



SEX OFFENDER REGISTRATION AND NOTIFICATION ACT: SUBSTANTIAL IMPLEMENTATION CHECKLIST

This checklist is designed as a tool to assist registration jurisdictions as they seek to substantially implement Title I of the Adam Walsh Child Protection and Safety Act of 2006, the Sex Offender Registration and Notification Act (SORNA). It is not a definitive guide to SORNA's full implementation requirements. Jurisdictions are advised to consult with the SMART Office throughout their implementation process to ensure that their laws, policies, procedures, and practices conform with the entirety of what SORNA requires.

This checklist includes SORNA's basic requirements, along with space for users to fill in their jurisdictions' statutes, policies, and procedures. Please be advised that this version continues to update an earlier version of the checklist with the following:

1. Sex Trafficking of Children by Force, Fraud, or Coercion (18 U.S.C. 1591) was INCORRECTLY listed as a Tier I Offense; it is a Tier II Offense.
2. The Kids Act of 2008 (34 U.S.C. § 20916 & 34 U.S.C. § 20917) amended the SORNA provisions of the Adam Walsh Act by adding Internet identifiers as items that are NOT permitted to be displayed on public sex offender registry websites.

Additionally, this latest version of the checklist makes substantive changes to the previous version with changes authorized by the Supplemental Guidelines, including:

1. Jurisdictions are required to have sex offenders report international travel 21 days in advance of such travel and to submit information concerning such travel to the appropriate Federal agencies and databases.
2. Jurisdictions are required to utilize the SORNA Exchange Portal to ensure consistent interjurisdictional information sharing and tracking of sex offenders.
3. Jurisdictions must now include the forms signed by sex offenders acknowledging that they were advised as required registration information.
4. Relating to recapture of sex offenders, jurisdictions are now to require registration for individuals who reenter the jurisdiction's criminal justice system because of a conviction for some other **felony** crime (whether or not it is a sex offense).

The SORNA Checklist is organized into 14 sections, covering the major requirements of the Act. Each section contains a table listing the SORNA requirement with space to answer whether the jurisdiction meets that requirement (yes/no), the relevant statute citation and/or the relevant administrative policy or procedure page number, and a "notes" space to further elaborate or explain the jurisdiction's approach to the corresponding requirement. When submitting a completed checklist, please attach all relevant statutes, codes, and administrative policy or procedures, along with documentation of database/data sharing systems and the jurisdiction's public sex offender website.



Pursuant to §127 of the Adam Walsh Act, designated federally recognized Indian tribes were entitled to elect to become SORNA registration and notification jurisdictions or to delegate the responsibility to the state in which they are located. As of December 2010, 192 federally recognized Indian tribes have elected to be SORNA registration and notification jurisdictions. If a state has a tribe or tribes located within its boundaries that have elected to implement SORNA, the SMART Office also requests that these states submit the following information:

- An explanation of working relationship with SORNA tribes
- The name and contact information of the tribal point of contact for the State
- Any information sharing arrangements, including DNA, Fingerprints, NCIC, Criminal History, and Corrections Information
- Any Memoranda of Understanding (MOU) or Cooperative Agreements

For those federally recognized Indian tribes have elected to be SORNA registration and notification jurisdictions, the SMART Office also requests that these tribes submit the following information:

- An explanation of working relationship with State(s) in which the tribe is located
- The name and contact information of the State point of contact for the tribe
- Any information sharing arrangements, including DNA, Fingerprints, NCIC, Criminal History, and Corrections Information
- Any Memoranda of Understanding (MOU) or Cooperative Agreements

Please be advised that additional information is required for tribes when submitting a Substantial Implementation Package for review by the SMART Office. Information for tribes about these additional materials and how to submit materials to the SMART Office is available on the SMART Office Website:

www.smart.gov



I. IMMEDIATE TRANSFER OF INFORMATION

Whenever a sex offender initially registers or updates their registration information with a jurisdiction, that jurisdiction is required to immediately notify any other jurisdiction where the sex offender resides, is an employee, or is a student and each jurisdiction from or to which a change of residence, employment, or student status occurs. This includes notification to any relevant SORNA-registration jurisdiction, including states, territories, tribes, and the District of Columbia.

