders with uniform high-intensity supervision regardless of risk level wasted resources and did not comply with evidence-based practice. The recidivism data in The Recidivism Record now provides the Utah-specific foundation for that recommendation: the 105 high-risk triple-conviction registrants (1.1% of the registry) are the identifiable concentration target.

The 1,367 SOTP-waitlist registrants and the 181 location-unknown registrants represent the monitoring system's backlog and blind spots. Director Hill reported that Utah ranks first nationally, with approximately 36-40% of Utah's prison population carrying sex offense convictions. That concentration is not the product of a proportionally higher offense rate alone; it reflects the breadth of the registrable offense list and characteristically long Utah sentences relative to Scandinavian jurisdictions that achieve comparable recidivism outcomes. That distinction matters for the LECJ committee's mandate, since it points toward legislative fixes UDC itself can't make, narrowing the registrable offense list and revisiting sentencing length, rather than treating the wait list as purely a treatment-capacity problem. Addressing the wait list through treatment capacity alone would leave the underlying drivers of Utah's outlier incarceration rate untouched, regardless of how well SOTP itself is run.

The SOTP capacity trajectory compounds the waitlist problem. Director Hill reported that SOTP graduated 163 individuals in 2023, a throughput that, against a 1,367-person waitlist, implies an approximately 8.4-year wait for a new entrant under static conditions. SOTP is targeting approximately 325 graduations in 2026 through new therapist positions and a rolling-group treatment model. Even if that target is achieved, the waitlist represents a 4.2-year queue. The 1,367 individuals in the waitlist, all of whom are mandated by their supervision conditions to complete SOTP, cannot satisfy their registration and supervision obligations through no fault of their own. Adding populations for which no SOTP-equivalent treatment protocol exists (child torture, labor trafficking) does not alleviate this capacity constraint; it adds registration obligations the treatment infrastructure is structurally unable to fulfill even if resources were redirected to develop appropriate protocols.

Application to Contested Categories: Monitoring

For aggravated child abuse and child torture, physical child abuse investigations are driven by medical evidence, family structure interviews, and child welfare reports, not by cross-referencing a sex offender registry. Utah already maintains dedicated non-registry infrastructure for this population: the Division of Child and Family Services (DCFS) investigates and substantiates abuse allegations, maintains its own internal tracking of substantiated perpetrators, and coordinates with law enforcement and the courts independent of registry status. Bench and Allen's Utah-specific recidivism research identified sexual deviance variables as the strongest predictors of sexual recidivism; physical child abuse is not a sexual deviance variable. The zero recidivism finding for the post-2022 aggravated child abuse cohort (53 registrants, 0 sexual recidivists) and the physical-abuse-specific pattern in the pre-2022 cohort (237 registrants, 14 physical re-offense flags, 0 sexual re-offense flags) confirm that the monitoring architecture built around Static-99R-based prediction of sexual recidivism does not produce actionable intelligence for a population whose relevant risk is physical rather than sexual.

H.B. 354 (2025) mandates that all new registrants receive a validated risk assessment beginning January 1, 2026, yet the Static-99R and STABLE-2007 are not validated for use with individuals whose qualifying conduct consists solely of child torture or labor trafficking and who do not otherwise meet the instruments' intended sexual-offense population, the two populations S.B. 24 and S.B. 30 simultaneously added to the registry. Director Hill confirmed that the CPORT instrument for CSEM-only offenders has not yet received full validation, and that Static-99R is not validated for female registrants (too small a sample). H.B. 354's risk-assessment framework cannot operate in the same manner for the populations the 2025 expansion session created, as no validated instrument exists for those populations and offense types, the precise condition H.B. 354's own 'if available' statutory qualifier anticipates but does not resolve. Absent that instrument, DPS faces a choice between administering an assessment that produces an uninterpretable or misleading score, or documenting non-compliance with its own statutory mandate.

For labor trafficking and human smuggling, dedicated law enforcement infrastructure, the Human Trafficking Task Force, HSI, ICE, the OAG SECURE Strike Force, already monitors these populations with tools specifically calibrated to trafficking and smuggling networks. No enforcement agency has stated that routing labor traffickers through the sex offender registry provides marginal investigative value. Where two monitoring systems cover the same population without any demonstrated investigative gain, the sex offender registry is the redundant one, not the trafficking-specific infrastructure built and staffed for exactly this purpose.

Adding these categories creates reporting obligations for a population whose risk profile is misaligned with the monitoring architecture, while producing no investigative signal that dedicated trafficking enforcement infrastructure does not already capture. Purpose Three, Law Enforcement Monitoring. Verdict for all eight contested categories: established investigative channels are more appropriate and effective, and the risk-assessment framework cannot operate in the same manner absent a validated instrument.

Comparative State Analysis: Where Utah Stands

Utah's registrable offense list is broader than most peer jurisdictions on the specific categories at issue. The Adam Walsh Act's SORNA framework does not include aggravated child abuse, child torture, labor trafficking, or human smuggling as qualifying offenses. UTRSOL's review of 17 state registry structures identified no state that includes all four of these categories simultaneously. Publication 2026-45 documents that 17 states use risk assessment in some form for registration or notification requirements, a number the SMART Office has noted does not compromise SORNA compliance. Utah was, as the Legislative Research and General Counsel (LRGC) confirmed at the October 2023 LECJ session, "the only state that had maintained two separate registries" before S.B. 23's 2024 consolidation. That consolidation placed Utah's registry on a more standard structural footing while simultaneously, through S.B. 23's failure to assess whether the merged populations share a risk profile, extending the sex offense registry apparatus to 290 physical child abuse registrants.

The SMART Office has consistently noted that registry breadth and effectiveness are not positively correlated. The 2022 Auditor General audit confirmed this in Utah's own data. Publication 2026-45 adds Director Hill's Scandinavian comparison: comparable recidivism rates achieved at a fraction of Utah's sentence length and registration scope. The cross-district analysis (Publication 2026-45) confirms that Utah ranks first nationally in sex offenders as a percentage of prison population and seventh nationally for rapes per capita, a combination suggesting that Utah has genuine underlying public safety challenges in this area, but that the current registry's breadth is not the product of deliberate calibration to those challenges. SOMAC's three-tier risk-based proposal, presented by Dr. Michele Leslie to LECJ in August 2024 and August 2025, represents the committee's own reform trajectory toward the kind of evidence-based differentiation the CCJJ has recommended since 2020.

