

## STATEMENT OF THE PROBLEM

The Miami Tribe of Oklahoma, as a federally recognized Indian Tribe, is eligible to and has elected to carry out the requirements of the Sex Offender Registration and Notification Act (SORNA) according to The Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248, section 127, and has not delegated its duties since its election. A Tribal Resolution documents that election (See attachment). The SMART Office found during its September 2013 SORNA Substantial Implementation Review that the Miami Tribe has substantially implemented SORNA and have published their findings stating, *“The Miami Tribe of Oklahoma has put forth exceptional work and effort in substantially implementing SORNA and enhancing its sex offender registration and notification system.”* (<http://ojp.gov/smart/pdfs/sorna/MiamaTribeofOK.pdf>)

After successful implementation of SORNA, the Miami Tribe of Oklahoma now faces additional challenges in building a sustainable and practical SORNA program that is both federally compliant and honorably accountable to the Miami people in protecting the public and policing sex offenders and offenders against children.

With funding previously received from the Support for Adam Walsh Implementation Grant Program, the Miami Nation Tribal Police Department and tribal staff implemented the Miami Tribe of Oklahoma Sex Offender Registration Act Policies and Procedures Manual and Miami Tribe of Oklahoma Sex Offender Registration Code. We assisted the Modoc Tribe in developing their sex offender registry program, creating policies and procedures and codes for the Modoc Tribe as well as establishing a website for sex offender registry. The Modoc Tribe has now employed an administrator for their program; however, the Miami Nation Tribal Police still serves as their police force since they do not have their own police department.

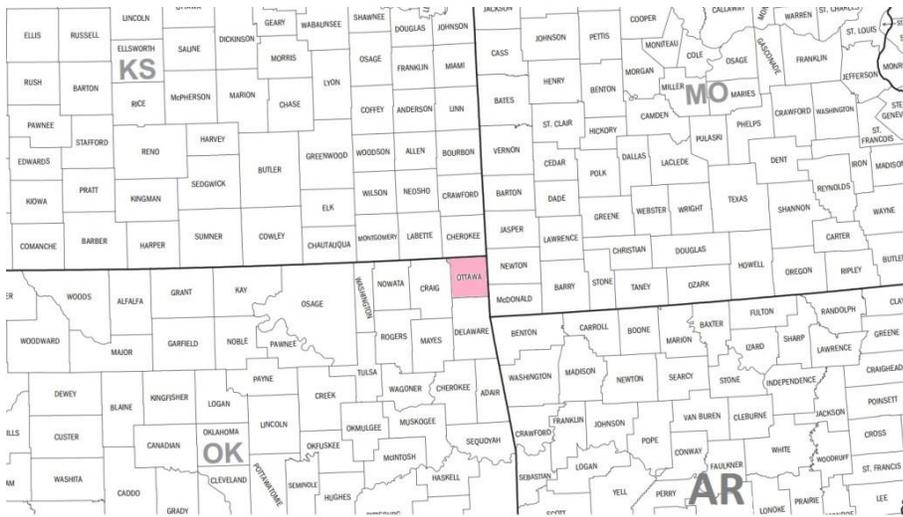
Due to our success from previous funding, the tribe currently has the ability to maintain a sex offender registry that includes a physical description, criminal history, fingerprints, palm prints, and a DNA sample of sex offenders, and established policies and procedures that enable the tribe to perform the requirements crucial to the registry system for both the Miami Tribe and the Modoc Tribe. The tribe complies with the notification requirements established in the AWA which includes maintaining a website making sex offender registry information available to the public.

Despite our successful implementation of SORNA and our readiness to proceed, we have had no offenders register to date with either the Miami Tribe of Oklahoma or the Modoc Tribe of Oklahoma. The reason for this is unclear, but possible explanations are public ignorance of our status as a sovereign nation and the requirement to register, the large numbers of known absconders and non-compliant offenders from Oklahoma and the three states with which we share contiguous borders, and other unknown factors. After checking sex offender websites of other tribes located in our area, it is clear that this is an across the board problem.