The jurisdiction is also required to immediately update the National Sex Offender Registry (NSOR) and its own public sex offender registry website.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
'Immediate' and 'immediately' are defined as 'within 3 business days'			
Any initial registration and/or updated information is immediately sent to any required SORNA-registration jurisdiction, including:			
<ul style="list-style-type: none"> • States 			
<ul style="list-style-type: none"> • D.C. 			
<ul style="list-style-type: none"> • The five principal U.S. Territories (Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, and the U.S. Virgin Islands) 			
<ul style="list-style-type: none"> • Any tribe operating as a SORNA registration jurisdiction 			
<ul style="list-style-type: none"> • NCIC/NSOR 			
<ul style="list-style-type: none"> • The jurisdiction's public sex offender registry website 			



II. OFFENSES THAT MUST BE INCLUDED IN THE REGISTRY

A jurisdiction must include certain sex offenders in their registration schemes. As defined by SORNA, sex offenders are individuals convicted of sex offenses.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
An adult sex offender is convicted for SORNA purposes if her or she has been subject to penal consequences based on the conviction, however it may be styled.			
The following two classes of convictions are also included in the SORNA definition of convicted, and must be included in the jurisdiction’s registry: ¹			
<ul style="list-style-type: none"> • Convictions of juveniles who are prosecuted as adults. 			
<ul style="list-style-type: none"> • Persons adjudicated delinquent as a juvenile for a sex offense, but only if the offender is 14 years of age or older at the time of the offense and the offense adjudicated was comparable to or more severe than aggravated sexual abuse (as described in 18 U.S.C. § 2241(a) or (b)), or was an attempt or conspiracy to commit such an offense. 			

SORNA specifies the sex offenses which, if they already exist in a jurisdiction, must be included in any jurisdiction’s registration scheme, as well as those convictions from other jurisdictions (including the federal government and foreign countries) which must be included. Jurisdictions are not required to enact any new substantive sex offense crimes in order to substantially implement SORNA.

Jurisdictions must register any sex offender convicted of any of the following offenses:

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Any attempt or conspiracy to commit any sex offense			
Convictions under the following federal statutes (including any offenses prosecuted under the Assimilative Crimes Act (18 U.S.C. §1152 or §1153)):			

¹ See SMART’s Juvenile Fact Sheet for additional information.
http://www.ojp.usdoj.gov/smart/pdfs/factsheet_sorna_juvenile.pdf



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
• 18 U.S.C. §1591 (Sex Trafficking of Children)			
• 18 U.S.C. §1801 (Video Voyeurism of a Minor)			
• 18 U.S.C. §2241 (Aggravated Sexual Abuse)			
• 18 U.S.C. §2242 (Sexual Abuse)			
• 18 U.S.C. §2243 (Sexual Abuse of a Minor or Ward)			
• 18 U.S.C. §2244 (Abusive Sexual Contact)			
• 18 U.S.C. §2245 (Offenses Resulting in Death)			
• 18 U.S.C. §2251 (Sexual Exploitation of Children)			
• 18 U.S.C. §2251A (Selling or Buying of Children)			
• 18 U.S.C. §2252 (Material Involving the Sexual Exploitation of Minors)			
• 18 U.S.C. §2252A (Material Containing Child Pornography)			
• 18 U.S.C. §2252B (Misleading Domain Names on the Internet)			
• 18 U.S.C. §2252C (Misleading Words or Digital Images on the Internet)			
• 18 U.S.C. §2260 (Production of Sexually Explicit Depictions of a Minor for Import in to the United States)			
• 18 U.S.C. §2421 (Transportation of a Minor for Illegal Sexual Activity)			
• 18 U.S.C. §2422 (Coercion and Enticement of a Minor for Illegal Sexual Activity)			
• 18 U.S.C. §2423 (Transportation of Minors for Illegal Sexual Activity, Travel With the Intent to Engage in Illicit Sexual Conduct with a Minor, Engaging in Illicit Sexual Conduct in Foreign Places)			
• 18 U.S.C. §2424 (Failure to File Factual Statement about an Alien Individual)			
• 18 U.S.C. §2425 (Transmitting Information about a Minor to further Criminal Sexual Conduct)			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Jurisdictions must also register certain sex offenders convicted of foreign sex offenses when such offenders are convicted either:			
<ul style="list-style-type: none"> Under the laws of Canada, United Kingdom, Australia, and New Zealand 			
<ul style="list-style-type: none"> In any foreign country where the U.S. State Department, in its Country Reports on Human Rights Practices, has concluded that an independent judiciary generally (or vigorously) enforced the right to a fair trial in that country during the year in which the conviction occurred.² 			
Jurisdictions must register anyone convicted of a military offense specified by the Secretary of Defense under section 115(a)(8)(C)(i) of Public Law 105-119 (10 U.S.C. §951 note). Jurisdictions are encouraged to review Department of Defense Instruction (DoDI) 1325.7 and the current 10 U.S.C. §920 et. seq. to determine which UCMJ convictions will be appropriate for inclusion. ³			
Jurisdictions are required to register any person who has been convicted of a criminal offense in any state, tribe, territory, or the District of Columbia, and any foreign country (subject to the limitations described above) that involves:			
<ul style="list-style-type: none"> Any conduct that by its nature is a sex offense against a minor 			
<ul style="list-style-type: none"> Any type or degree of genital, oral, or anal penetration 			
<ul style="list-style-type: none"> Any sexual touching of or contact with a person's body, either directly or through the clothing 			
<ul style="list-style-type: none"> Criminal sexual conduct involving a minor (where the elements of the offense involve physical contact with the victim), or the use of the internet to facilitate or attempt such conduct 			