That reform trajectory has since run into a specific political obstacle, not merely inertia. Director Hill's August 2025 UPAN presentation reported that after SOMAC advanced its three-tier risk-based proposal, legislative leadership indicated the committee would be defunded if the proposal were raised again. That account is corroborated independently: at SOMAC's June 24, 2026 public meeting, committee members stated there had been "three years in a row where SOMAC or [the Sentencing Commission] are both under fire in different ways from the legislature," and discussed deliberately narrowing SOMAC's focus away from registry and sentencing proposals to reduce that exposure.^{fn}

SOMAC's stated focus has since shifted from risk-based registry reform toward public education and data-transparency work. The result is that the committee the legislature itself created to operationalize its own research agency's recommendation has been redirected away from that recommendation under threat of its funding and or dismantling, while the underlying evidence for risk-based differentiation, the CCJJ's 2020 brief, the 2022 Auditor General audit, and SOMAC's own proposal, remains formally un rebutted and simply unacted on. That leaves Utah with a documented evidence base for risk-based reform but no legislative mechanism currently advancing it.

A more accurate characterization, therefore, is not that the evidence is lacking, but that implementation has been constrained despite the evidence. The same gap between evidence and implementation reappears at the clinical level: even where risk-based differentiation has been proposed, the instruments Utah's system would need to execute it have never been assessed for whether they actually apply to the populations now being added to the registry.

The following section documents that gap directly, cataloging every instrument in Utah's actuarial and treatment-progress family alongside the population each was actually built and validated to assess. It also traces where each instrument is used across the supervision pipeline, presentence investigation, prison intake, and post-release treatment, to test whether Utah applies a single validated instrument consistently to the same individual across those stages. Neither question has previously been answered in one place; both are answered by the tables that follow. What they show bears directly on whether the eight contested categories can be assessed with any rigor at all, let alone the rigor H.B. 354 now requires. Both tables are followed by a short synthesis explaining what the instrument gap means specifically for the eight contested categories, before the discussion returns to the process failure that produced this outcome.

fn. This is not confined to SOMAC. The Legislature's 2024 "Boards and Commissions Modifications" bills reorganized two sibling CCJJ-adjacent bodies in the same session: H.B. 534 repealed the Sex Offense Management Board's statutory status outright (reconstituting it as SOMAC), while the companion H.B. 532 modified the Victim Services Commission's membership structure. VSC members have since described a comparable chilling effect in their own meetings during the 2026 General Session, characterizing their posture toward the Legislature as needing to "play nice in the sandbox... or risk getting punished."

The following section was reviewed by Dr. Gale Stringham (section-only attribution). Her review covers the instrument-family and qualifying-offense-category content below, through the paragraph noting that Utah’s existing instrument set “already fails to produce a usable score for some individuals within its intended population, before any extension to the eight contested categories is considered.”

The Clinical Infrastructure Gap

Utah's SOTP relies on a family of actuarial and treatment-progress instruments. The three most commonly cited in prior UTRSOL publications, the Static-99R, STABLE-2007, and ACUTE-2007, were developed and validated on populations of adult male sexual offenders. Clinical review for this revision confirms the instrument picture is broader in practice, though not fully consistent across contexts: Dr. Stringham's clinical review characterized Static-2002R as an instrument used within the Utah state prison system, distinct from and complementary to Static-99R. UDC SOTP Director Jared Hill has separately stated, in two public UPAN presentations (August 2025 and March 23, 2026), that Static-99R and STABLE-2007 are prison SOTP's standard instruments, and that Adult Probation and Parole (AP&P) and presentence investigation (PSI) writers, a distinct part of the system from prison SOTP, have used VASOR-2 and SOTIPS, with a retraining effort underway as of both presentations to move AP&P/PSI assessment onto Static-99R.

VASOR-2 (Vermont Assessment of Sex Offender Risk, 2nd ed.) is a static/historical-factor instrument built on the same model as Static-99R and is the more commonly used outpatient analog; SOTIPS (Sex Offender Treatment Intervention and Progress Scale) is a dynamic instrument tracking changeable, treatment-relevant factors used to direct treatment goals and measure progress, distinct in kind from the static risk instruments. All should be understood together as the relevant instrument family when assessing whether Utah's actuarial infrastructure extends to a given offense population.

Instrument	Type	Intended Population / Use	Key Notes / Limitations
Instrument	Type	Intended Population / Use	Key Notes / Limitations
Static-99R	Static actuarial (sexual recidivism)	Adult male, qualifying Category A sexual offense (prison SOTP standard instrument)	Not validated for female registrants (sample too small – Hill, 2026). Not intended for individuals whose only qualifying offense is Category B (e.g., CSAM possession, statutory rape <3-yr gap). Not validated for child torture or labor trafficking populations.

Instrument	Type	Intended Population / Use	Key Notes / Limitations
Static-2002R	Static actuarial (sexual recidivism)	Adult male, qualifying Category A sexual offense; used within the Utah state prison system	Complementary to Static-99R rather than a replacement; typically scored alongside Static-99R and STABLE-2007 in practice (Stringham, CRWG review).
STABLE-2007	Structured dynamic risk/need assessment	Adult male sexual-offense population; evaluates changeable risk factors to inform supervision and intervention	Not an actuarial instrument in the Static-99R sense — tracks dynamic, treatment-relevant factors rather than producing a fixed historical-risk score. Not validated for populations whose qualifying conduct is solely child torture or labor trafficking.
ACUTE-2007	Short-term dynamic risk assessment	Adult male sexual-offense population; monitors acute, rapidly-changing risk factors between supervision contacts	Companion instrument to STABLE-2007; part of the sexual-offense-population risk-assessment family cited in UTRSOL's proposed pre-enactment evidentiary standard (Criterion 1).
VASOR-2	Static/historical-factor actuarial instrument	Outpatient population (AP&P/PSI); more commonly used outpatient analog to Static-99R	Same qualifying-offense threshold as Static-99R/SOTIPS manuals (Category A only). AP&P/PSI writers have historically used VASOR-2, with a retraining effort underway (per Director Hill, Aug 2025 / March 23, 2026) to move toward Static-99R.
SOTIPS	Dynamic treatment-progress scale	Outpatient population; tracks changeable, treatment-relevant factors to direct treatment goals and measure progress	Distinct in kind from static risk instruments — measures progress, not baseline risk. Not normed for individuals below the Category A qualifying-offense threshold.

Table 4. SOTP risk-assessment and treatment-progress instrument family. Static-99R, Static-2002R, STABLE-2007, and ACUTE-2007 characterizations per Sarver, Molloy & Butters (2012) and Director Jared Hill's August 2025 and March 23, 2026 UPAN presentations; VASOR-2 and SOTIPS qualifying-population language per the instruments' own manuals, as confirmed in Dr. Gale Stringham's CRWG clinical review.

The Sarver, Molloy and Butters Utah Cost of Crime Technical Report (2012) confirmed that SOTP's architecture addresses treatment targets developed for and validated on contact sexual offense populations. That treatment architecture has never been validated against, or adapted for, the non-sexual criminogenic needs presented by physical child abuse, child torture, or labor trafficking populations.