The Miami Tribe of Oklahoma and the Modoc Tribe of Oklahoma are both located in the extreme northeast corner of Oklahoma and both are headquartered in the City of Miami, named for the Miami people. This area is part of what is commonly referred to as the “Four States” that encompasses northeast Oklahoma, Southeast Kansas, Southwest Missouri, & Northwest Arkansas. Although our jurisdictional boundaries are only in Oklahoma, we have a high rate of daily commuter traffic between Kansas, Missouri and Arkansas for work, school and personal reasons. This fact increases the number of sex offenders our police department must monitor. Now that SORNA has been substantially implemented by the Miami Tribe, the number of man hours required for investigation, pursuit, monitoring, reporting and other requirements of

maintaining compliance with SORNA for the Miami Tribe and the Modoc Tribe have placed an unforeseen burden on the Miami Tribe. We have limited resources and do not have enough manpower or assets available to contribute to the program that we now know successful compliance requires to provide superior protection to the people of the Miami and Modoc Tribes and the consumers who daily frequent our places of business and enterprise within our jurisdictional areas.

Now that SORNA has been substantially implemented by the Miami Tribe of Oklahoma, the number of man hours required for investigation, pursuit, monitoring, reporting and other requirements of maintaining compliance with SORNA for both the Miami Tribe and the Modoc Tribe have placed an unforeseen burden on the Miami Tribe. We had not anticipated the degree to which we would have to actively seek out offenders and request that they register.



Our jurisdictional areas are rural and therefore cover many square miles, effectively most of Ottawa County, Oklahoma. Tribal offices are located in the city of Miami, Oklahoma, which was named in honor of the Miami Tribe. Both tribes have jurisdiction within Miami and rurally throughout Ottawa County. Again, our northeast Oklahoma location puts our borders in

contiguous alignment with two other States, Kansas and Missouri, and close proximity to a third state, Arkansas. In addition to the known offenders in Oklahoma, Missouri Highway Patrol shows 381 registered offenders living in Jasper county and 676 offenders working within the county. Newton County, Missouri shows 155 offenders living in the county and 180 working in Newton County. At the Missouri state line, Ottawa County borders up against the city of Joplin, which sits on the county line between Jasper and Newton Counties. Missouri Highway Patrol reports 152 absconders, who could be living and working anywhere. The Kansas Bureau of Investigation reports 59 registered sex offenders in Cherokee County Kansas, directly to the north of Miami tribal jurisdiction, with 11 of those shown as non-compliant. The KBI has a total of 7839 sex offenders and of that number 830 are currently non-compliant. Extreme northwest Arkansas is not directly adjacent to Ottawa County, however, it is within easy driving distance and Arkansas residents frequently work/shop/visit in the Miami area and vice versa. The Arkansas Crime Information Center shows 21 registered offenders in Benton County, Arkansas, and statewide 2,700 unmappable offenders. Many of these known four-state offenders have strong family and personal ties with Ottawa County, and some of their offenses occurred in Ottawa County. Moving across state lines makes these offenders that much more difficult to track. People who live outside Indian Country are not always familiar with tribal sovereign nation status and may truly be ignorant of their responsibility to register with our Tribal Police. The Miami Tribe of Oklahoma is in need of financial assistance to successfully overcome these challenges to maintaining ongoing compliance with SORNA and enhance our current program. Funds will be used to maintain the Miami Tribe's website and keep it in compliance with federal regulations, to receive additional training for guidelines on the Adam Walsh Act and other related trainings, and to enhance the current program by providing a full time police officer

dedicated to the SORNA program, a one-quarter time clerical assistant who will assist the police department in maintaining and enhancing the program, and the purchase of a fully equipped sport utility vehicle as a police car and a laptop computer for use by the dedicated SORNA police officer, as well as the creation of informational pamphlets that will educate tribal members of our SORNA compliance, the need for sex offenders to register and who to contact should they see a need.

Without funding from this grant we will not be able to set in motion the two-pronged approach that will rectify these deficits in our SORNA program. Currently our program, under previous funding from SMART under AWA, allows for our Chief of Police, Assistant Chief of Police, one Tribal Police Officer and our Tribal Attorney to each dedicate 10% of their time to the SORNA project, and allows for no clerical support. The grim nature of the work associated with SORNA and the AWA bids us to give our diligent effort to this project. While our Police Chief, Assistant Chief and Tribal Attorney will continue at their current proportions of time dedicated to the project, funding from this new grant will allow the addition of one full-time SORNA Compliance Police Officer and one quarter-time Clerical Assistant to aid the Tribal Police in maintaining and enhancing the SORNA program for two tribes.

