



August 2011

SORNA Substantial Implementation Review Nottawaseppi Huron Band of the Potawatomi

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 the Nottawaseppi Huron Band of the Potawatomi 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 Nottawaseppi Huron Band of the Potawatomi's SORNA substantial implementation packet and has found that Nottawaseppi Huron Band of the Potawatomi has substantially implemented SORNA.

On April 18, 2011, the Nottawaseppi Huron Band of the Potawatomi submitted a substantial implementation package that included the tribe's sex offender ordinance, procedures manual, and a detailed description of their community. In addition, email and phone correspondence with H. Duane Sprague, Chief of Police, filled in gaps in information and procedure, which informed our review.¹

The NHBP's Sex Offender Registration Code largely follows the Model Tribal Code, and their Policy and Procedure number 2-54 that details the sex offender registration process incorporates the guidance provided by the SMART Office. These together provide comprehensive coverage of SORNA's requirements. Further, the Nottawaseppi Huron Band of the Potawatomi have existing agreements with the Michigan State Police (MSP) such that they are able to submit fingerprints as well as data for NCIC/NSOR via electronic systems directly to the State Police and subsequently the FBI, if applicable².

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 that the Nottawaseppi Huron Band of the Potawatomi meets the SORNA requirements of that section.

I. Immediate Transfer of Information

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

¹The SMART Office had email and phone correspondence with H. Duane Sprague, Chief of Police, in July 2011.

² Chief of Police H. Duane Sprague provided copies of agreements for these systems to verify their processes on August 1, 2011.

II. Offenses that Must Be Included in the Registry

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

III. Tiering of Offenses

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

IV. Required Registration Information

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

V. Where Registration is Required

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

VI. Initial Registration: Timing and Notice

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

VII. Initial Registration: Retroactive Classes of Offenders

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

VIII. Keeping the Registration Current

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

IX. Verification/Appearance Requirements

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

X. Public Registry Website Requirements

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

XI. Community Notification

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

XII. When a Sex Offender Fails to Appear for Registration

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

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

Nottawaseppi Huron Band of the Potawatomi meets all of the SORNA requirements in this section.

XIV. Other Considerations

Based on recommendations from the SMART office, changes were immediately made to their code and procedures such that their sex offender registration statute is fully compliant with SORNA and their system of registration is substantial and comprehensive.

Conclusion

Nottawaseppi Huron Band of the Potawatomi has put forth exceptional work and effort in adopting SORNA and enhancing its sex offender registration and notification system.