This is itself evidence of a structural gap rather than a single, clean inventory: the record does not show Utah applying one validated instrument consistently across the points at which risk is assessed for a given individual. A registrant may be scored on one instrument at presentence investigation, evaluated on a different one upon entry to prison SOTP, and assessed by outpatient clinicians using still other tools after release. Because Static-99R scores are fixed at the time of administration and are not re-administered as instruments or protocols change, individuals scored years ago under an earlier instrument continue to carry that original score forward regardless of subsequent standardization efforts. Director Hill described the AP&P/PSI-to-Static-99R conversion as an active, multi-year, and still-incomplete undertaking in both his August 2025 and March 23, 2026 presentations. This fragmentation compounds, rather than resolves, the instrument-applicability problem detailed below: even setting aside whether any single instrument in the Static/VASOR/SOTIPS family extends to the eight contested categories, the record does not establish that a consistent, validated instrument is applied to a given individual across the stages at which registry consequences attach.

Stage	Administering Agency	Instrument(s) Used	Validation Status / Notes
Presentence Investigation (PSI)	AP&P / PSI writers	VASOR-2, SOTIPS	Static/historical-factor analog to Static-99R (VASOR-2) and a dynamic treatment-progress instrument, not a risk-prediction tool (SOTIPS); AP&P/PSI is in an active, multi-year transition toward Static-99R, not yet complete as of Director Hill's March 23, 2026 presentation
Prison intake / SOTP (general population)	UDC (prison SOTP)	Static-99R, STABLE-2007, Static-2002R	Static-99R and STABLE-2007 are prison SOTP's standard instruments; Static-2002R is used as a complementary instrument within the prison system
Prison SOTP – CSEM/CSAM-only offenders	UDC (prison SOTP)	CPORT	Not yet fully validated

Stage	Administering Agency	Instrument(s) Used	Validation Status / Notes
Prison SOTP – female registrants	UDC (prison SOTP)	Static-99R (applied)	Not validated for this population; normative sample too small
Post-release / outpatient treatment	Approved community providers	Not consistently specified	The record does not establish a single instrument applied uniformly at this stage

Table 5. Compiled from Director Jared Hill's public UPAN presentations (August 2025, March 23, 2026) and CRWG review of §4.5. Illustrates this document's Clinical Infrastructure Gap finding: no single validated instrument is applied consistently to the same individual across every stage at which registry consequences attach, a registrant may be scored on one instrument at PSI, evaluated on a different one at SOTP intake, and treated by outpatient providers using still other tools after release.

Clinical review further confirms a specific qualifying-offense threshold documented in the SOTIPS and VASOR manuals: these instruments are normed for an adult who has committed a qualifying “Category A” sex offense, illegal sexual behavior against an identifiable child or non-consenting adult victim, whether or not the conviction itself is labeled sexual. They are explicitly not intended for use where an individual's only qualifying conviction is a “Category B” offense (e.g., possession of child pornography, or statutory rape with a sub-three-year age gap). Clinical review also confirms, from direct outpatient treatment experience, that individuals exist whose only offense conduct does not meet even the Category A/B qualifying threshold and who therefore cannot be scored on Static-99R or VASOR-2 at all, a live, current illustration that Utah's existing instrument set already fails to produce a usable score for some individuals within its intended population, before any extension to the eight contested categories is considered.

Against that backdrop, the case for the eight contested categories is more acute still. For physically abusive parents and child torture offenders, the criminogenic needs, family violence dynamics, substance use disorders, economic stress, parental mental health conditions, social isolation, intergenerational trauma, are categorically different from the sexual deviance variables the SOTP addresses. Treatment for non-sexual child abuse (evidence-based parenting programs, family systems intervention, trauma-informed care, substance use treatment) is structurally different from SOTP and has not been validated against the SOTP framework. For labor trafficking, the criminogenic needs, economic motivation, organizational criminal enterprise, exploitation of immigration vulnerability, are similarly distinct. Applying a sexual-offense treatment framework to these categories therefore risks misaligning intervention with the actual drivers of the underlying conduct. No validated crosswalk currently exists to adapt SOTP's clinical infrastructure to any of these three non-sexual-offense populations.

The Static-99R scoring items (prior sexual offenses, non-contact sex offenses, stranger victims, non-related victims) are not validated for use with individuals whose qualifying conduct consists solely of child torture or labor trafficking and who do not otherwise meet the instruments' intended sexual-offense population, meaning any score produced carries no validated normative comparison and cannot be clinically interpreted for these groups. H.B. 354's risk assessment mandate creates a specific operational problem: DPS must now administer an assessment for which there is no validated instrument, within the full Static/VASOR/SOTIPS family, for two of the populations S.B. 24 and S.B. 30 simultaneously added. The Risk-Needs-Responsivity principle underlying the SOTP model requires matching intervention to actual criminogenic need. Adding these populations to the sex offense registry creates obligations the clinical infrastructure structurally cannot fulfill. A mandate that cannot be executed produces acknowledged non-compliance.

What the Instrument Landscape Means for the Eight Contested Categories

Tables 4 and 5, read together, establish two independent problems rather than one. Table 4 shows that no instrument in Utah's actuarial and treatment-progress family — Static-99R, Static-2002R, STABLE-2007, ACUTE-2007, VASOR-2, or SOTIPS — was built for, or has been validated on, a population whose qualifying conduct is physical child abuse, child torture, or labor trafficking. Table 5 shows that even within the instruments' own intended population, Utah does not apply a single validated instrument consistently to the same individual across the stages at which registry consequences attach. The first problem means the eight contested categories cannot be meaningfully assessed with the tools Utah already has. The second means that even the core sexual-offense population the SOTP was built to serve is not assessed with the rigor H.B. 354 assumes. Extending an already-inconsistent instrument family to populations it was never validated for does not close the gap H.B. 354 was enacted to close; it compounds it.

Utah's own institutional history offers a template for closing that gap rather than merely documenting it: the same H.B. 354 that mandated risk assessment could be paired with a requirement that DPS and CCJJ certify, for each newly registrable offense category, that a validated instrument actually exists before the mandate attaches to it. Absent that step, the committee is left with two options for the eight contested categories, either fund development of instruments validated for these specific populations, or accept that registration for these categories will proceed without the risk-informed foundation the rest of the registry now aspires to. Neither option is available under the registry's current structure.

The Process Failure and the Procedural Remedy

The Conviction Volume Asymmetry and Three-Purpose Analysis have established what the evidence shows: zero independent recidivists across the eight contested categories, no community notification pathway, no law enforcement monitoring utility beyond what co-offense registration and dedicated enforcement infrastructure already provide, and a clinical infrastructure that structurally cannot be applied to most of these populations. This section addresses the prior question: why did these categories reach the registry without any of that evidence being examined? The answer, developed below, is procedural rather than substantive: no committee, agency, or fiscal process along the path from bill introduction to enactment was ever asked to evaluate these categories against the registry's own statutory purposes, which means the omission was not a judgment call the evidence lost, it was a question nobody was structured to ask.

