



July 2012

SORNA Substantial Implementation Review Winnebago Tribe of Nebraska

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 Winnebago Tribe of Nebraska (Winnebago Tribe) 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 Winnebago Tribe's SORNA substantial implementation packet and has found that the Winnebago Tribe has substantially implemented SORNA.

On April 18, 2011, the Winnebago Tribe submitted a substantial implementation package that included 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 other relevant additional laws. They provided forms and memoranda of agreement with other law enforcement agencies. In addition, email and phone correspondence with Jennifer Beareagle provided clarification.¹

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 Winnebago Tribe meets the SORNA requirements of that section.

I. Immediate Transfer of Information

The Winnebago Tribe meets all of the SORNA requirements in this section.

II. Offenses that Must Be Included in the Registry

The Winnebago Tribe meets all of the SORNA requirements in this section.

¹The SMART Office had email and phone correspondence with Jennifer Beareagle at jbeareagle@ndnlaw.com.

III. Tiering of Offenses

The Winnebago Tribe failed to tier U.S.C. §2423 (d) (minor) as a Tier II. Winnebago Tribe was informed of this omission and encouraged to edit its policies and procedures and code. This deviation does not substantially disserve the purpose of this requirement.

IV. Required Registration Information

The Winnebago Tribe meets all of the SORNA requirements in this section.

V. Where Registration is Required

The Winnebago Tribe meets all of the SORNA requirements in this section.

VI. Initial Registration: Timing and Notice

The Winnebago Tribe meets all of the SORNA requirements in this section.

VII. Initial Registration: Retroactive Classes of Offenders

The Winnebago Tribe meets all of the SORNA requirements in this section.

VIII. Keeping the Registration Current

The Winnebago Tribe meets all of the SORNA requirements in this section.

IX. Verification/Appearance Requirements

The Winnebago Tribe meets all of the SORNA requirements in this section.

X. Public Registry Website Requirements

The Winnebago Tribe meets all of the SORNA requirements in this section.

XI. Community Notification

The Winnebago Tribe meets all of the SORNA requirements in this section.

XII. When a Sex Offender Fails to Appear for Registration

The Winnebago Tribe meets all of the SORNA requirements in this section.

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

The Winnebago Tribe meets all of the SORNA requirements in this section.

Conclusion

The Winnebago Tribe of has put forth exceptional work and effort in adopting SORNA and enhancing its sex offender registration and notification system.