

Overview of SORNA Implementation and Other SMART Office Activities



History of SORNA Legislation, Guidelines, Regs & Amendments

- SORNA signed into law, July 27, 2006
- Rule on Retroactivity, 2007
- SORNA National Guidelines, 2008
- KIDS Act, 2008
- SORNA Implementation Documents, 2010
- SORNA Supplemental Guidelines, 2011
- Military Sex Offender Reporting Act, 2015
- International Megan's Law, 2016
- Proposed Juvenile Guideline, 2016



History of SORNA Implementation

- SORNA enacted July 27, 2006
- July 27, 2011: SORNA deadline (after extensions)
 - Firm deadline for states/territories
 - Tribes given more time
- 15 states, 2 territories and 22 tribes substantially implemented SORNA by first deadline
- 16 states, 3 territories and 36 tribes by 2012
- Byrne JAG penalty began with FY12 grants
- Reallocation requests followed



Substantially Implemented as of June 2016

- 17 states
- 100 tribes
- 3 territories



Implemented States/Territories:

- Alabama
- CNMI
- Colorado
- Delaware
- Florida
- Guam
- Kansas
- Louisiana
- Maryland
- Michigan
- Mississippi
- Missouri
- Nevada
- Ohio
- Pennsylvania
- South Carolina
- South Dakota
- Tennessee
- US Virgin Islands
- Wyoming



Implemented Tribes

- Absentee-Shawnee Tribe of Oklahoma
- Ak Chin Indian Community Council
- Bay Mills Indian Community
- Bois Forte Reservation Business Committee
- Cherokee Nation
- Cheyenne River Sioux Tribe
- Chickasaw Nation
- Chippewa Cree Business Committee
- Chitimacha Tribe of Louisiana
- Citizen Potawatomi Nation
- Colorado River Tribal Council
- Comanche Nation
- Confederated Tribes of the Umatilla Indian Reservation
- Confederated Tribes of the Warm Springs Reservation
- Crow Tribal Council
- Eastern Band of Cherokee Indians
- Eastern Shoshone (Wind River)
- Ely Shoshone Tribe
- Fort McDowell Yavapai Tribal Council
- Fort Mojave Tribal Council
- Fort Peck Tribal Executive Board
- Gila River Indian Community Council
- Grand Traverse Band of Ottawa and Chippewa Indians
- Hannahville Indian Community
- Hopi Tribal Council
- Hualapai Tribal Council
- Iowa Tribe of Kansas & Nebraska
- Iowa Tribe of Oklahoma
- Jicarilla Apache Nation
- Kaibab Paiute Tribal Council
- Kalispel Business Committee
- Kaw Nation
- Keweenaw Bay Indian Community
- Kickapoo Tribe of Oklahoma



Implemented Tribes, Cont'd

- Kiowa Indian Tribe of Oklahoma
- Kootenai Tribal Council
- Lac Vieux Desert Band of Lake Superior Chippewa Indians
- Little Traverse Bay Bands of Odawa Indians
- Lower Elwha Tribal Council
- Lummi Indian Business Council
- Makah Indian Tribal Council
- Mashantucket Pequot Tribe
- Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan (Gun Lake)
- Menominee Indian Tribe of Wisconsin
- Mescalero Apache Tribe
- Miami Tribe of Oklahoma
- Mississippi Band of Choctaw Indians
- Modoc Tribe of Oklahoma
- Muscogee (Creek) Nation
- Nattawaseppi Huron Band of the Potawatomi
- Northern Arapaho Business Council (Wind River)
- Ohkay Owingeh
- Omaha Tribal Council
- Oneida Indian Nation
- Osage Nation
- Ottawa Tribe of Oklahoma
- Pascua Yaqui Tribal Council
- Pawnee Nation of Oklahoma
- Poarch Band of Creek Indians
- Pokagon Band of Potawatomi Indians
- Port Gamble S'Klallam Tribe
- Prairie Band of Potawatomi Nation
- Pueblo of Acoma
- Pueblo of Isleta
- Pueblo of Laguna
- Pueblo of San Ildefonso
- Pueblo of Santa Ana
- Pueblo of Zuni