Naming the Process Failure

Part I documented that the CCJJ has characterized the registrable offense list's development as "accretion rather than design." Shad Larson, LRGC Associate General Counsel, described the registry code at the November 2024 LECJ session as "one of the worst areas of the code", opaque to practitioners, confusing to courts, difficult for registrants to understand. The 2022 Auditor General audit confirmed that categorical inclusion was producing resource misallocation in supervision and treatment. These are not UTRSOL findings. They are the conclusions of Utah's own institutional apparatus: the CCJJ, the LRGC, and the Auditor General. The recidivism data in the Recidivism Record section, 72.2% of Utah registrants carry no recidivism flag; zero of the eight contested categories contribute to the recidivist cohort, provides the Utah-specific empirical foundation for the structural argument those institutions have documented qualitatively.

The committee has engaged seriously with the evidence on sex offense policy across multiple interim sessions. The reform trajectory is documented: H.B. 268 (2023) created the statutory Sex Offense Management Board (SOMB), later reconstituted as the non-statutory Sex Offense Management Advisory Committee (SOMAC) under CCJJ's Sentencing Commission; Dr. Michele Leslie presented a three-tier risk-based proposal to LECJ in August 2024 and August 2025; H.B. 354 (2025) enacted the risk assessment mandate. The committee's deliberative work is pointing toward evidence-based differentiation. The structural problem is that none of that deliberative work has created a formal constraint on general session action. In the same 2025 session in which H.B. 354 mandated risk assessments, S.B. 24 added a population those assessments cannot measure and S.B. 30 inadvertently made labor trafficking registrable without the sponsor's knowledge. The parallel-tracks problem, interim deliberation and general session legislation operating without formal connection, is not hypothetical. It produced three registry expansions in 2024-2025 that contradict the committee's reform direction. Part I drew the analogy to the fiscal note requirement: Utah requires a fiscal note for any bill with a fiscal consequence.

Four Legislative Exhibits

Four bills from the 2024-2025 legislative cycle each illustrate the process failure in documented form. They are not the only examples, Part I identified S.B. 159 (2011) and S.B. 232 (2017) as historical antecedents without actuarial analysis, but they are the most recent and most directly connected to the committee's current inquiry. Each is examined in turn below, not as an isolated drafting oversight but as an instance of the same structural gap: no point in Utah's legislative process currently requires an actuarial or clinical review before a new category is added to the sex offense registry.

S.B. 30 (2025): Designation Without Awareness

S.B. 30 (2025) amended Utah's human trafficking provisions and, as a consequence, made labor trafficking a registrable offense. The labor trafficking designation has produced 5 to 21 registrants (depending on the 76-5-308.5/308.6 combined-code resolution), zero of whom are recidivism-flagged, all of whom carry factually incorrect DPS descriptions, and most of whom would remain on the registry through independent sexual co-offense convictions regardless. The BCI confirms only 36 Involuntary Servitude incidents in Utah's 2024 incident data. The AOC's full 43-year record shows a similarly thin conviction pipeline across the labor-coded statutes: 3 cases and 2 convictions under §76-5-308, 13 cases and 3 convictions under §76-5-310, and 1 case with 0 convictions under §76-5-311. (§76-5-308.5's 34 cases cannot be cleanly assigned to labor trafficking alone, since DPS's combined coding with §76-5-308.6 makes the true labor-versus-sexual-exploitation split indeterminate without case-level review, as noted above.)

S.B. 24 (2025): An Undocumented Conflict with H.B. 354

S.B. 24 (2025) added child torture (§76-5-109.4) to the registrable offense list, effective May 7, 2025. The committee heard from three witnesses: Toni Laskey (Primary Children's Hospital), supporting; Eric Clarke (Washington County Attorney), supporting; and Mark Moffat, opposing. The committee voted 14-1 to recommend the bill. Not one of the three witnesses addressed risk-assessment instrument validity, Utah-specific recidivism data, or SOTP treatment applicability for the child torture population. No individual has ever been convicted under §76-5-109.4. The AOC records 3 total cases too thin to rate.

Thirty-six media articles document seven defendants in five pending cases, none convicted. The conflict with H.B. 354, enacted in the same session, carried by LECJ co-chair Rep. Wilcox, was not identified in either bill's committee proceedings. H.B. 354 mandates that all new registrants receive a validated risk assessment beginning January 1, 2026. S.B. 24 simultaneously adds a population for which no validated instrument exists. When the first child torture conviction produces a registrant under H.B. 354's mandate, DPS and SOTP will be required to administer an assessment for which there is no validated normative comparison group. That conflict, between the committee's own risk assessment mandate and a registry expansion enacted in the same session, was never surfaced in either bill's legislative record.

S.B. 23 (2024): Merger Without Alignment Assessment

This legislation consolidated the Child Abuse Offender Registry with the Sex and Kidnap Offender Registry. LRGC confirmed at the October 2023 LECJ session that Utah was "the only state that had maintained two separate registries." The consolidation placed 290 registrants convicted of physical child abuse on a registry Utah residents understand as the sex offender registry, 237 arriving under the pre-2022 form whose §53-29-202 eligibility is unresolved, and 53 under the post-2022 qualifying form. The 14 pre-2022 recidivism flags represent physical abuse re-offense, not sexual re-offense. The merger was made without a formal determination that these populations share a sexual recidivism risk profile or that the monitoring and treatment infrastructure designed for sexual offense populations is clinically appropriate for physical child abuse populations. The most direct remedy is not merely removing this population from the sex offense registry, but restoring the structural distinction S.B. 23 eliminated: a separate Child Abuse Offender Registry, independently tiered by risk and recidivism pattern rather than folded into a framework built for a different offense population.

H.B. 354 (2025): The Internal Contradiction Made Statutory

Carried by LECJ co-chair Rep. Wilcox, mandated risk assessment collection for all new registrants beginning January 1, 2026, one of the committee's most significant evidence-based reforms in its six-year reform trajectory. The bill reflects exactly the kind of actuarial-grounded policy the CCJJ has recommended since 2020. But H.B. 354 was enacted simultaneously with S.B. 24 and in the shadow of S.B. 30. The three bills together demonstrate the parallel-tracks problem in its most precise form: the LECJ co-chairs simultaneously enacted a law requiring validated risk assessments for all new registrants AND designated populations for which no validated instrument exists. The contradiction was not identified in any bill's legislative record. It cannot be resolved without either narrowing the registrable offense list to populations the validated instruments cover, or developing new validated instruments for the added populations, the latter of which requires years of research and has no current timeline in Utah.

Across all four exhibits, the failure takes the same shape even though the bills addressed different subjects and moved through different sponsors and committees: S.B. 30 added a population without anyone recognizing the registry consequence at all; S.B. 24 added a population without any witness addressing whether the registry's evidentiary or clinical infrastructure could support it; S.B. 23 merged two registries without assessing whether the merged populations shared a risk profile; and H.B. 354 imposed a validated-assessment mandate in the same session that S.B. 24 and S.B. 30 made that mandate impossible to satisfy for the populations they added. None of these four bills was defeated by contrary evidence, in each case, the evidence was simply never introduced, because no stage of the process required it to be. That absence, repeated four times in two legislative sessions, is itself the strongest evidence that Study Item 3 is examining a systemic gap rather than four unrelated drafting choices.