² These annual reports can be found at <http://www.state.gov/g/drl/rls/hrrpt/>

³ The current version of DoDI 1325.7 can be found here: <http://www.dtic.mil/whs/directives/corres/pdf/132507p.pdf>



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
<ul style="list-style-type: none"> Including offenses whose elements involve using other persons in prostitution -- such as provisions defining crimes of "pandering," "procuring," or "pimping" in cases where the victim was below 18 at the time of the offense 			
<ul style="list-style-type: none"> False imprisonment of a minor 			
<ul style="list-style-type: none"> Kidnapping of a minor 			
<ul style="list-style-type: none"> Possession, production, or distribution of child pornography 			
<ul style="list-style-type: none"> Solicitation of a minor to practice prostitution 			
<ul style="list-style-type: none"> Solicitation to engage a minor in sexual conduct (this should be understood broadly to include any direction, request, enticement, persuasion, or encouragement of a minor to engage in sexual conduct) 			
<ul style="list-style-type: none"> Use of a minor in a sexual performance 			
<p>Jurisdictions are required to register any person who has been convicted of conduct similar to that prohibited by the following Federal Offenses:</p>			
<ul style="list-style-type: none"> 18 U.S.C. §1591 (Sex Trafficking by Force, Fraud, or Coercion) 			
<ul style="list-style-type: none"> 18 U.S.C. §1801 (Video Voyeurism of a Minor) 			
<ul style="list-style-type: none"> 18 U.S.C. §2241 (Aggravated Sexual Abuse) 			
<ul style="list-style-type: none"> 18 U.S.C. §2242 (Sexual Abuse) 			
<ul style="list-style-type: none"> 18 U.S.C. §2244 (Abusive Sexual Contact) 			
<ul style="list-style-type: none"> 18 U.S.C. §2422(b) (Coercing a Minor to Engage in Prostitution) 			
<ul style="list-style-type: none"> 18 U.S.C. §2423(a) (Transporting a Minor to Engage in Illicit Conduct) 			



III. TIERING OF OFFENSES

Once a jurisdiction determines which sex offenses will require registration, it will have to decide at what ‘level’ of registration those convicted of each particular offense must register. SORNA establishes a baseline or minimum standard by way of a 3-tier classification system.

For the purposes of tiering sex offenses:

- Minor is defined as an individual under the age of 18
- Sexual contact means offenses that cover sexual touching of or contact with the intimate parts of the body, either directly or through the clothing
- Sexual act means offenses involving:
 - Any direct touching of the genitals of a person under 16; or
 - Oral, anal, or vaginal penetration of any kind which occurs:
 - when the victim is under 13
 - by force
 - by way of threat or intimidation
 - when the victim has been rendered unconscious
 - when the victim is incapable of appraising the nature of their conduct;
 - when the victim is physically incapable of communicating non-consent;
 - when a drug or intoxicant has been administered which substantially impairs the ability of the other person to appraise or control their conduct

The following table will assist jurisdictions in tiering federal offenses. We recommend using the State Tiering table (starting on page 10) to tier state/territory/tribal offenses. Additionally, please indicate how your jurisdiction tiers out-of-state offenses.

SORNA Requirement	Y/N	Statute Citation	Notes
Tier I Offenses — Convictions that have an element involving a sexual act or sexual contact with another, that are not included in either Tier II or Tier III, including:			
• False Imprisonment of a Minor			
• Video Voyeurism of a Minor			
• Possession or Receipt of Child Pornography			
• The following Federal Offenses:			
• 18 U.S.C. §1801 (Video Voyeurism of a Minor)			
• 18 U.S.C. §2252 (Receipt or Possession of Child Pornography)			
• 18 U.S.C. §2252A (Receipt or Possession of Child Pornography)			



