

SMART Office Support for Adam Walsh Act Implementation Grant CFDA 16.580
[REDACTED] – FY 2010

PROGRAM ABSTRACT/NARRATIVE

Program Abstract

Purpose and scope of the proposed project – The [REDACTED] is responding to the US Department of Justice, Office of Justice Programs' Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART) Office Adam Walsh Act Implementation Grant focusing on the following specific strategies highlighted by the department as we meet both requirements to maintain a sex offender registry and require sex offenders to register and maintain current registration at all times: **(1)** Enhancing infrastructure to assist implementation of SORNA **(2)** Developing and enhancing jurisdiction-wide SORNA Implementation programs and functions **(3)** Implementing records management projects **(4)** Providing support for coordinated interagency efforts to substantially implement SORNA

Amount of federal funding requested – \$ [REDACTED]

Activities to be implemented to achieve goals and objectives - We will **(1)** continue to communicate with other tribes and municipalities to share information/ implementation strategies and to resolve critical multi-jurisdictional challenges as well. **(2)** Develop more in-depth search capacity (physical and technical) in order to identify and monitor sex offenders residing, working (on business), visiting or moving through the area. Will include analysis of data. **(3)** Research and develop multi-disciplinary culturally appropriate approach to community education and notification as well as a professional staff/tribal leadership training component. **(4)** Complete internal staff hiring, equipment acquisition/use and code work for full implementation

Program Narrative

1. Statement of the Problem

Challenges the jurisdiction faces in complying with federal legislation

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The [REDACTED] is a federally recognized tribe organized under the Indian Reorganization Act of June 18, 1934, as amended, to exercise certain rights of home rule and to be responsible for the general welfare of its membership. The [REDACTED] has been chosen for self-governance status – a prestigious distinction under which we began to operate in [REDACTED]. Tribal population has fluctuated through the years and now stands at approximately [REDACTED] members. There are approximately [REDACTED] people, including [REDACTED] and [REDACTED], who reside within the Tribal jurisdiction.

Tribal history extends back [REDACTED] years in the [REDACTED] and [REDACTED]. [REDACTED]. It is a history of overcoming extreme odds. The [REDACTED] today has [REDACTED] communities; [REDACTED]. [REDACTED]. The [REDACTED] community is [REDACTED] and only recently has begun to

acquire broadband service and still has very limited cell phone reception. The people in that community often feel very alone and isolated.

From a cultural standpoint, we face a challenge as many sex offenses and offenders have gone and remain unreported. There is a family stigma attached to exposing and reporting offenders. The tribe also has a problem with juvenile offenders that we must make important policy and procedural decisions about during the term of this grant funding.

There are [REDACTED] between communities. (See map in grants.gov attachments) [REDACTED]
[REDACTED] The tribal land base consists of scattered parcels totaling over [REDACTED] acres. Five years ago, the [REDACTED] was given the responsibility of law enforcement in [REDACTED]. This enforcement used to be the responsibility of the Bureau of Indian Affairs (BIA). Approximately [REDACTED] live in these allotment areas. Some of our [REDACTED] communities and [REDACTED] are in rugged and remote areas where criminals and predators often seek to hide and evade prosecution or tracking. The terrain in many areas is very rough and intruders have the vehicles to navigate the terrain.

The [REDACTED] is located in an area in [REDACTED]. The [REDACTED]
[REDACTED] is located at the [REDACTED]. [REDACTED] became an urban area as a result of the [REDACTED] census. It is also a HIDTA (high intensity drug trafficking area). Both the [REDACTED] communities are more geographically isolated in rural counties approximately [REDACTED]

of [REDACTED]. In recent years, population has increased in the areas and communities surrounding the tribal communities with the exception [REDACTED]. This geographic separation, unique diversity of the communities, terrain issues and predators ability to move around-hide out to avoid recognition and apprehension are major challenges facing [REDACTED] as we implement Adam Walsh SORNA.