Criteria 1–2 below have been reviewed and confirmed clinically coherent by Ashlei Fraser, LCSW, LASUDC (section-only attribution). Her review is limited to the clinical coherence of Criteria 1–2 and does not address the broader legislative or policy conclusions in this document. Criterion 1's instrument reference has also been updated per Dr. Stringham's review in “The Clinical Infrastructure Gap.”

What a Principled Process Would Require

The process failure is not addressed by reaching the right conclusion about any particular offense category. A committee that removes eight contested categories this year, without a process change, faces the same structural condition that produced those categories. The remedy is a standard making purpose-alignment analysis a formal precondition for designation. UTRSOL proposes a pre-enactment evidentiary standard requiring, for any legislation adding an offense category to the registrable offense list, a formal legislative findings section addressing three criteria:

1. Actuarial validity: whether the validated risk assessment instruments used in Utah's SOTP — the Static-99R, Static-2002R, STABLE-2007, ACUTE-2007, VASOR-2, and SOTIPS — apply to the proposed offense population with established predictive validity, consistent with the mandate enacted by H.B. 354 (2025).
2. Treatment applicability: whether Utah's sex offense treatment infrastructure provides a clinically meaningful intervention for the proposed offense population, one addressing that population's actual criminogenic needs rather than those of the contact sexual offense population the SOTP was designed for.
3. Purpose alignment: whether the proposed offense category's registration demonstrably serves the registry's enacted purposes of deterrence, community notification, and law enforcement monitoring, supported by research evidence applicable to the proposed population.

Criterion 3 does not require legislation to reproduce this document's three-purpose analysis for every future bill; it requires that the analysis be performed and documented before enactment, by whatever committee or agency process the standard designates, rather than performed after the fact, as this submission itself has had to do for the eight categories already on the registry.

Clinical Review Statement — Ashlei Fraser, LCSW, LASUDC

“The proposed actuarial validity criterion is clinically coherent because evidence-based actuarial assessment requires that structured risk instruments be interpreted only within populations for which adequate validation evidence exists. Likewise, the treatment applicability criterion is clinically coherent because effective intervention depends upon addressing the criminogenic needs of the population being treated, and treatment models should not be presumed applicable across clinically distinct offender populations without supporting evidence.”

This standard is not in tension with the SOMAC three-tier reform trajectory, it is its necessary complement. SOMAC's risk-based classification proposal addresses how the registry manages its existing population; the pre-enactment standard addresses what enters the registry in the first place. Together they close both the design and the intake failures the committee's reform trajectory has identified. The standard does not require any specific conclusion: a legislature that conducts the analysis with supporting evidence and concludes a given offense category meets all three criteria is free to designate it as registrable. What it prohibits is inadvertent designation, an offense cannot enter the registrable offense list as the incidental byproduct of a bill whose sponsor was unaware of the consequence, prospectively for a statute that has never produced a conviction, or through a merger without a formal determination that the merged populations share a risk profile. H.B. 354 already embodies the principle in its risk assessment mandate; the pre-enactment standard extends that principle to the upstream designation decision.

What the Committee Is Being Asked to Do

The committee adopted Interim Study Item 3 on April 16, 2026. The item's language was proposed by the committee's own chairs. The committee can produce, as the product of this interim's deliberative work, a process recommendation that ensures future offense designations are made with the evidentiary record this examination has demonstrated was absent from every expansion in the registry's history, including the four most recent bills from the committee's own leadership. Four specific asks:

1. Commission a formal review of the eight contested offense categories against the three-purpose framework, including actuarial validity assessment consistent with H.B. 354, SOTP treatment applicability review, and purpose-alignment analysis incorporating the Utah-specific recidivism data and BCI incident data presented in The Recidivism Record and BCI Incident Stability vs. Registry Expansion, and report findings to the committee before the end of the 2026 interim session.
2. Request that the CCJJ, consistent with its research function and its prior characterization of the registrable offense list's development, conduct an independent actuarial and clinical applicability review of the eight contested categories and present findings at a subsequent LECJ meeting. Specifically request that the CCJJ assess whether H.B. 354's risk assessment mandate can be executed for the populations designated by S.B. 24 and S.B. 30.
3. Draft legislation for consideration in the 2027 General Session establishing a pre-enactment evidentiary standard for future registrable offense designations, incorporating the three criteria in What a Principled Process Would Require, modeled on the existing fiscal note requirement as the procedural vehicle, and explicitly requiring that any new designation demonstrate compatibility with the risk assessment mandate enacted by H.B. 354 (2025).
4. Direct the drafting of legislation decoupling the Child Abuse Offender Registry from the Sex, Kidnap, and Child Abuse Offender Registry, reversing the S.B. 23 (2024)

consolidation for the physical child abuse population, extending the same treatment to child torture convictions under §76-5-109.4 (added by S.B. 24, 2025), given the identical non-sexual, intrafamilial risk profile documented above, and reinstating both categories as a structurally independent registry with its own tiered classification system based on Utah-specific recidivism and risk data rather than the Static-99R/STABLE-2007 framework designed for sexual offense populations, and conduct-based registrability determination for human smuggling convictions absent independent sexual offense charges.

The four legislative exhibits in the Four Legislative Exhibits were all enacted in 2024-2025. They were produced by the committee's own leadership. They demonstrate that the parallel-tracks problem is current and acute, not a historical artifact that has since been corrected. The recidivism data now available, the BCI incident stability data, the 43-year AOC conviction trend analysis, the 105 high-risk registrants identifiable in the DPS data, and the H.B. 354 conflict with S.B. 24 are all pieces of an evidentiary record the committee now has. The three asks above are the mechanism for using it.

Conclusion: From Accretion to Design

The registry's statutory purpose fits in a single sentence, with no legislative findings, no defined population, or specified mechanism. The offense list built against that sentence spans 46 entries across 14 session years. The gap between those two facts is the subject of this two-part submission.

Part I established the framework: three purposes, an accretion timeline, and the structural finding that the offense list has been built without a mechanism requiring purpose-alignment analysis before each addition. Part II has applied that framework across three data sources, three purposes, clinical analysis, 43 years of AOC conviction records, a decade of BCI incident data, Utah-specific recidivism analysis, cross-district registrant profiles, and a structured analysis of the media environment in which legislative decisions are made.