The Miami Tribe of Oklahoma currently has over 233 employees. Some of these employees work in highly sensitive positions, such as the award-winning Leonard Learning Center daycare facility with 120 children, and the tribe's Title VI Nutrition Center with the elderly. The Modoc Tribe has over 230 employees. Their businesses, the Stables Casino, Modoc Smoke Shop, and Med Corp, Inc., work closely with the public. Both tribes are continually growing and seeking business opportunities and service programs that benefit our tribal citizens.

The above challenges and needs will be addressed through objectives and activities that will be funded through the grant with monies from the SMART program.

## **PROJECT DESIGN AND IMPLEMENTATION**

### **Project Goals and Objectives**

Goals: This program has two goals. The first is to successfully maintain and continue the requirements of SORNA under the Adam Walsh Act (AWA) for both the Miami and Modoc Tribes in our closely-related jurisdictions within Ottawa County, Oklahoma. The second is to enhance the existing initiative by building a sustainable and practical program that addresses the issues of non-reporting offenders and reaches tribal members with information designed to aid compliance and protect the public. Both of these goals will protect our tribal citizens and the general public from convicted sex offenders within our jurisdictions. These two goals are attainable, reasonable, and necessary for the safety of all who reside within both tribal jurisdictions. With these goals we hope to maintain and enhance the current SORNA program and protect our tribal citizens and the general public by maintaining and establishing a comprehensive, sustainable and practical program for the registration of sex offenders.

**Program Objectives:** Our 24-month proposed program will accomplish its goals through four specific, measurable and quantifiable objectives. The attached timeline shows when each objective and related activities will be accomplished.

- **Objective #1:** We will maintain the Miami Tribe and Modoc Tribe sex offender registration programs with the integrity of SORNA and the AWA and in compliance with respective federal regulations. This objective will continue throughout the funding period.

- **Objective #2:** We will enhance the current Miami Tribe of Oklahoma sex offender program with additional personnel dedicated to the project and increased monitoring and investigation of the area's four state sex offender registries. This objective will be accomplished during the first year of funding and continue throughout the funding period.
- **Objective #3:** We will facilitate, expand and enhance the Miami Tribe's program into a sustainable and practical program that will meet the unique needs of our Tribal jurisdiction. These activities will continue throughout the 24-month funding period.

Goal #2: Enhance the existing initiative by building a sustainable and practical program that addresses the issues of non-reporting offenders and reaches tribal members with information designed to aid compliance and protect the public.

- **Objective #1:** We will hire one (1) full-time SORNA Compliance Police Officer who will be dedicated to the SORNA program and will, along with the Chief of Police and Assistant Chief of Police, monitor the two tribal jurisdictions. This officer will be responsible for following all policies and procedures, for monitoring sex offender activities, for investigating and pursuing non-compliant offenders who are working, residing or going to school within tribal jurisdictions, and educating the public in the tribes' compliance with SORNA requirements, the need for convicted sex offenders to register with the Miami Nation Police and how and who to contact at the Miami Tribe Police Department to register and/or if they know if an offender who is not registered. This objective will be accomplished within the first quarter of funding.
- **Objective #2:** We will bring on the services of a one-quarter time dedicated clerical support assistant who will aid the Miami Nation Police Officers with clerical tasks related

to the SORNA program. This person will be work with the contractor who maintains the Miami Tribe and Modoc Tribe websites and advise them when website maintenance and registry updates are required, make travel and training arrangements, and help with reporting requirements. This Assistant will also help the SORNA Officer monitor sex offender registries for Oklahoma and Ottawa County and across the four states area. This objective will be accomplished within the first year of funding.

- **Objective #3:** We will purchase a fully equipped sport utility vehicle to be used as a police car for the SORNA officer. This will enable the officer to cover the rural area of the Miami Tribe and Modoc Tribe jurisdictions in Ottawa County, Oklahoma in order to investigate, pursue and monitor sex offenders in our tribal jurisdictions.
- **Objective #4:** We will furnish the SORNA Compliance Police Officer with a laptop computer that will aid him in his duties of monitoring sex offenders, investigating and pursuing non-compliant offenders, and educating and protecting the public.

<b>Implementation and Enhancement Strategy:</b>
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To achieve our goals of maintaining and enhancing the Miami Tribe of Oklahoma and Modoc Tribe of Oklahoma SORNA Compliance Program that will sustain SORNA under the AWA, we will follow, accomplish and complete specific activities for each objective.

