



November 2009¹

SORNA Substantial Implementation Review Confederated Tribes and Bands of the Yakama 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 Confederated Tribes and Bands of the Yakama Nation (Yakama 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 Yakama Nation's SORNA substantial implementation packet and has found that the Yakama Nation has substantially implemented SORNA.

The Yakama Nation submitted a substantial implementation package that included the Yakama Nation's Sex Offender Registration and Notification Ordinance (Tribal Ordinance), the Yakama Nation'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 E. David Lees, Prosecutor and Chief Legal Officer, filled in gaps in information and procedure. Updates were made to the Tribal Ordinance to meet the SORNA standards and were adopted by the Yakama Nation legislature. An addendum to the Procedures Manual was submitted addressing submission issues to federal databases.

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 the Yakama Nation 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 Yakama Nation 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

The Yakama Nation meets all of the SORNA requirements in this section.

II. Offenses that Must Be Included in the Registry

The Yakama Nation meets all of the SORNA requirements in this section.

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

III. Tiering of Offenses

The Yakama Nation meets all of the SORNA requirements in this section

IV. Required Registration Information

The Yakama Nation meets all of the SORNA requirements in this section.

V. Where Registration is Required

The Yakama Nation meets all of the SORNA requirements in this section.

VI. Initial Registration: Timing and Notice

The Yakama Nation meets all of the SORNA requirements in this section.

VII. Initial Registration: Retroactive Classes of Offenders

The Yakama Nation meets all of the SORNA requirements in this section.

VIII. Keeping the Registration Current

The Yakama Nation meets all of the SORNA requirements in this section.

IX. Verification/Appearance Requirements

The Yakama Nation meets all of the SORNA requirements in this section.

X. Public Registry Website Requirements

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

XI. Community Notification

The Yakama Nation meets all of the SORNA requirements in this section.

XII. When a Sex Offender Fails to Appear for Registration

The Yakama Nation meets all of the SORNA requirements in this section.

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

The Yakama Nation meets all of the SORNA requirements in this section.

XIV. Other Considerations

The Yakama Nation indicates that it submits DNA through the USMS to CODIS. The Yakama Nation utilizes a LiveScan device to take finger and palm prints. It has an NCIC terminal and works with the county to submit data. The Yakama Nation will provide any updates or changes to these procedures as they develop.

Conclusion

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