SORNA Requirement	Y/N	Statute Citation	Notes
• 18 U.S.C. §2252B (Misleading Domain Name)			
• 18 U.S.C. §2252C (Misleading Words or Digital Images)			
• 18 U.S.C. §2422(a) (Coercion to Engage in Prostitution)			
• 18 U.S.C. §2423(b) (Travel with the Intent to Engage in Illicit Conduct)			
• 18 U.S.C. §2423(c) (Engaging in Illicit Conduct in Foreign Places)			
• 18 U.S.C. §2423(d) (arranging, inducing, procuring, or facilitating the travel in interstate commerce of an adult for the purpose of engaging in illicit conduct for financial gain)			
• 18 U.S.C. §2424 (Filing Factual Statement about Alien Individual)			
• 18 U.S.C. §2425 (Transmitting Information about a Minor to further Criminal Sexual Conduct)			
• Any comparable military offense specified by the Secretary of Defense under section 115(a)(8)(C)(i) of Public Law 105-119 (10 U.S.C. §951 note)			

Tier II Offenses — Convictions that involve:			
• A person previously convicted of a tier I offense whose current sex offense conviction is punishable by more than one year imprisonment			
• The use of minors in prostitution (to include solicitations)			
• Enticing a minor to engage in criminal sexual activity			
• A non-forcible Sexual Act with a minor 16 or 17 years old			
• Sexual contact with a minor 13 or older			
• The use of a minor in a sexual performance			
• The production or distribution of child pornography			
The following Federal Offenses:			



SORNA Requirement	Y/N	Statute Citation	Notes
• 18 U.S.C. §1591 (Sex Trafficking by Force, Fraud, or Coercion)			
• 18 U.S.C. §2423(d) (arranging, inducing, procuring, or facilitating the travel in interstate commerce of an adult for the purpose of engaging in illicit conduct for financial gain)			
• 18 U.S.C. §2244 (Abusive Sexual Contact, Victim 13 or Older)			
• 18 U.S.C. §2251 (Sexual Exploitation of Children)			
• 18 U.S.C. §2251A (Selling or Buying of Children)			
• 18 U.S.C. §2252 (Sale or Distribution of Child Pornography)			
• 18 U.S.C. §2252A (Sale or Distribution of Child Pornography)			
• 18 U.S.C. §2260 (Producing Child Pornography for Import)			
• 18 U.S.C. §2421 (Transportation for Prostitution)			
• 18 U.S.C. §2422(b) (Coercing a Minor to Engage in Prostitution)			
• 18 U.S.C. §2423(a) (Transporting a Minor to Engage in Illicit Conduct)			
Any comparable military offense specified by the Secretary of Defense under section 115(a)(8)(C)(i) of Public Law 105-119 (10 U.S.C. §951 note)			

Tier III Offenses — Convictions that involve:			
• A person previously convicted of a tier II offense whose current sex offense conviction is punishable by more than one year imprisonment			
• Non-parental kidnapping of a minor			
• Any Sexual Act with another			
• Sexual contact with a minor under 13			
The following Federal Offenses:			
• 18 U.S.C. §2241 (Aggravated Sexual Abuse)			
• 18 U.S.C. §2242 (Sexual Abuse)			
• 18 U.S.C. §2243 (Sexual Abuse of a			

U.S. Department of Justice

Office of Justice Programs

Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART)



SORNA Requirement	Y/N	Statute Citation	Notes
Minor or Ward)			
• 18 U.S.C. §2244 (Abusive Sexual Contact, victim under 13)			
Any comparable military offense specified by the Secretary of Defense under section 115(a)(8)(C)(i) of Public Law 105-119 (10 U.S.C. §951 note)			



State Offense Tiering

Please list state/territory/tribal offenses, along with statute citation, and any notes necessary for interpretation (corresponding SORNA Tier to be determined by SMART staff). If your jurisdiction does not use a tiering structure, please indicate registration duration (i.e., 15 years, 25 years, lifetime) and frequency of reporting required (i.e., annually, twice-yearly, quarterly) for each offense.

State Tier	Statute Citation	Notes	SORNA Tier
Tier I Offenses			

Tier II Offenses			

Tier III Offenses			



IV. REQUIRED REGISTRATION INFORMATION

Once a jurisdiction determines which sex offense convictions will require what level of registration, the question turns to the types of information they are required to collect for their sex offender registry. These requirements are different from the more limited list of items that are required to be displayed via a jurisdiction’s public sex offender registry website.

All information is to be available in digitized format. Jurisdictions will need to maintain all required registration information in a digitized form that will enable it to be immediately accessed by or transmitted to various entities. The jurisdiction’s registry must be an electronic database, and descriptions of the required types of information should consistently be understood as referring to digitizable information rather than hard copies or physical objects.

However, when items and/or data might be stored in separate databases (such as DNA profiles in CODIS, fingerprints in IAFIS, or professional licensing information with a separate board or committee), it is sufficient if a jurisdiction provides an identification number or some other indicator of precisely where such registration information might be found, and in which database.