**Performance measures:**

**Objective #1: Maintain the Miami Tribe's and the Modoc Tribe's Sex Offender**

**Registration Programs**

**Activities** under this objective will include:

1. In year one travel will take place to the 2015 national Symposium on Sex Offender Management and Accountability, or another comparable training opportunity should the SORNA Symposium not be offered, to remain current on Federal guidelines and ideas to maintain a successful program.
2. Travel will also take place to the 2016 National Symposium on Sex Offender Management and Accountability, or another comparable training opportunity should the SORNA Symposium not be offered, when it is scheduled. For 2016's symposium, the budget will mirror the cost of travelling to the 2015 Symposium.
3. Officers will verify each offender is living or working in documented location and conduct face-to-face contact with offenders as outlined in the SORNA requirements. This activity will take place throughout the 24-month funding period.
4. Collecting, storing, analyzing, and using sex offender biometric data (finger and palm prints) and DNA to maintain a sex offender registry as well as for investigative purposes. Project staff will register and monitor offenders within the two tribes' jurisdictions as well as monitoring state SORNA information to be aware of offenders contiguous to Miami and Modoc tribal jurisdictions.
5. Fulfill requirements quarterly through financial and programmatic reports.
6. Continual monitoring of federal regulations pertaining to the AWA and SORNA to be aware of any changes that occur. This will ensure our program is up to date with current regulations and can implement and revise our program, when necessary.

**Objective #2: Enhance the Miami Tribe's and the Modoc Tribe's programs with additional personnel dedicated to the project**

**Activities** under this objective will include

1. In the first year, within the first quarter of funding, we will hire a full-time SORNA Compliance Officer at 40 hours per week. This officer will be dedicated to fulfilling the requirements of the SORNA program under AWA, and will be responsible for protecting and educating tribal members and the general public regarding tribal SORNA compliance and policies, for policing and monitoring registered sex offenders, and for investigating and pursuing convicted sex offenders who have failed to register with the Miami Tribe and the Modoc Tribe.
2. In the first year, within the first quarter of funding, we will hire a one-quarter time SORNA Compliance Clerical Assistant at 10 hours per week. This assistant will be dedicated to helping the Miami Tribal Police Department fulfill SORNA requirements by contacting the company contracted for website maintenance issues on an as-needed basis, making travel and training arrangements, registration updates, monitoring state and county sex offender websites, and offering other clerical support as needed.
3. In the first year, within the first quarter of funding, we will purchase a sport utility vehicle that is fully equipped to function as a Miami Nation Police car, that will enable our SORNA Compliance Police Officer to travel throughout our tribal jurisdictions in Ottawa County in order to monitor sex offender activity, educate tribal citizens and the general public, and investigate and pursue non-compliant offenders within the jurisdictions of the Modoc and Miami tribes.
4. In the first year, within the first quarter of funding, we will purchase a laptop computer for use by the SORNA Compliance Police Officer to aid in his efforts to monitor sex offender activity, educate tribal citizens and the general public, and

investigate and pursue non-compliant offenders within the jurisdictions of the Modoc and Miami tribes.

**Objective #3: Build a sustainable and practical program that will meet the unique needs of the Miami Tribe's and Modoc Tribe's jurisdictions**

**Activities** under this objective include:

1. Within the first year of funding, we develop pamphlets for distribution to tribal citizens and to aid in the Police Department's public education efforts regarding our SORNA program. Use of these pamphlets will continue throughout the 24-month funding period.
2. The Clerical Assistant will assist the Police Department by notifying the Miami Tribe's sex offender website maintenance contractor of needed updates and maintenance issues, offering clerical support for reporting requirements, making travel and training arrangements, and monitoring state and county sex offender websites for Oklahoma, Kansas, Arkansas and Missouri. This activity will continue throughout the 24-month funding period.
3. Continual monitoring of federal regulations pertaining to the AWA and SORNA to be aware of any changes that occur. This will ensure our program is up to date with current regulations and can implement and revise our program, when necessary. Project staff will register and monitor offenders within the tribes' jurisdictions. Project staff will follow the policies and procedures to register individuals, which will include: completing sex offender registration forms, photographing offenders, blood or saliva samples, forwarding/ mailing forms and information to the Sex and Violent

Crime Offender Registration Unit, ensure offenders understand the process through “Notice of Duty to Register,” notify the recent registering agency of offenders address change, and ensure offenders change of address to new residence. These steps mirror the registration process followed by the Oklahoma Department of Corrections.

