



September 2009¹

SORNA Substantial Implementation Review Confederated Tribes of the Umatilla Indian Reservation

The U.S. Department of Justice, Office of Justice Programs, Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) would like to thank Confederated Tribes of the Umatilla Indian Reservation (CTUIR) for the extensive work that has gone into its effort to substantially implement Title I of the Adam Walsh Act, the Sex Offender Registration and Notification Act (SORNA). The SMART Office has completed its review of CTUIR's SORNA substantial implementation packet and has found that CTUIR has substantially implemented SORNA.

CTUIR submitted a substantial implementation package that included the CTUIR's Sex Offender Registration and Notification Ordinance (Tribal Ordinance), the CTUIR's Policies and Procedures Manual (Procedures Manual), copies of registration forms, and a description of the tribal community. In addition, email and phone correspondence with Brent Leonhard, Deputy Attorney General, filled in gaps in information and procedure. Updates were made to the Tribal Ordinance to meet the SORNA standards and were adopted by CTUIR's legislature. Due to limitations on CTUIR's ability to submit data to federal databases itself, CTUIR is working with the State of Oregon to establish a mechanism that will permit CTUIR to enter finger and palm prints and NCIC/NSOR data into federal databases through the state's conduit. This workaround will permit CTUIR to meet these SORNA requirements. Because the timing of Oregon's assistance is not in CTUIR's control, and because CTUIR is committed to pursuing all avenues to accomplish these particular requirements, the fact that this work is not yet complete will not delay a finding of substantial implementation for CTUIR.

Our review of these materials follows the outline of the SMART Office Substantial Implementation Checklist-Revised, which contains 14 relevant sections addressing the SORNA requirements. Under each section, we indicate whether CTUIR meets the SORNA requirements of that section or deviates from the requirements in some way. This report is an exhaustive review and is intended to detail every area in which the tribe has not met SORNA standards.

We encourage you to review the information below, share it with relevant stakeholders in the tribe, and get back in touch with us to develop a strategy to address any remaining issues.

I. Immediate Transfer of Information

CTUIR meets all of the SORNA requirements in this section.

¹ This report was written to reflect the status of CTUIR's SORNA Implementation efforts as of September 2009, the period when CTUIR was initially notified of the SMART Office's determination of substantial implementation.

II. Offenses that Must Be Included in the Registry

CTUIR meets all of the SORNA requirements in this section.

III. Tiering of Offenses

CTUIR meets all of the SORNA requirements in this section.

IV. Required Registration Information

CTUIR meets all of the SORNA requirements in this section.

V. Where Registration is Required

CTUIR meets all of the SORNA requirements in this section.

VI. Initial Registration: Timing and Notice

CTUIR meets all of the SORNA requirements in this section.

VII. Initial Registration: Retroactive Classes of Offenders

CTUIR meets all of the SORNA requirements in this section.

VIII. Keeping the Registration Current

CTUIR meets all of the SORNA requirements in this section.

IX. Verification/Appearance Requirements

CTUIR meets all of the SORNA requirements in this section.

X. Public Registry Website Requirements

CTUIR meets all of the SORNA requirements in this section. CTUIR posts offenders on its website located at <http://ctuir.nsopw.gov/>

XI. Community Notification

CTUIR meets all of the SORNA requirements in this section.

XII. When a Sex Offender Fails to Appear for Registration

CTUIR meets all of the SORNA requirements in this section.

XIII. When a Jurisdiction has Information that a Sex Offender may have Absconded

CTUIR meets all of the SORNA requirements in this section.

XIV. Other Considerations

CTUIR is working with the State of Oregon to submit its NCIC/NSOR data. CTUIR utilizes a LiveScan device to take finger and palm prints and is working with the State on submission to IAFIS. The State needs to update its software to accommodate the CTUIR data. CTUIR is submitting its DNA data to the State for submission to CODIS.

Conclusion

CTUIR has put forth exceptional work and effort in adopting SORNA and enhancing its sex offender registration and notification system.