The [REDACTED] is committed to the safety and wellness of all of our tribal children, women, adults, families and elders. We must protect our communities and members from sexual predators, sexual abuse and domestic violence. Native Americans suffer domestic violence at a rate that is three to four times more than the national average. Sex offenses against women and children may be a more serious problem in American Indian and Alaska Native (AI/AN) communities than any other communities in the United States. While, on average, a woman in the United States faces a one in five chance of being raped in her lifetime, the statistics for AI/AN are far graver: they have a one in three chance of being raped during their lifetimes. Amnesty International examined the high rates of sexual assault against AI/AN women and accused the US of failing to meet its international human rights obligations to women and indigenous people in the US. Data on the incidence of child sexual abuse is equally troublesome. According to the federal health statistics, one in every four Native girls and one in every seven Native boys will be sexually abused.

[REDACTED] has very limited resources that we work diligently to prioritize and stretch each budget year. Our law enforcement officers work in conditions that exceed the ratios enjoyed by more urban, better resourced departments. [REDACTED] police work hundreds of criminal

incidents a year and nearly 30% of those have the potential of including sexual abuse and domestic violence. We endeavor to cooperate and collaborate with our non-native neighbors and law enforcement agencies to better protect our people and their neighbors. We have signed cooperative agreements with law enforcement [REDACTED] during the last [REDACTED] years. During the year 2,000, there was 1 crime committed per every 18 [REDACTED]. Now (2009) that number has increased to 1 crime committed per every 7.5 people.

Our tribe is committed to maintaining [REDACTED] sovereignty. The Tribal Council elected to be their own registration and enforcement jurisdiction. (See Tribal Resolution attached through grants.gov in “other grant attachments” section) The [REDACTED] has elected to implement and maintain its own Sex Offender Registry. The registry will be implemented in full compliance with the guidelines established by the Adam Walsh Act.

The specific initial registration procedures required by section 117(a) are as follows:

- Informing the sex offender of his or her duties under SORNA (Sex Offender Registration and Notification Act) and explaining those duties. (Of course if the jurisdiction adopts registration requirements that encompass but go beyond the SORNA minimum, the sex offender should be informed of the full range of duties, not only those required by SORNA.)
- Requiring the sex offender to read and sign a form stating that the duty to register has been explained and that the sex offender understands the registration requirement.
- Ensuring that the sex offender is registered—i.e., obtaining the required registration information for the sex offender and submitting that information for inclusion in the registry.

The tribe's strategy to implement their decision and be in full compliance with the Adam Walsh Act-SORNA is discussed below as is the need for additional funding.

Applicant should describe steps taken to assess and analyze their current sex offender registration and notification systems in relation to SORNA implementation. Discuss the implementation strategy and the deficits/problems encountered and needs identified.

The [REDACTED] has taken the following steps to assess and analyze their current sex offender registration and notification systems in relation to SORNA implementation.

- Completed a needs assessment
- Worked to draft some Tribal Law and Order Code to implement SORNA. Still in the process of assessing, changing and approving and more work is needed.
- Drafted and edited a policies/procedure manual – making changes based on DOJ review
- Established process for sex-offender supervision, monitoring and compliance
- Drafted personalized language for TTSOR for disclaimer and conditions of use
- Planned staffing needs
- We are drafting a brochure to explain sex offender public notification to the community
- Requesting training and technical assistance from Fox Valley
- Drafting and correcting registry disclaimer, warning and the language used
- On-going development of internal standard operating procedure for the offender program
- Researched and developed lists of the schools in the surrounding [REDACTED] communities/
[REDACTED] and other public facilities at-risk for violation by sex offenders

- Collaboration with other tribes as we have taken a leadership position and have begun to assist other tribes with SORNA policies and procedures. We benefit, as do they from this collaboration.
- It should also be noted that an extensive background check is performed to include a check for sexual predators at the time that an individual is employed by the tribe. The tribe has approximately [REDACTED] employees at any given time. This number is expanding as are the number of people living in the tribal communities.

The Tribe will utilize the following strategy (found in more detail in the next section) to address the challenges enumerated above:

- Continue to communicate with other tribes and municipalities to share information/ implementation strategies and to resolve critical multi-jurisdictional challenges as well.
- Develop more in-depth search capacity (physical and technical) in order to identify and monitor sex offenders residing, working (on business), visiting or moving through the area. Will include analysis of data.
- Research and develop multi-disciplinary culturally appropriate approach to community education and notification as well as a professional staff/tribal leadership training component. Must address the challenge of youth offenders.
- Complete internal staff hiring, equipment acquisition/use and code work for full implementation

2. Project Goals and Objectives

Our goal is to protect our precious children, women, men and elders by first, creating a registry and enforcing it and, second, by creating awareness about sexual predators and criminal behavior.