<b>CAPABILITIES AND COMPETENCIES:</b>
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**Management Structure:**

The Miami Tribe of Oklahoma is governed by a five-member Business Committee, which consists of the Chief, Second Chief, Secretary/Treasurer, and two Council members. Officials are elected in three-year staggered terms by the nationwide Tribal Council during the Miami Tribe’s Annual Meeting held the first weekend in June. The Tribal Council is responsible for the overall well-being of the tribe and the development of policies and procedures for the administration, fiscal management, and bylaws that govern the tribe. The Business Committee meets monthly to conduct tribal business.

System to track funding and progress of grants are through the Accounting Procedure Manual. All departments, programs, businesses and projects of the Miami Tribe of Oklahoma are required to adhere to the financial and personnel policies set in place. The public sector agency responsible for the project is the Miami Tribe of Oklahoma’s Public Safety Office.

**Staffing:**

We have created a SORNA team to successfully carry out the execution of the program. The team consists of four current Miami Tribal employees: three officers from the Miami Tribe

Police Department, and the Miami Tribe's attorney, [REDACTED]. Our Police Department Personnel have over 60 years of combined expertise in the law enforcement field and are well qualified to carry out the activities of the SORNA program. The tribal attorney will ensure compliance with Federal regulations in accordance with SORNA and the AWA. Copies of each team members' resumes are attached.

Supervision of the project will be done by [REDACTED], Miami Tribal Chief of Police. He will also serve as the Project Director. [REDACTED] has over 40 years of law enforcement experience. He will dedicate 10% of his regular duties to the project.

[REDACTED] is the Assistant Chief of Police. He will dedicate 10% of his time to the project. Prior to joining the Miami Tribe law enforcement team, [REDACTED] served as the Chief of Police for the City of Fairland, Oklahoma, and Police Department for 10 years. He has been in law enforcement since 1981.

Tribal Police Officer [REDACTED] will serve as the SORNA Compliance Police Officer. [REDACTED] is currently a full-time Detective with the City of Miami Police Department (MPD) and he works part-time with the Miami Tribal Police. [REDACTED] is CLEET certified and has 24 years experience with MPD. His expertise is a valuable asset to our SORNA team. He has already attended SORNA training events and is very knowledgeable about SORNA policies and procedures, along with an accomplished history as an investigator.

[REDACTED] is a clerical assistant with the Miami Tribe of Oklahoma, currently assigned to other duties. She has familiarized herself with SORNA reporting requirements

To complete the team, we have [REDACTED], Miami Tribal Attorney. She will guarantee the program is in compliance with all Federal guidelines and keep staff notified of any changes

in regulations. She offers many years of experience with the Tribe and as an attorney. She will dedicate 5% of her time to the project.

All project personnel will follow the Policies and Procedures, be trained or have a refresher course in the use of equipment, in-take information, provide information for the website, monitor websites of other jurisdictions, and dedicate time and detailed attention to successfully facilitate SORNA under the AWA.

The project staff dedicating their time within their regular, ongoing duties is highly experienced to accomplish the goals and objectives for the proposed project. Our very qualified SORNA team has come from different fields and work well together to effectively carry out this project. The Miami Tribal Police Department works diligently in providing safe environments for the public in both the Miami and Modoc tribal jurisdictions.

██████████ of K LW-Webwork will be contracted to update the Miami Tribe's website to keep it in compliance with reporting requirements of the AWA and build upon it in conjunction with the TTSORS system. This site will have links to the Dru Sjodin National Sex Offender Public Website, Oklahoma Sex and Violent Crime Offender Registry website, and other required websites. He will also train staff on proper input techniques and equipment usage. He will serve as a valuable contact for technological purposes.

With more than 20 years of collaborative experience, ██████████ and K LW-Webwork have created national award-winning, grant-supported, and contracted web and print materials for a wide range of web services to academic, community, corporate, and nonprofit organizations. Moreover, ██████████ has worked with the Miami Tribe in the past and has proven his ability and dedication to our projects. A copy of his resume is attached.

With the guidance of the Department of Justice, the Miami Tribe of Oklahoma believes this project will strengthen our sovereignty by allowing the opportunity to experience these issues. By enhancing this program, we are reaching a larger area, and providing a safer community for everyone residing within both the Miami and Modoc jurisdictional areas. The results of this project will be a safer place to live and a benefit to all of the public.