The Utah-convicted registry population is 72.2% single-conviction (recomputed directly from the DPS export; the statewide floor across all conviction origins is 72.8%, per Publication 2026-47). Of those who have re-offended, 105 triple-conviction registrants (1.1%) represent the identifiable highest-priority monitoring cohort [105 figure is statewide per Publication 2026-47, not Utah-subset-specific]. BCI confirms that reported sex offense incidents have been essentially flat since 2021 while the registrable offense list has expanded 360% since 1983. The 2025 legislative session simultaneously enacted a risk assessment mandate (H.B. 354) and added populations for which no validated instrument exists (S.B. 24, S.B. 30). LRGC described the registry code as "one of the worst areas of the code" at the November 2024 LECJ session. The registry exit pathway has produced 20 early terminations across a decade while 4,833 registrants reached ten-year eligibility.

The eight contested categories produce, in aggregate, zero independent recidivists, a sub-1% share of BCI reported incidents, a handful of AOC case-outcomes too thin in most instances to rate, and a DPS description infrastructure too broken to distinguish labor trafficking from sexual exploitation trafficking in its own data. The CCJJ said in 2020 that it wanted to direct monitoring resources toward those most likely to reoffend. The Utah-specific data to do that is now in the record. The committee has the evidentiary foundation, the reform trajectory through SOMAC, the risk assessment mandate through H.B. 354, and the interim study item through which to close the process gap that has produced these outcomes. That is the case for systematic review.

UTRSOL will make the underlying primary-source exports available to committee staff or the CCJJ on request, so that every figure above can be independently reproduced against the same public records used to generate it. This is Edition 1 of Publication 2026-39; UTRSOL welcomes correction, and will issue subsequent numbered editions as clinical review, corrected data, or committee feedback warrant. The evidence does not resolve every question about what belongs on Utah's registry, it resolves the narrower, prior question of whether that determination has ever been made on the evidence at all. For the eight categories examined here, it has not. Systematic review is not a request for a particular outcome; it is a request that the outcome, whatever it is, rest on a foundation the committee can defend.

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Bibliography and Data Sources

Sources are cited in Part II (this document) and, where noted, in Part I (UTRSOL Publication 2026-38, May 12, 2026). This bibliography is consolidated to serve committee members using both parts of the submission together.

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- Asian Association of Utah. FY2025 Case Management Data. 141 primary trafficking survivors: 45% labor only, 47% sexual exploitation only, 8% dual. Communicated by Sarah Chau, Outreach and Education Coordinator, spring 2026.

B. UTRSOL Publications (Part I Series and Supporting Research)

- UTRSOL Publication 2026-38: The Registry's Reach: Purpose, Composition, and the Case for Systematic Review, Part I of II. Felix Espinoza, May 12, 2026. Establishes statutory purpose framework, three-purpose analytical structure, and accretion timeline. Submitted to LECJ Interim Study Item 3.
- UTRSOL Publication 2026-31: 2025 Utah Media Analysis Report. Analyzes 1,042 articles documenting 7 structural biases, 95.3%/4.7% first-offense/registry split, 161:1 spending ratio, 12:1 coverage ratio, BCI incident funnel analysis.
- UTRSOL Publication 2026-45: LECJ 2026 Interim Constituent Profile Cross-District Analysis. Profiles all 15 LECJ committee member districts. Documents 2,232 community-active registrants, attempted conviction prevalence, tenure distributions, Director Hill UPAN data, SOMAC trajectory, national rankings. This publication was

obtained and reviewed in full; all specific figures Part II cites from it (the 20-28% attempted-offense range, the 17-state risk-assessment count, Director Hill's national rankings and Scandinavian comparison) are accurately relayed from 2026-45's own text. However, 2026-45 is itself a summary of a companion document, Publication 2026-37 (fifteen individual district profiles), which was not available for this pass, and the underlying registrant-to-legislative-district geographic mapping was also not available; the district-level source data therefore remains independently unverified even though the summary-level citations here are confirmed accurate to what 2026-45 states.

- UTRSOL Publication 2026-47: 2026 Utah Sex, Kidnap, and Child Abuse Registry Population Analysis. Establishes 72.8% single-conviction floor, 7.92%–11.83% defensible reoffense range, 105 high-risk registrants, conviction decade trends, 214 location-unknown registrants, annual intake acceleration. Methodology (populated conviction-date-field count per registrant, no deduplication) independently reproduced against the March 23, 2026 DPS export; statewide figures matched (7,444/2,025/760 vs. published 7,445/2,025/759). Applying the same method to the Utah-convicted subset (n=8,736) produced 6,308/1,751/677, which superseded a previously cited 7,724/874/139 breakdown in The Recidivism Record that did not match this methodology under independent reproduction.
- UTRSOL Publication 2026-49: Registrable Offense Conviction Trends: Court Record Analysis 1983-2026. Analyzes 48,755 District Court case-outcomes across 43 years. Documents dismissal revolution, charge-to-case ratios, two-tier conviction rate structure, labor trafficking AOC record, registry exit data.
- Utah Administrative Office of the Courts. Sex Offense Statute Data, District and Justice Court Case and Charge Convictions, 1983-2026. Extracted June 2, 2026. 48,755 District Court case-outcomes confirmed by direct pivot of raw extract. On file with UTRSOL.
- UTRSOL Publication 2026-50: Crime in Utah 2015-2025: A Ten-Year Statistical Analysis of BCI Reports. Documents BCI NIBRS incident stability (+1.3% forcible offenses 2021-2024), 360% offense list expansion vs. flat incidents, Utah's national rape rate rank (7th, 59.5/100K), 27% reporting rate, trafficking incident data.
- Utah Department of Public Safety, Bureau of Criminal Identification. Crime in Utah 2021 Report and Crime in Utah 2024 Report. bci.utah.gov. Forcible sex offense totals (Rape, Sodomy, Sexual Assault with an Object, Fondling) confirmed by direct extraction: 4,899 (2021), 4,962 (2024); non-forcible totals (Incest, Statutory Rape): 181 (2021), 101 (2024). Table 3 draws on the same BCI NIBRS Interactive Dashboard, captured May 10, 2026 (calendar year 2025 data), also cited independently in Publication 2026-31; this is a distinct BCI data product from the annual Crime in Utah PDF reports used for BCI's Incident Stability vs. Registry Expansion 2021-2024 trend, and the two should not be conflated.

C. Utah Statutory Sources

- Utah Code §53-29-102 (2025). Sex, Kidnap, and Child Abuse Offender Registry, Creation, Purpose. The registry's sole enacted purpose provision. Cited: Part I; Part II The Three-Purpose Analysis, and The Process Failure.
- Utah Code §53-29-202 (2025, amended eff. May 6, 2026). Registrable offenses. 46 offenses as of submission date. Cited throughout Part II.
- Utah Code §76-5-109.2 (eff. May 4, 2022 as amended). Aggravated child abuse. Subsections (3)(a) and (3)(b) are the qualifying subsections under §53-29-202.
- Utah Code §76-5-109(2)(a)/(b) (05/09/2017 thru 05/04/2022). Pre-amendment child abuse statute. Predecessor form producing 237-registrant pre-2022 cohort in DPS data.
- Utah Code §76-5-109.4 (eff. May 7, 2025). Child torture. Enacted by S.B. 24, 2025. Zero convictions as of May 24, 2026.
- Utah Code §76-5-308, §76-5-308.1, §76-5-308.5, §76-5-308.6, §76-5-310, §76-5-310.2, §76-5-311, §76-5-312, §76-5-316, §76-5-317. Human trafficking, child trafficking, aggravated trafficking, vulnerable adult trafficking, smuggling, and aggravated smuggling variants.

