

Dear SORNA Tribal Point of Contact:

The SMART Office is writing to acknowledge the work that your tribe/nation/pueblo has done towards implementing SORNA. Whether you have already submitted your substantial implementation package or are continuing to work on a submission, we urge you to review and address the following questions before the SMART Office review of your package begins. Your attention to the following topics will facilitate and expedite the review of your package when you are contacted by the SMART Office reviewer.

- 1- If you are putting up your own website, is it live on the National Sex Offender Public Website (NSOPW) and populated with offenders?
- 2- Have you “recaptured” offenders or have a workable plan on how to obtain registration data from the state for those offenders that must now register with you? Have you recaptured or have a plan in place to recapture any offenders on community supervision or incarcerated and those convicted in tribal court since the passage of your sex offender code?
- 3- Have you provided notice to the above offenders of their obligation to register with your program or have a workable plan in place to do so?
- 4- Are you signed up for and using the SORNA Exchange Portal for your relocation tasks?
- 5- How are you taking and submitting finger and palm prints? Are those prints being submitted directly by the tribe/nation/pueblo? If being submitted to the state, is the state submitting them to the requisite federal databases, IAFIS and FBI Next Gen?
- 6- Are you taking and submitting DNA from those offenders that have not previously submitted DNA? Are the results being submitted to CODIS?
- 7- Is there a system in place for how you will submit data to NCIC/NSOR (or explanation of why you cannot)? Please note that utilization of TTSORS as your sex offender registry system does NOT transmit your data to NCIC/NSOR. The process for submission must be worked out through collaboration with the county or state.
- 8- Is your Code updated according to the Supplemental Guidelines required changes and the other tiering updates indicated in the Revised Model Code (found at www.smart.gov); if not, the SMART Office recommends working on a legislative update so that when your package is under review there will not be a significant delay for updates. See the substantial implementation checklist at www.smart.gov for guidance as well.
- 9- Have you updated your policies and procedures to reflect the changes in Item 8, including updating your notice forms, procedures for international travel of offenders, and notice to the United States Marshals Service (USMS)?
- 10- Do you have a process in place to notify all employees working on tribal land of their obligation to register? This includes businesses and organization owned by the tribe/nation/pueblo, but also those that are on your land that may be owned by other individuals or entities.
- 11- If you have a tribal court (or utilize a CFR court), does your court provide notice to offenders pleading and found guilty of registerable sex offenses etc? Are the offenders noticed of where they need to register and when?

- 12- Have you communicated with correction/ jail facilities, tribal, county, state, federal about the establishment of your sex offender program and who in your program should be notified of an offender being released to your community?
- 13- If entering into MOUs or cooperative agreements, are those executed? Have you provided signed copies to the SMART Office with your package?
- 14- If you have established such MOUs or cooperative agreements, do you have policies and procedures that will guide the registration of your offenders with that other entity or with whatever functions they will be providing for you? If your offenders are registered and posted on a state or other tribal website you will need to provide a current list of offenders with their registration information with your submission.
- 15- Does your Policy and Procedures document provide guidance to your registry official on how to specifically register, notify, validate and perform the sex offender registration and notification for your tribe/nation/pueblo? The document should include samples of the forms that will be used.
- 16- Please ensure that the SMART Office has updated point of contacts for your tribe/nation/pueblo. If tribal leaders or those assigned to work on implementation have changed, please update and send in the attached Point of Contact form. Please note that we are requesting a third point of contact, which should be the person responsible for sex offender registration.

Please Note: The SMART Office is only able to perform a full review of a package if the sex offender registration and notification program is functional. We cannot make a finding of substantial implementation if the program, policies and procedures, and/or code are in draft or proposed form. However, please do not wait for the SMART Office to start or complete our review to implement your program. The SMART Office is only reviewing substantial implementation packages and is not able to do preliminary reviews; however, if your tribe/nation/pueblo has a specific, unique issue or obstacle that must be resolved prior to completion of a substantial implementation package or passage of legislation, please let us know.

Thank you for your hard work on implementation. Please feel free to contact the SMART Office with any questions or concerns at AskSMART@usdoj.gov or 202-354-4200.