Specific objectives and outcomes are as follows:

- Communicate with other tribes and jurisdictions to share information/ implementation strategies and resolve critical multi-jurisdictional challenges – Outcomes will be to continue [REDACTED] leadership of SORNA implementation among [REDACTED] tribes and to gain the cooperation of surrounding jurisdictions and out-of-state tribes as offenders utilize a strategy of moving in order to avoid registration requirements and prosecution.
- Develop in-depth search capacity (physical and technical) to identify and monitor sex offenders residing, working, visiting or moving through the area - Outcomes will be increased identification of sex offenders now slipping through the cracks; resolution of tier rating challenges brought on by the [REDACTED] [REDACTED] injunction against SORNA and the ability to analyze data collected and the trends that the data represents. Address the challenge of youth offenders.
- Develop multi-disciplinary culturally appropriate approach to community education and notification to include professional staff/tribal leadership training component. Outcomes will be improved rate of reporting replacing the old cultural tendency to hide or make excuses for family members, relatives and friends instead of realizing the importance of reporting a sexual predator.

- Complete staff hiring, equipment acquisition /use (life scan) and code work. Outcomes will be full implementation of SORNA and the Adam Walsh Act and a Law and Order Code that provides the tools/framework for tribal police and the tribal court to address the problem of sexual predators in our [REDACTED] and [REDACTED].

These objectives and outcomes will enable us to respond to the funder's performance measures to include:

- (1) Improve public sex offender registry systems to support SORNA compliance – writing and approving [REDACTED] Law and Order Code and training all staff and leadership on implementation (SORNA compliance). Collection of data and entering of data electronically. Multi-jurisdictional collaborations to support offender identification and community notification. Use of lifescan systems and records captured and automated electronically.
- (2) Enhance jurisdiction efforts to address victim and public safety – registering/reporting an increased number of offenders; put more offenders in compliance and identify non-compliant.

3. Project/Program Design and Implementation

[REDACTED] project will operate as follows:

Our goal is to protect our precious children, women, men and elders by first, creating a registry and enforcing it and, second, by creating awareness about sexual predators and criminal behavior.

Objective One

Communicate with other tribes and jurisdictions to share information/ implementation strategies and resolve critical multi-jurisdictional challenges. Activities will include;

- Compile list of email addresses/contact information for local, state, tribal, other agencies, and individuals for purposes of collaboration and sending information.
- Contact other tribes in surrounding area to determine who is responsible for SORNA, how they do record-keeping, propose collaboration, and offer to provide assistance.

Objective Two

Develop in-depth search capacity (physical and technical) to identify and monitor sex offenders residing, working, visiting or moving through the area. This objective will implement SORNA Rule One to maintain a sex offender registry. Activities will include:

- Develop system to search for sex offenders who may be hiding out on tribal property given the remote areas of some of our tribal lands. SORNA Police Officer will be a fixture in all [REDACTED] communities, trust and allotments lands and the surrounding municipalities in order to have a fulltime presence searching for and identifying offenders. The officer will establish community relationships encouraging people to report criminal activity or the presence of known predators.
- Implement system to search for sex offenders who may be hiding out on remote tribal property areas
- Review and refine mechanism for evaluating SEX OFFENDER registration, notification, enforcement, tracking, and education process
- Send sex offender status report to internal dept. heads
- Review all sex offender data to monitor activity levels, compliance, goal progress
- Review and refine mechanism for evaluating sex offender registration, notification, enforcement, tracking, and education process

Objective Three

Develop multi-disciplinary culturally appropriate approach to community education and notification to include professional staff/tribal leadership training component. Activities will include:

- Research and develop multi-disciplinary approach to community education and notification
- Research and engage Social Services Facilitator for Community Awareness Presentation
[REDACTED]
- Research, plan, and secure space and equipment for CAP
- Write, print, mail/email invitation to and for CAP to all community members, both on and off reservation
- Create and disseminate sex offender awareness/information [REDACTED]
[REDACTED] to local community including businesses, hospitals, schools, libraries, children's programs, etc.
- Work with IT to update website with CAP program announcement
- Evaluate Community Awareness Presentation
- Present CAP evaluation at Dept. Heads meeting
- Post the CAP evaluation on Website
- Write and distribute Press Release to local papers re CAP

