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SORNA Substantial Implementation Review Fort McDowell Yavapai 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 the Fort McDowell Yavapai 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 the Fort McDowell Yavapai Nation's SORNA substantial implementation packet and has found that the Fort McDowell Yavapai Nation has substantially implemented SORNA.

On April 18, 2011, the Fort McDowell Yavapai Nation submitted a substantial implementation package that included several exhibits, including background information on the tribe and its criminal justice system, courts, and police department, policies and procedures regarding sex offender registration, the tribe's sex offender registration law and relevant additional laws, as well as forms and memoranda of agreement with other law enforcement agencies. In addition, email and phone correspondence with Jesse Delmar, Chief of Police for Ft. McDowell Yavapai Nation.

Our review of these materials follows the outline of the SMART Office Substantial Implementation Checklist-Revised, which contains 14 sections addressing the SORNA requirements. Under each section, we indicate whether the Fort McDowell Yavapai Nation meets the SORNA requirements of that section or deviates from the requirements in some way.

I. Immediate Transfer of Information

At this time, the Fort McDowell Yavapai Nation is one of a number of tribes in Arizona that currently does not have a means to submit sex offender information to NCIC/NSOR. In order to meet this standard, the Ft. McDowell Yavapai Nation entered into a cooperative agreement with Maricopa County, AZ. Offenders will be escorted to county to register with the state and have their registration information entered into the AZ system for upload to NCIC/NSOR.

II. Offenses that Must Be Included in the Registry

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

III. Tiering of Offenses

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

IV. Required Registration Information

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

V. Where Registration is Required

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

VI. Initial Registration: Timing and Notice

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

VII. Initial Registration: Retroactive Classes of Offenders

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

VIII. Keeping the Registration Current

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

IX. Verification/Appearance Requirements

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

X. Public Registry Website Requirements

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

XI. Community Notification

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

XII. When a Sex Offender Fails to Appear for Registration

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

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

The Fort McDowell Yavapai Nation meets all of the SORNA requirements in this section.

XIV. Other Considerations

Conclusion

The Fort McDowell Yavapai Nation has put forth exceptional work and effort in adopting SORNA and enhancing its sex offender registration and notification system.