**PLAN FOR COLLECTING THE REQUIRED DATA FOR PERFORMANCE**

**MEASURES**

**Performance Measures**

To assist in fulfilling the Department of Justice’s responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, and the GPRA Modernization Act of 2010, P.L. 111-352, the Miami Tribe of Oklahoma will provide data that measures the work results.

These performance measures include:

- Percentage of registered sex offenders in compliance with sex offender registry requirements
- Percentage increase in compliance enforcement efforts and community notifications.
- Number of Sex Offenders identified in the jurisdiction.

Performance will be documented within databases or spreadsheets in efforts to achieve project objectives and performance measures. This information will be monitored during the project period by the SORNA Team and evaluated by the Miami Tribe’s Business Committee annually. Documentation will be provided to the SMART Office to fulfill grant requirements.

The SORNA Team will be assigned to carry out activities and objectives of the program. They will be responsible for maintaining the Miami Tribe’s Sex Offender Registration and Notifications Act Program, establishing outreach to other jurisdictions, and preparing and disseminating notification requirements. They will also oversee [REDACTED] in the website maintenance to ensure all required areas are included on the site and in compliance with SORNA and the AWA.

Activity of the law enforcement pertaining to the program will be closely monitored by Project Director [REDACTED] to ensure that SORNA requirements are followed for successfully maintaining the Miami Tribe’s program. This will ensure a successful program that creates a safer environment for the betterment of the community residing within our jurisdictional areas or working for our tribes.

The impact of the strategy implemented will be determined when the Miami Tribe’s website is changed, all policies and procedures are followed, and all codes are in place and in compliance with SORNA.

The Miami Tribe will accomplish the goals and objectives by providing documentation to the SMART Office as verification. Our measurable objectives will be reported with the following features:

Objective	Performance Measures	Data Tribe Provides
Maintain the Miami Tribes and the Modoc Tribe’s Sex	Semi-Annual participation in the SORNA National	Documentation will be provided following

Offender Registration Programs	Symposium Year 1	participation Number of staff trained during the reporting period
	Participation in a national SORNA training event in year two	Documentation will be provided following participation ; number of staff trained during the reporting period
	Update of the website for the Miami Tribe of Oklahoma.	Documentation will be provided to the SMART Office with a link to the site.
Enhance jurisdiction efforts to increase public safety	Educate community of the Miami Tribe's compliance with SORNA and how to report.	Copies of pamphlets will be provided to the SMART office.
	Purchase of a Sport Utility Vehicle for use by the SORNA Compliance Police Officer	Documentation will be provided with a sales receipt
	Purchase of the equipment package to fully outfit a Sport Utility Vehicle for use as a	Documentation will be provided with sales receipts

	Miami Tribal police car, including radios, shotgun, computer, flashlight, computer stand, lighting package, sirens, installation, radio console, push bar and unlock tools	
	Purchase of a laptop computer for use by the SORNA Compliance Police Officer in monitoring offenders and educating the public.	Documentation will be provided with a sales receipt.

Tribal Police officers will be responsible for ensuring that all safety zone regulations and rules are followed, i.e. inspect residential areas in which an offender wishes to live before moving to make certain the location meets safety zone regulations. These safety zone regulations would guarantee the proposed dwelling is not within a specified distance from schools, daycare facilities, parks, or other restricted safety zone areas. Officers will verify that each offender is living or working in the documented location on a yearly, bi-yearly, or monthly basis according to SORNA requirements for each type of offense.

***Sustainability:***

The primary challenge for the tribe is creating a sustainable and practical SORNA program that is efficient and effective.

The SORNA team will continue to attend conferences and obtain training to remain current on laws, policies and procedures. The addition of a Full-time officer to the SORNA program, especially one who is as experienced in investigation as [REDACTED], will allow the tribe to determine the cause of the lack of registrations by known offenders. Addressing this issue will determine the next phase of our ongoing SORNA compliance and allow us to evaluate what challenges we will want to meet for a sustainable and workable program. The addition of a one-quarter-time clerical assistant will aid the police department in tracking and managing offenders and with reporting requirements, freeing officers to spend their time with face-to-face contact and investigative work.

Because the Miami Tribe of Oklahoma sees the importance of an effective SORNA program, we feel our utmost efforts are required in maintaining and enhancing our current project. Funding from this grant will allow us to meet the financial burden associated with our increasing efforts to keep our tribal citizens and the general public safe within the jurisdictions of the Miami and Modoc Tribes.