Implemented Tribes, Cont'd

- Quapaw Tribal Business Committee
- Quinault Indian Nation - Business Committee
- Reno-Sparks Indian Community
- Sac & Fox Tribe of the Mississippi in Iowa
- Saginaw Chippewa Indian Tribe of Michigan
- Salt River Pima-Maricopa Indian Community Council
- Santee Sioux Nation
- Sault Ste. Marie Tribe of Chippewa Indians of Michigan
- Seminole Indian Tribe
- Seminole Nation of Oklahoma
- Seneca-Cayuga Tribe of Oklahoma
- Shoalwater Bay Tribal Council
- "Shoshone-Bannock Tribes(Fort Hall Council)"
- Shoshone-Paiute Business Council
- Sisseton - Wahpeton Oyate of the Lake Traverse Reservation
- Skokomish Tribal Council
- Southern Ute Tribe
- Spokane Business Council
- Squaxin Island Tribal Council
- Standing Rock Sioux Tribal Council
- Tohono O'odham Nation
- Tonto Apache Tribal Council
- Tulalip Board of Directors
- United Keetoowah Band of Cherokee Indians
- Upper Skagit Tribal Council
- Washoe Tribal Council
- White Mountain Apache Tribe
- Winnebago Tribal Council
- Wyandotte Nation
- Yakama Nation
- Yavapai-Apache Nation Tribal Council
- Yavapai-Prescott Board of Directors



20 Implemented States/Territories

- None of these jurisdictions have fully implemented all of SORNA's requirements.
 - Fifteen have fully implemented at least half of SORNA's requirements
 - Four jurisdictions deviate in seven or more of the 14 sections of SORNA requirements
 - “Substantial implementation” allows the approval of approaches that deviate from SORNA as long as they do not “substantially disserve,” or undermine, the intent of the act's requirement.



Not Implemented

- Eighteen of the 33 states and territories reviewed have five or fewer SORNA requirements remaining; 29 have met at least half of SORNA requirements
- Most states/territories not meeting requirements of sections:
 - II (offenses included/juveniles) = 24
 - IX (frequency/duration/reduction) = 26
 - X (community notification) = 24



Challenges for States/Territories

- Legislative strategy
- Juvenile registration
- Public registry requirements
- Risk and tiering
- In-person registration and reporting



SORNA Tribes

There are 159 tribes that have elected to implement SORNA

- 100 tribes have implemented SORNA
- Another 31 tribal submissions currently are in review
- 20 tribes have been granted additional time to implement
- 2 tribes held in abeyance
- 5 NBNDs
- 1 Newly Recognized



Challenges for Tribes

- Information sharing:
 - NCIC, Fingerprints/Palm Prints, DNA
- Infrastructure
- Inter-jurisdictional collaboration
- Lack of law enforcement
- Resources
- Staff and Council turnover



Tribal Access Program

- 10 Tribes participating in the Tribal Access Program (TAP) for National Crime Information
- TAP supports tribes in analyzing their needs for national crime information and helps provide appropriate solutions, including a biometric/biographic computer workstation with capabilities to process finger and palm prints, taking mugshots and submitting records to national databases, as well as accessing CJIS systems for criminal and civil purposes



TAP Tribes

- Confederated Tribes of the Umatilla Indian Reservation
- Tulalip Tribes of Washington
- Oneida Indian Nation
- Keweenaw Bay Indian Community
- Eastern Band of Cherokee Indians
- White Mountain Apache Tribe
- Gila River Indian Community
- Cherokee Nation
- Pascua Yaqui Tribe
- Suquamish Tribe



Federal Partners

- FBI/CJIS: National Sex Offender Registry
- USMS: Sec. 2250 investigations; tribal support upon request; International Travel
- EOUSA/US Attorneys: Sec 2250 Prosecutions
- Interpol: International Travel Notifications



Other Initiatives

- National Sex Offender Public Website:
 - TTSORS
 - SORT
 - SORNA Exchange Portal
 - Facebook, NSOPW App
 - Resources and education
- International Tracking of Sex Offenders
- Military Collaboration
- Sex Offender Management Initiatives:
 - SOMAPI
 - COSA
 - SOTIPS
 - Treatment Standards
 - Campus Sexual Assault Prevention
 - Youth/Juvenile Projects
 - Fellowships



SORNA Funding

Adam Walsh Act Implementation Grants awarded by the SMART Office:

- 2007/8: 70 states and territories, 30 tribes; totaling \$15,546,319
- 2009: 9 states and territories, 18 tribes; totaling \$4,830,693
- 2010: 26 states and territories, 24 tribes; totaling \$9,759,774
- 2011: 12 states and territories, 23 tribes; totaling \$8,123,376



SORNA Funding, Cont'd

- 2012: 24 states and territories, 32 tribes; totaling \$13,655,206
- 2013: 32 states and territories, DC, 15 tribes; totaling \$13,281,809
- 2014: 25 states and territories, 31 tribes; totaling \$12,973,975
- 2015: 24 states and territories, 18 tribes; totaling \$11,268,209
- TOTAL: 222 state and territory awards, 191 tribal awards; totaling \$89,439,361



Q & A?

