



September 15, 2011

SORNA Substantial Implementation Review Ohkay Owingeh Tribe

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 Ohkay Owingeh 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 Ohkay Owingeh Tribe's SORNA substantial implementation packet and has found that Ohkay Owingeh has substantially implemented SORNA.

On April 14, 2011, Ohkay Owingeh submitted a substantial implementation package, 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 to guide registration and give notice to offenders. In addition, email and phone correspondence with Lieutenant Kenneth Maes informed this review.¹

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 Ohkay Owingeh meets the SORNA requirements of that section or deviates from the requirements in some way. In instances of deviation, we specify where the departure(s) from a particular requirement does not substantially dissuade the purposes of that requirement.

Ohkay Owingeh responded to all concerns and rectified deviations from requirements in order to achieve full implementation of SORNA. This report is an exhaustive review and is intended to detail every area in which the tribe 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 these remaining issues.

I. Immediate Transfer of Information

Ohkay Owingeh meets all of the SORNA requirements in this section.

II. Offenses that Must Be Included in the Registry

¹The SMART Office had email and phone correspondence with Lieutenant Kenneth Maes, Ohkay Owingeh Police Department, (505) 852-2758, kmaes62@yahoo.com, in June, July and August of 2011.

Ohkay Owingeh meets all of the SORNA requirements in this section.

III. Tiering of Offenses

Ohkay Owingeh meets all of the SORNA requirements in this section.

IV. Required Registration Information

Ohkay Owingeh meets all of the SORNA requirements in this section.

V. Where Registration is Required

Ohkay Owingeh meets all of the SORNA requirements in this section.

VI. Initial Registration: Timing and Notice

Ohkay Owingeh meets all of the SORNA requirements in this section.

VII. Initial Registration: Retroactive Classes of Offenders

Ohkay Owingeh meets all of the SORNA requirements in this section.

VIII. Keeping the Registration Current

Ohkay Owingeh meets all of the SORNA requirements in this section.

IX. Verification/Appearance Requirements

Ohkay Owingeh meets all of the SORNA requirements in this section.

X. Public Registry Website Requirements

Ohkay Owingeh meets all of the SORNA requirements in this section.

XI. Community Notification

Ohkay Owingeh meets all of the SORNA requirements in this section.

XII. When a Sex Offender Fails to Appear for Registration

Ohkay Owingeh meets all of the SORNA requirements in this section.

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

Ohkay Owingeh meets all of the SORNA requirements in this section.

XIV. Other Considerations

There are no additional considerations associated with Ohkay Owingeh's implementation of SORNA's requirements.

Conclusion

Ohkay Owingeh has put forth exceptional work and effort in adopting SORNA and enhancing its sex offender registration and notification system. We encourage you to continue your efforts towards fully implementing the provisions of SORNA. If at any time you require assistance or clarification on implementation, do not hesitate to contact the SMART Office.