D. Utah Legislative History (Chronological)

- H.B. 209 (1983). Established Sex and Kidnap Offender Registry. 10 founding offenses. Law enforcement access only. (Part I.)
- S.B. 14 (1987). Five-year registration requirement. (Part I.)
- H.B. 15 (1996). Increased to 10 years; public access established. (Part I.)
- S.B. 270 (2000). Internet access to registry. (Part I.)
- H.B. 22 (2001). Two-tier system; lifetime registration for certain offenses. (Part I.)
- H.B. 237 (2001). Added incest (§76-7-102). (Part I.)
- H.B. 492 (2008). Added voyeurism (§76-12-306) and aggravated kidnapping (§76-5-302). (Part I.)
- H.B. 136, H.B. 389 (2009). Threshold-based registration for lewdness and sexual battery. (Part I.)
- S.B. 159 (2011). Added human trafficking. First offense whose primary mechanism is economic coercion. No actuarial analysis in committee record. (Part I, Part II.)
- H.B. 149 (2017, 'Miley's Bill'). Created Child Abuse Offender Registry. (Part I, Part II The Process Failure.)
- S.B. 232 (2017). Added offense categories. No actuarial analysis in committee record. (Part I.)
- H.B. 291 (2020). Added human trafficking categories xl-xlv including labor trafficking provisions. (Part II Conviction Volume Asymmetry and The Process Failure.)
- H.B. 268 (2023). Created the Sex Offense Management Board (SOMB), a statutory board under Title 63M, Chapter 7, Part 8. A subsequent State Boards and Commissions Modifications bill repealed SOMB's statutory status and reconstituted it as the non-statutory Sex Offense Management Advisory Committee (SOMAC) under CCJJ's Sentencing Commission; H.B. 532 (2024); H.B. 534 (2024).

- S.B. 23 (2024). Consolidated Child Abuse Offender Registry with Sex and Kidnap Offender Registry. Utah had been the only state maintaining two separate registries (LRGC, October 2023 LECJ session). No formal determination that merged populations share sexual recidivism risk profile. (Part II Conviction Volume Asymmetry, The Three-Purpose Analysis, and The Process Failure.)
- S.B. 30 (2025). Inadvertently made labor trafficking a registrable offense. LECJ co-chair Sen. Musselman was unaware. (Part I, Part II The Process Failure.)
- S.B. 24 (2025). Sponsor: Sen. Ipson. Added child torture (§76-5-109.4), effective May 7, 2025. Committee voted 14-1; witnesses Laskey, Clarke, Moffat; no actuarial analysis, recidivism data, or clinical testimony. Zero convictions to date. (Part I, Part II Conviction Volume Asymmetry, and The Process Failure)
- H.B. 354 (2025). Sponsor: Rep. Wilcox (LECJ co-chair). Mandated risk assessment collection for all new registrants beginning January 1, 2026. In direct tension with S.B. 24 and S.B. 30 enacted the same session: those bills added populations for which the mandated instruments produce no interpretable result. (Part II The Three-Purpose Analysis, and The Process Failure.)
- S.B. 41 (2025). Administrative recodification from Title 77 to Title 53. No substantive purpose findings. (Part I.)

E. Federal Legislation and Regulatory Sources

- Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. Pub. L. 103-322 (1994). (Part I.)
- Megan's Law. Pub. L. 104-145 (1996). (Part I.)
- Adam Walsh Child Protection and Safety Act / SORNA. Pub. L. 109-248 (2006). SORNA does not include aggravated child abuse, child torture, labor trafficking, or human smuggling as qualifying offenses. Risk-based modifications do not compromise SORNA compliance (SMART Office guidance). (Part II The Three-Purpose Analysis.)
- SMART Office, U.S. Department of Justice. SORNA Implementation Annual Reports (2016, 2018, 2022). Registry breadth and effectiveness not positively correlated; 17 states use risk assessment in some form without compromising SORNA compliance. Available: ojp.gov/smart. (Part II The Three-Purpose Analysis, and The Process Failure)
- National Institute of Justice (2016). Sex Offender Registration and Notification: Research Roundup. NIJ.gov. Evidence for registry-based deterrence remains weak. (Part II The Three-Purpose Analysis.)

F. Utah Institutional Research, Audits, and Presentations

- Utah Commission on Criminal and Juvenile Justice (CCJJ). Sex Offender Research Brief. July 2020. 'Dearth of literature on the effectiveness of the conviction-based approach'; recommendation for actuarial risk assessments. Cited: Part I; Part II Conviction Volume Asymmetry, The Three-Purpose Analysis, and The Process Failure.
- Utah Commission on Criminal and Juvenile Justice (CCJJ). Violent Crime Issue Brief. October 2024. Violent crime in Utah, including rape, declined from 2020 through 2023.

Cited: Part II Conviction Volume Asymmetry.

- Utah Commission on Criminal and Juvenile Justice (CCJJ). Sentencing Commission Meeting Minutes. February 27, 2026. 622 non-compliant; 181 location unknown. Cited: Part I; Part II Conviction Volume Asymmetry.
- Nystrom, T., & Poulson, B. (2019). Utah Parole Analysis: Sex Offense Parolees. Utah CCJJ. 3,173 parolees (2013 and 2016 cohorts), average 382.5-day follow-up. Fewer than 2% of sex offense parolees reconvicted of sex-related crime; lowest high-risk share of any offense category on LS:RNR (44%). Cited: Part II Conviction Volume Asymmetry.
- Utah Legislative Auditor General. Performance Audit: Sex Offender Treatment Program. 2017. SOTP waitlist backlogs costing \$678,000 annually; recommendation for risk-differentiated resource allocation. Cited: Part I; Part II Conviction Volume Asymmetry, The Three-Purpose Analysis, and The Process Failure.
- Utah Legislative Auditor General. Performance Audit: Adult Probation and Parole. Report #2022-13. November 2022. Uniform high-intensity supervision regardless of risk level; does not comply with evidence-based practice. Cited: Part I; Part II The Three-Purpose Analysis.
- Utah Criminal Justice Center. Cost of Crime Technical Report: Adult Sex Offender Treatment. Sarver, R., Molloy, B., & Butters, R. University of Utah, December 2012. SOTP treatment targets developed for contact sexual offense populations. Cited: Part I; Part II The Three-Purpose Analysis and The Process Failure.
- Hill, Jared (SOTP Director, Utah Department of Corrections). Presentation to Utah Prisoner Advocate Network (UPAN). May 11, 2026. Data: 483 individuals released 2021, tracked 3 years (2% new sex crime conviction); 1,367 SOTP waitlist; Utah 1st nationally (33-36% prison population with sex offense convictions vs. 6% national); Utah 7th nationally for rapes per capita; Scandinavian recidivism comparison; Static-99R not validated for female registrants; CPORT not yet fully validated. Cited: Part II Conviction Volume Asymmetry and The Three-Purpose Analysis.
- Leslie, Michelle, Ph.D. SOMAC Three-Tier Risk-Based Proposal. Presentations to LECJ, August 2024 and August 2025. Cited: Part II The Three-Purpose Analysis, and The Process Failure.
- Larson, Shad (LRGC Associate General Counsel). Presentation to LECJ. November 2024. Registry code described as 'one of the worst areas of the code.' Cited: Part II The Process Failure.
- Legislative Research and General Counsel (LRGC). LECJ Interim Session presentation. October 2023. Confirmed Utah was 'the only state that had maintained two separate registries.' Cited: Part II The Process Failure.
- Sex Offense Management Advisory Committee (SOMAC). Meeting Recording, June 24, 2026 (open session). Utah Public Notice Website, notice #1091091. <https://www.utah.gov/pmn/sitemap/notice/1091091.html>. Cited: Part II [Layer/section reference].