SORNA Requirement	Digitized	Y/N	Statute Citation or Regulation Page #	Notes
Criminal History information, including:	<input type="checkbox"/>			
• Date of all arrests	<input type="checkbox"/>			
• Date of all convictions	<input type="checkbox"/>			
• Status of parole, probation, or supervised release	<input type="checkbox"/>			
• Registration status	<input type="checkbox"/>			
• Outstanding arrest warrants	<input type="checkbox"/>			
Date of Birth, including:				
• Actual date of birth	<input type="checkbox"/>			
• Purported date of birth	<input type="checkbox"/>			
DNA, including:				
• A DNA sample must be taken, or must have been taken, from the sex offender for purposes of analysis and entry of the resulting DNA profile into the Combined DNA Index System (CODIS)	<input type="checkbox"/>			
• Samples are analyzed and submitted for entry to CODIS	<input type="checkbox"/>			
Driver’s License or ID Card:				



SORNA Requirement	Digitized	Y/N	Statute Citation or Regulation Page #	Notes
<ul style="list-style-type: none"> A photocopy of a valid driver's license or identification card (to include a tribal identification card) issued to the sex offender by a jurisdiction 	<input type="checkbox"/>			
Employment Information, including:				
<ul style="list-style-type: none"> Employer Name (Business Name) 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Employer Address 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Transient/day labor employment information 	<input type="checkbox"/>			
Fingerprints: taken and submitted to IAFIS	<input type="checkbox"/>			
Internet Identifiers, including:				
<ul style="list-style-type: none"> Email addresses 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Instant Message addresses/identifiers 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Any other designations or monikers used for self-identification in Internet communications or postings 	<input type="checkbox"/>			
<ul style="list-style-type: none"> All designations used by sex offenders for purposes of routing or self-identification in Internet communications or postings 	<input type="checkbox"/>			
Name, including:				
<ul style="list-style-type: none"> Primary, given name 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Nicknames, aliases, pseudonyms generally, regardless of context in which it is used 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Ethnic or Tribal names by which they are commonly known 	<input type="checkbox"/>			
Palm Prints:				
<ul style="list-style-type: none"> Palm Prints taken and submitted to the FBI Central Database (Next Generation Identification Program) 	<input type="checkbox"/>			
Passports and Immigration Documents, including:				
<ul style="list-style-type: none"> Digitized copies of passports 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Digitized copies of immigration documents 	<input type="checkbox"/>			



SORNA Requirement	Digitized	Y/N	Statute Citation or Regulation Page #	Notes
Phone Numbers, including:				
<ul style="list-style-type: none"> Telephone numbers and any other designations used by sex offenders for purposes of routing or self-identification in telephonic communications 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Land line telephone numbers 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Cell phone telephone numbers 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Photograph collected unless appearance has not changed significantly, on the following schedule: 	<input type="checkbox"/>			
<ul style="list-style-type: none"> <ul style="list-style-type: none"> Tier I Offender: Once every Year 	<input type="checkbox"/>			
<ul style="list-style-type: none"> <ul style="list-style-type: none"> Tier II Offender: Once every 6 Months 	<input type="checkbox"/>			
<ul style="list-style-type: none"> <ul style="list-style-type: none"> Tier III Offender: Once every 90 Days 	<input type="checkbox"/>			
Physical Description, including:				
<ul style="list-style-type: none"> Physical description of the sex offender 	<input type="checkbox"/>			
<ul style="list-style-type: none"> General description of physical appearance or characteristics 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Any identifying marks, such as scars or tattoos, etc. 	<input type="checkbox"/>			
Professional Licensing Information:				
<ul style="list-style-type: none"> Concerning all licensing of the registrant that authorizes the registrant to engage in an occupation or carry out a trade or business 	<input type="checkbox"/>			
Registration Forms: forms signed by sex offenders acknowledging that they were advised of their registration obligations	<input type="checkbox"/>			
Resident Address, including:				
<ul style="list-style-type: none"> Address of each residence at which the sex offender resides or will reside 	<input type="checkbox"/>			
<ul style="list-style-type: none"> If no permanent residence, location or description that identifies where the sex offender "habitually lives" 	<input type="checkbox"/>			



