



U.S. Department of Justice

Office of Justice Programs

*Office of Sex Offender Sentencing, Monitoring,  
Apprehending, Registering, and Tracking*

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Washington, D.C. 20531

September 6, 2012

Levi Pesata  
President  
Jicarilla Apache Nation  
P.O. Box 507  
Dulce, NM 87528

Dear President Pesata:

On behalf of the United States Department of Justice's Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART), I am pleased to inform you that, after a thorough review of the materials submitted, the SMART Office has determined that the Jicarilla Apache Nation has substantially implemented the provisions of the Sex Offender Registration and Notification Act (SORNA), Title I of the Adam Walsh Child Protection and Safety Act of 2006. The SMART Office would like to recognize the Jicarilla Apache Nation for its exceptional efforts in working to implement SORNA and to thank you and the dedicated professionals who worked so diligently on this important project.

The Jicarilla Apache Nation has worked conscientiously to create a comprehensive sex offender registration and management program. We encourage the Jicarilla Apache Nation to continue to work towards meeting the provisions of SORNA as these provisions evolve in the future and to work with SMART office personnel to maintain the status of having substantially implemented SORNA. The Jicarilla Apache Nation is expected to keep the SMART Office apprised of its progress towards the continuing implementation of SORNA and the SMART Office will continue to provide any necessary technical assistance towards that end.

Your jurisdiction is now an essential component of the seamless web of public sex offender databases and law enforcement information sharing envisioned by SORNA. Sex offender registration and community notification is an important part of a nationwide commitment to improving the safety of our communities. We look forward to continuing to work with you as you implement SORNA.

Sincerely,

Linda M. Baldwin  
Director

Enclosure

cc: Shannon Velarde  
Acting Chief of Police  
Jicarilla Apache Police  
P.O. Box 890  
Dulce, NM 87528

Monica L. Carrasco  
Director  
Jicarilla Behavioral Health  
P.O. Box 546  
Dulce, NM 87528



September 2012

## **SORNA Substantial Implementation Review Jicarilla Apache Nation**

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 Jicarilla Apache Nation 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 Jicarilla Apache Nation' SORNA substantial implementation packet and has found that Jicarilla Apache Nation has substantially implemented SORNA.

Jicarilla Apache Nation submitted a substantial implementation package on June 14, 2011 and was issued a full review memo on October 31, 2011. The review was re-sent on November 29, 2011. On July 23, 2012, Jicarilla Apache Nation resubmitted a modified code and policies and procedures manual via email along with a memo detailing the Nation's response to the questions posed by the SMART Office. This information included a description of its criminal justice system, courts, and police department; policies and procedures regarding sex offender registration; the Nation's sex offender registration law; and other relevant information. They provided forms and memoranda of agreement with other law enforcement agencies. In addition, email and phone correspondence with the Nation's attorney, Roberta Brito, provided clarification.<sup>1</sup>

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 Jicarilla Apache Nation meets the SORNA requirements of that section.

### **I. Immediate Transfer of Information**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

### **II. Offenses that Must Be Included in the Registry**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

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<sup>1</sup>The SMART Office had email and phone correspondence with Roberta Brito, Attorney, JA Associates, LLC, [Roberta.Brito@jaassociatesnm.com](mailto:Roberta.Brito@jaassociatesnm.com), (505) 242-2214

### **III. Tiering of Offenses**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

### **IV. Required Registration Information**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

### **V. Where Registration is Required**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

### **VI. Initial Registration: Timing and Notice**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

### **VII. Initial Registration: Retroactive Classes of Offenders**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

### **VIII. Keeping the Registration Current**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

### **IX. Verification/Appearance Requirements**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

### **X. Public Registry Website Requirements**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

### **XI. Community Notification**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

### **XII. When a Sex Offender Fails to Appear for Registration**

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

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

Jicarilla Apache Nation meets all of the SORNA requirements in this section.

**XIV. Other Considerations**

There are no other considerations.

**Conclusion**

Jicarilla Apache Nation of has put forth exceptional work and effort in adopting SORNA and enhancing its sex offender registration and notification system.