- Research in-house training needs and options
- Develop training curriculum and power point presentation for in-house personnel for quarterly trainings
- Present quarterly training (including recent updates) re SORNA to in-house personnel

Objective Four

Complete staff hiring, equipment acquisition /use (life scan) and code work. This objective will implement SORNA Rule Two stating that sex offenders must register and maintain registration.

Activities will include:

- Obtain grant requested hardware
- Recruit, hire and train SORNA Program Coordinator and the SORNA Police Officer (see job descriptions attached)
- Enhance current infrastructure to better implement collection, storage, and submission of SEX OFFENDER finger/palm prints and DNA
- Review and refine mechanism (including forms) for monitoring: any decrease in sexual crimes; increase in number of tribal members/employees identified or registered as SEX OFFENDERS but not currently registered with us; and polling community members as to whether they feel safer
- [REDACTED] Law and Order Code revision and the negotiation and implementation of MOU's with other jurisdictions and entities.

How the proposed project will enhance implementation of SORNA

The activities enumerated in the previous section and again in the attached timeline will enable

[REDACTED] to have met or exceed all of the requirements of the Adam Walsh Act. We will

communicate this strategy to the tribal community and general public so that everyone living in or near tribal communities can feel safe that the tribe is implementing SORNA and protecting them from sexual predators.

4. Capabilities and Competencies

Management Structure and staffing for the project – previous experience with projects of similar design

██████████ SORNA implementation work team has included ██████████ (the ██████████ Chief of Police), ██████████ (██████████ Assistant General Counsel), ██████████ (Project Assistant), ██████████ (Coordinator of ██████████ Domestic Violence Initiative), ██████████ Prosecutor ██████████, Tribal Probation Officer ██████████ (██████████ finance department grant's accountant ██████████ ██████████). Many other people have watched and received reports as they have been very interested in our progress in setting up our project – these include ██████████ Court personnel, the director of social services, the tribe's Headstart Director, TANF staff and all of the members of the Tribal Council ██████████ and others.

██████████ Law Enforcement Department's Police Captain, ██████████ ██████████ will have primary oversight responsibility for implementation of the tribe's Adam Walsh/SORNA grant and project. He will supervise the SORNA Police Officer and SORNA Program Coordinator. ██████████ reports to ██████████ Tribal Chairman and ██████████ Tribal Council. ██████████ has oversight of the tribe's police force and the tribe's domestic violence initiative.

Capability of the staff

The Police Captain, [REDACTED], has over [REDACTED] years of law enforcement experience. He was employed with the [REDACTED] of these years. He spent [REDACTED] years with the [REDACTED] Investigation Division [REDACTED]. He [REDACTED] Division's major crimes unit [REDACTED]. This unit worked on major crimes including sex offenses throughout the State [REDACTED]. He has personally conducted and/or supervised over 100 cases involving some type of sex crime. During his career with DPS he attended numerous classes dealing with sex crime investigations. The [REDACTED] Police Department was created in [REDACTED]. The department currently has a staff of [REDACTED] has been with the [REDACTED] in his capacity for [REDACTED]

[REDACTED] has been chosen for self-governance status – [REDACTED] [REDACTED]. This status is given to tribe's with sterling audits and strong leadership. [REDACTED] aggressively implements and reports in a timely manner on dozens of federal grants. The tribe has implemented large systemic projects [REDACTED]. [REDACTED] The tribe oversees 75 or more federal grants and facilitates [REDACTED] [REDACTED]. We were recently chosen as one of only six recipients [REDACTED] [REDACTED] – one of the first in the country and we will become a model for other tribes.

The tribes offers services which include: tribal administration, utilities management for [REDACTED] tribal communities; law enforcement; tribal court and judicial facility, probation, social services, full-service Tribal Health Center, Mental Health Healing Center, housing, education, social services, senior services, Head Start in [REDACTED] tribal communities, economic development, after-school recreation programs in four of the communities, youth summer foods programs [REDACTED], environmental protection, retail operations, working ranch [REDACTED]. As previously noted, the Tribe also administers [REDACTED].