SORNA Requirement	Digitized	Y/N	Statute Citation or Regulation Page #	Notes
School Name and Address	<input type="checkbox"/>			
Social Security Number				
• Valid social security number	<input type="checkbox"/>			
• Purported social security number(s)	<input type="checkbox"/>			
Temporary lodging information, including:				
• Identifying information (location) of temporary location(s)	<input type="checkbox"/>			
• Dates of travel	<input type="checkbox"/>			
Text of Registration Offense: The text of the provision of law defining the offense for which the sex offender is registered	<input type="checkbox"/>			
Vehicle Information of all vehicles owned or operated by the offender, whether for work of personal use, including:				
• License plate number	<input type="checkbox"/>			
• Registration number or identifier	<input type="checkbox"/>			
• Land Vehicles	<input type="checkbox"/>			
• Aircraft	<input type="checkbox"/>			
• Watercraft	<input type="checkbox"/>			
• Description of all vehicles identified above	<input type="checkbox"/>			
• Permanent or frequent location where all vehicles are kept	<input type="checkbox"/>			



V. WHERE REGISTRATION IS REQUIRED

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
All sex offenders convicted in the jurisdiction are required to initially register.			
All sex offenders who complete their sentence of incarceration in the jurisdiction are required to initially register.			
All sex offenders who reside in the jurisdiction are required to register.			
All sex offenders who are employees in the jurisdiction are required to register. "Employee" includes an individual who is self-employed or works for any other entity, whether compensated or not.			
All sex offenders who are students in the jurisdiction are required to register. "Student" is an individual who enrolls in or attends an educational institution, including (whether public or private) a secondary school, trade or professional school, and institution of higher education.			



VI. INITIAL REGISTRATION: TIMING AND NOTICE

A sex offender is required to register at particular times, depending on whether he or she is incarcerated within the jurisdiction, sentenced within the jurisdiction, or arriving from another jurisdiction.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
When a sex offender is incarcerated within the jurisdiction, registration must occur before release from “imprisonment” for the registration offense. Imprisonment refers to incarceration pursuant to a conviction, regardless of the nature of the institution in which the offender serves the sentence.			
When a sex offender is sentenced within the jurisdiction, but not incarcerated, registration must occur within three business days of sentencing for the registration offense.			
When an offender is convicted and/or sentenced in another state, territory, tribe, or country, or in a federal or military court, and chooses to reside, work, or attend school in a jurisdiction. Registration must occur within three business days of the sex offender establishing residence, employment, or school attendance within the jurisdiction.			
Duties of a Jurisdiction When an Offender Initially Registers:			
<ul style="list-style-type: none"> • Inform the sex offender of his or her duties under SORNA 			
<ul style="list-style-type: none"> • Explain the SORNA duties to sex offender 			
<ul style="list-style-type: none"> • Require the sex offender to read and sign a form stating that the duty to register has been explained and that the sex offender understands the registration requirement 			
<ul style="list-style-type: none"> • Ensure that the sex offender is registered 			



VII. INITIAL REGISTRATION: RETROACTIVE CLASSES OF OFFENDERS

SORNA, by its terms, applies to all sex offenders, regardless of when they were convicted. Jurisdictions are required to recapture (i.e., appropriately classify and register) certain offenders, including those who previously may have not been required to register, but who would be required to register under the jurisdiction’s new SORNA-implementing legislation.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Procedure in place to recapture three categories of sex offenders:			
<ul style="list-style-type: none"> Currently incarcerated or under supervision, either for the predicate sex offense or for some other crime 			
<ul style="list-style-type: none"> Already registered or subject to a pre-existing sex offender registration requirement under the jurisdiction’s law 			
<ul style="list-style-type: none"> Reenter the jurisdiction’s criminal justice system because of a conviction for some other felony crime (whether or not it is a sex offense) 			
The initial registration of these recaptured offenders must take place within a certain amount of time (from date of implementation of SORNA in the jurisdiction), depending on the tier classification of the sex offender:			
<ul style="list-style-type: none"> Tier I Offenders: Within One Year 			
<ul style="list-style-type: none"> Tier II Offenders: Within 6 Months 			
<ul style="list-style-type: none"> Tier III Offenders: Within 3 Months 			



VIII. KEEPING THE REGISTRATION CURRENT

The duties of a sex offender to a registration jurisdiction will depend on whether the jurisdiction is the:

- Residence Jurisdiction (the jurisdiction in which the offender resides), the
- Employment Jurisdiction (the jurisdiction in which the offender is an employee), or the
- School Jurisdiction (the jurisdiction in which the offender is a student)