G. Peer-Reviewed Research

- Adkins, G., Huff, D., & Stageberg, P. (2000). The Iowa Sex Offender Registry and Recidivism. Iowa DOH. No measurable reduction in first-time sexual offenses. Cited in CCJJ 2020 Brief; Part I; Part II The Three-Purpose Analysis.
- Alper, M., & Durose, M.R. (2019). Update on the Recidivism of Sex Offenders Released from State Prisons. BJS Special Report NCJ 251698. U.S. Department of Justice. 20,195 persons, 30 states; 8% arrested for rape/sexual assault within 9 years; released sex offenders less likely to be arrested overall (67% vs. 84%). Cited: Part II Conviction Volume Asymmetry.
- Anderson, K., & Madsen, S.R. (2025). Child Sexual Abuse: What Utahns Need to Know. UWLP Research Snapshot No. 56. Utah State University, April 3, 2025. 65.4% of Utah respondents could not affirm child sexual abuse is a problem in their community. Cited: Part I; Part II The Three-Purpose Analysis.
- Andrews, D.A., & Bonta, J. (2006). The Psychology of Criminal Conduct, 4th ed. LexisNexis. Foundational Risk-Needs-Responsivity statement. Cited: Part II The Three-Purpose Analysis, and The Process Failure.
- Bench, L.L., & Allen, T.D. A Logistic Analysis of Factors that Predict Sex Offender Recidivism. Utah DOC. 387 male sex offenders under UDC supervision, 1979-2005. Strongest predictors associated with sexual deviance. Cited: Part I; Part II Conviction Volume Asymmetry, The Three-Purpose Analysis, and The Process Failure.
- Centers for Disease Control and Prevention. Violence Prevention: Child Abuse and Neglect. Approximately 90% of child abuse victimization involves perpetrators known to the child. Available: cdc.gov/violenceprevention. Cited: Part II The Three-Purpose Analysis.
- Daines, A. (2024). Sex Offenders in Utah: Are the Policies Effective? University of Utah MPP Capstone. Available: mpp.utah.edu/current-students/capstonefinal.pdf. 2.4 new offenses per 10,000 people; no attributable deterrent trend; blanket policies create unintended consequences. Cited: Part I; Part II Conviction Volume Asymmetry, and The Three-Purpose Analysis.
- Hanson, R.K., & Morton-Bourgon, K.E. (2005). The Characteristics of Persistent Sexual Offenders: A Meta-Analysis of Recidivism Studies. *Journal of Consulting and Clinical Psychology*, 73(6), 1154-1163. Meta-analysis of 82 studies: five-year sex offense recidivism range 5-7%. Cited: Part II Conviction Volume Asymmetry.
- Letourneau, E.J., et al. (2010). Effects of South Carolina's Sex Offender Registration and Notification Policy on Deterrence. *Criminal Justice and Behavior*. No measurable deterrent effect. Cited in CCJJ 2020 Brief; Part I; Part II The Three-Purpose Analysis.
- Sandler, J.C., Freeman, N.J., & Socia, K.M. (2008). Does a watched pot boil? A time-series analysis of New York State's sex offender registration and notification law. *Psychology, Public Policy, and Law*, 14(4), 284-302. No significant reduction attributable to community notification. Cited: Part I; Part II The Three-Purpose Analysis.
- Utah Injury Indicators Report (IBIS). (2022). Rape/Sexual Assault Reporting Rate. Utah

Department of Health. 27% reporting rate for rape/sexual assault in Utah. Cited: Part II Conviction Volume Asymmetry and The Three-Purpose Analysis.

- Welch, P., & Newton, C. (2011). Utah Sex Offender Registration: Balancing Punishment, Public Safety, and Rehabilitation. Criminal Law Bulletin. 'Conviction-based approach rather than a risk-assessment analysis.' Cited: Part I; Part II.
- Zgoba, K.M., Witt, P., Dalessandro, M., & Veysey, B. (2008). Megan's Law: Assessing the Practical and Monetary Efficacy. U.S. DOJ/NIJ. No significant difference in sex offense rates before and after implementation. Cited: Part I; Part II The Three-Purpose Analysis.

H. Case Documentation

- State v. Julio Cesar Mena. 4th District Court, Utah County. Charged May 14, 2026. Aggravated Child Abuse (§76-5-109.2(3)(a)), First Degree Felony. Preliminary hearing waiver scheduled June 1, 2026, Judge Kraig Powell. Source: 4th District Court records; KSL News, Pat Reavy, May 18, 2026.
- State v. Miguel Angel Chay Tiguila. Grand County District Court. Convicted February 11, 2026. Three counts Aggravated Human Smuggling (§76-5-317), First Degree Felony. Investigated by Utah OAG SECURE Strike Force; prosecution by Colleen Magee and Emma Bykerk. Source: Utah AG press release, February 2026.

I. Institutional Correspondence and Press

- Salt Lake County District Attorney Sim Gill. Press conference. April 27, 2026. 90% of child sexual abuse perpetrated by known individuals. Cited: Part I; Part II The Three-Purpose Analysis.
- Halloran, Wendy. '2News Investigates: Location Unknown for High Number of Registered Sex Offenders in Utah.' KUTV 2News. April 29, 2026. Cited: Part I; Part II Conviction Volume Asymmetry.
- Asian Association of Utah. Impact Report FY2025: Investing Today, Thriving Tomorrow. Asian Association of Utah, 2025. Cited: Part II The Three-Purpose Analysis.