The SORNA Police Officer will be a fixture in [REDACTED] communities, [REDACTED] lands and the surrounding municipalities in order to have a fulltime presence searching for and identifying offenders. The officer will establish community relationships encouraging people to report criminal activity or the presence of known predators.

The SORNA Program Coordinator will drive the timeline and calendar. They will work in tandem with the SORNA Officer and their supervisor the Police Captain. They will work with the assistant counsel on code revision/approval. They will be in contact with other tribes and jurisdictions. They will secure supplies and equipment; schedule and implement training and the training schedule; register offenders in tandem with the officer; maintain all records and file data and reports.

The SORNA Police Officer, SORNA Program Coordinator and [REDACTED] will all make presentations to various groups for educational and informational purposes. They will also coordinate with the other named members of the SORNA planning group.

5. Impact/Outcomes and Evaluation/Performance Measure Data Collection Plan

How performance will be documented, monitored and evaluated

We will adhere to a schedule established by the attached timeline. Reports will be made to tribal department managers, Tribal communities and to the Tribal Council. Variations from the schedule will be reported and analyzed by the SORNA Project Coordinator. We will monitor and evaluate progress on program development as this grant proposal has been developed, prepared and submitted. We will collect all of the data required by the funder as well as other data that we want to analyze trends. We will ask ourselves the following questions and document results on a regular basis as we analyze the real success and impact of the grant/SORNA on the lives of our communities and people in the communities:

- Have we hired staff and purchased all one-time items to include equipment and supplies?
- Have we installed available software and begun to report to applicable systems?
- Have we begun and continued the process of communicating and collaborating with other tribes?
- Have we begun and continued the process of establishing MOUs and MOAs with surrounding jurisdictions, entities and [REDACTED]?
- Are we working on Tribal Law and Order Code revision? Is this code helping the police, tribal prosecutor and tribal court in prosecution of individuals when necessary?

- Have we increased in the number of tribal members/employees identified and registered as having been convicted of committing a sexual offense who are not currently registered with the Tribe? Have we maintained on-going registration?
- Have we determined if there is a corresponding decrease in sexual crimes committed in our Tribal Communities?
- Through informal “polling” of community residents/tribal members can we determine if they feel safer and more secure in their homes and communities as the result of the Tribe’s Sex Offender registry?
- Are we detecting people (sexual predators/offenders) hiding out in [REDACTED]? Are we apprehending them?
- Are we still receiving reports from other tribes that people have relocated to our area who we do not know and have not detected being here?
- Have families/friends demonstrated a greater willingness to identify predators and turn in names to the tribal police and SORNA project?
- Are elders, adults, teens and children receiving training about sexual predators and their criminal behavior and activity? Have all tribal staff received training? Are people attending available voluntary and mandatory training?
- Are we working with the tribe’s Human Resources Department and the Housing Departments?
- Have all police, court received training on SORNA and the tribe’s policy and procedure?
- Have health clinic staff and mental health clinic staff received training on SORNA and the tribe’s policy and procedure.

- Have we adjusted training based upon the results – attendance, pre and post-test results, incidents reported in daily work/community life? Is training taking place in all communities at varying times of the day, night, week, weekend in order to increase attendance?
- Are we on schedule? Are we in line with the timeline? If not, why not? Have we analyzed and adjusted?
- Have we completed all grant funder reports on time and reported all data requested?
- Have we attended the out-of-town professional SORNA training budgeted in the grant?
- Have we made regular reports to department managers at their meetings and to [REDACTED] and to the Tribal Council?
- Have we worked with IT to bring the tribe’s website on-line with our SORNA project?
- Do we have materials in place in all of the communities and “public locations” (clinic, healing center, housing, administration, gymnasiums and community centers, Head Start) informing people about sexual predators and the SORNA project?

Sustainment –

Many expenses covered through the grant budget are one-time expenses and will not be repeated in the near future. The tribe’s general fund and other grants will cover the expenses of the staff remaining after full-scale implementation of the Adam Walsh Act project following the grant funding cycle.

6. Budget – please see budget/budget narrative attachment