This section addresses the duties of a sex offender to each of the preceding types of jurisdictions regarding the sex offender’s duty to keep their registration current.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Residence Jurisdiction — Immediately appear in-person to update any of the following information:			
• Name			
• Residence			
• Employment			
• School Attendance			
• Termination of residence			
Immediately update any changes to the following information (an in-person appearance is not required):			
• Email addresses			
• Instant Message addresses			
• Any other designations used in internet communications, postings, or telephone communications			
• Vehicle Information			
• Temporary Lodging Information			
• Upon receipt of this information, the jurisdiction must immediately notify the jurisdiction in which the offender will be temporarily staying			
Duties of the Residence Jurisdiction When An Offender Intends to Relocate to Another Country:			
• Immediately notify any other jurisdiction where the sex offender is either registered, or is required to register, of that updated information			
• Immediately notify the U.S. Marshals Service			
• Immediately update NCIC/NSOR			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Information			
Employer Jurisdiction — When an offender is employed in a jurisdiction, but neither resides nor attends school there, that offender must immediately appear in-person to update any of the following information:			
<ul style="list-style-type: none"> • Employment-related information in that jurisdiction 			
<ul style="list-style-type: none"> • Termination of employment in that jurisdiction 			
School Jurisdiction — When an offender attends school in a jurisdiction, but neither resides nor works there, that offender must Immediately appear in-person to update any of the following information:			
<ul style="list-style-type: none"> • School-related information in that jurisdiction 			
<ul style="list-style-type: none"> • Termination of school in that jurisdiction 			

Special Issue: International Travel

Sex offenders must inform their residence jurisdictions 21 days in advance if they intend to travel outside of the United States, and that jurisdictions that are so informed must notify the U.S. Marshals Service and update the sex offender's registration information in the national databases.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Duties of the Residence Jurisdiction When An Offender Intends to Travel to Another Country:			
<ul style="list-style-type: none"> • Offender must report intent 21 days in advance of travel. 			
<ul style="list-style-type: none"> • Immediately notify any other jurisdiction where the sex offender is either registered, or is required to register, of that updated information 			
<ul style="list-style-type: none"> • Immediately notify the U.S. Marshals Service 			
<ul style="list-style-type: none"> • Immediately update NCIC/NSOR Information 			



IX. VERIFICATION/APPEARANCE REQUIREMENTS

Sex offenders must register for a duration of time, and make in-person appearances at an interval that is driven by the tier of their sex offense.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Tier I Offenders must register:			
• Once a year			
• For 15 years			
Tier II Offenders must register:			
• Every 6 Months			
• For 25 years			
Tier III Offenders must register:			
• Every 3 Months			
• For life			
At the sex offender’s regularly-scheduled in-person appearance, the following must occur:			
• A current photograph must be allowed to be taken			
• The sex offender must review the existing registration information for accuracy			

Reduction of Registration Periods

There are only two classes of sex offenders that SORNA permits to have a reduced registration period, provided certain requirements are met. The first is any Tier I offender, and the second is any Tier III offender who is required to register because of a juvenile adjudication.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Tier I Offender — An offender’s registration and notification requirement may be terminated if the following conditions are met:			
• The sex offender has had ten years with a “clean record”:			
• Not being convicted of any offense for which imprisonment for more than 1 year may be imposed;			
• Not being convicted of any sex offense;			
• Successful (without revocation)			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
completion of any periods of supervised release, probation, and parole;			
<ul style="list-style-type: none"> Successful completion of an appropriate sex offender treatment program certified by a jurisdiction or by the Attorney General. (34 U.S.C. § 20917(b)(1)) 			
<p>Tier III Offender — An offender’s registration and notification requirement may be terminated if the following conditions are met:</p>			
<ul style="list-style-type: none"> The sex offender is required to register based on a juvenile delinquency adjudication for an offense which required Tier III registration 			
<ul style="list-style-type: none"> The sex offender has had twenty-five years with a “clean record” 			
<ul style="list-style-type: none"> Not being convicted of any offense for which imprisonment for more than 1 year may be imposed; 			
<ul style="list-style-type: none"> Not being convicted of any sex offense; 			
<ul style="list-style-type: none"> Successful (without revocation) completion of any of supervised release, probation, and parole; 			
<ul style="list-style-type: none"> Successful completion of an appropriate sex offender treatment program certified by a jurisdiction or by the Attorney General. (34 U.S.C. § 20917(b)(1)) 			



X. REGISTRY WEBSITE REQUIREMENTS

Every jurisdiction will need to maintain a public sex offender registry website, as specified below. This website must contain the information detailed below on each sex offender in the registry. Information about a tier I sex offender convicted of an offense other than a “specified offense against a minor” as defined in 34 U.S.C. § 20911(7) may be excluded from a jurisdiction’s public sex offender registry website.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
The jurisdiction must participate fully in the National Sex Offender Public Website, including taking the necessary steps to enable all field search capabilities required by NSOPW, including but not limited to:			
• Name;			
• County, City or Town;			
• Zip Code			
• Geographic Radius			
Links to sex offender safety and education resources			
Instructions on how to seek correction of information that an individual contends is erroneous.			
A warning that information on the site “should not be used to unlawfully injure, harass, or commit a crime against any individual named in the registry or residing or working at any reported address...and that any such action could result in civil or criminal penalties.”			
Website Search-field capability:			
• Name			
• County, City and/or Town			
• Zip Code			
• Geographic Radius			
Items that must be displayed on public registry website:			
• Absconder: when the offender is in violation or cannot be located, the website must note this fact			
• Criminal History: any other sex offense for which the sex offender has been convicted			
• Current Offense: the sex offense for			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
which the offender is registered			
• Employer address			
• Name, including all aliases			
• Photograph (current)			
• Physical description			
• Resident Address, including any information about where the offender "habitually lives"			
• School address			
• Vehicle(s) information, including: • license plate number(s); and • vehicle description(s)			
Information That Is NOT Permitted to be Displayed on Public Websites:			
• Victim Identity			
• Criminal History: any arrests not resulting in conviction			
• Social Security Number			
• Travel and Immigration Document Numbers			
• Internet Identifiers			

Special Issue: Witness Protection

Jurisdictions are permitted and encouraged to make provision in their laws and procedures to accommodate consideration of the security of such individuals and to honor requests from the United States Marshals Service and other agencies responsible for witness protection in order to ensure that their original identities are not compromised.



XI. COMMUNITY NOTIFICATION

Community Notification is a distinct requirement of SORNA, apart from the maintenance of a sex offender registry and a public sex offender registry website. In certain cases, jurisdictions will be required to disseminate information about sex offenders to agencies and individuals in the community, as indicated below.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
<p>Law Enforcement Notification — Whenever a sex offender initially registers in a jurisdiction, or updates their registration information in a jurisdiction, the jurisdiction must immediately notify the specific agencies and monitor the SORNA Exchange Portal for inter-jurisdictional changes.</p>			
<ul style="list-style-type: none"> Monitor or utilize the SORNA Exchange Portal for inter-jurisdictional change of residence, employment or student status. 			
<ul style="list-style-type: none"> Notify each jurisdiction where the sex offender resides, is an employee, or is a student, and each jurisdiction from or to which a change of residence, employment, or student status occurs. 			
<ul style="list-style-type: none"> Update NCIC/NSOR 			
<ul style="list-style-type: none"> Notify Police Departments 			
<ul style="list-style-type: none"> Notify Sheriffs' Offices 			
<ul style="list-style-type: none"> Notify Prosecutor's Offices 			
<ul style="list-style-type: none"> Notify Probation Agencies 			
<ul style="list-style-type: none"> Notify any other agencies with criminal investigation, prosecution, or sex offender supervision functions 			
<ul style="list-style-type: none"> Notify any agency responsible for conducting employment-related background checks under section 3 of the National Child Protection Act of 1993 (34 U.S.C. § 40101) 			
<p>General Community Notification — Whenever a sex offender initially registers in a jurisdiction, or updates their registration information in a jurisdiction, and a jurisdiction follows the procedures</p>			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
outlined below, it will be sufficient to comply with the general community notification portion of SORNA:			
<ul style="list-style-type: none"> An automated notification system⁴ is adopted by the jurisdiction that incorporates the following features: 			
<ul style="list-style-type: none"> Any initial registration, and any changes in a sex offender’s registration information, are posted to the jurisdiction’s public registry website within three business days 			
<ul style="list-style-type: none"> An email notification (including a sex offender’s identity) is made available to the general public whenever a sex offender commences: <ul style="list-style-type: none"> Residence Employment School attendance Within a certain zip code or geographic radius 			

XII. FAILURE TO REGISTER AS A SEX OFFENDER: STATE PENALTY

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Each jurisdiction, other than a Federally recognized Indian tribe, shall provide a criminal penalty that includes a maximum term of imprisonment that is greater than 1 year for the failure of a sex offender to comply with the requirements of their registration and notification requirements in a jurisdiction.			

⁴ Jurisdictions are not required to adopt an automated notification system in order to implement this general community notification portion of SORNA. If a jurisdiction chooses not to do so, however, it will still be held to SORNA’s baseline requirements. Please contact the SMART office for assistance in determining which alternate procedures would substantially implement this portion of SORNA.



XIII. WHEN SEX OFFENDER FAILS TO APPEAR FOR REGISTRATION

When a jurisdiction is notified that a sex offender intends to reside, be employed, or attend school in their jurisdiction, and that offender fails to appear for registration as required, the jurisdiction receiving that notice must take the following actions.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Inform the jurisdiction that provided the notification (that the offender was to commence employment, residence, and/or school in the new jurisdiction) that the sex offender failed to appear for registration.			

XIV. WHEN A JURISDICTION HAS INFORMATION THAT A SEX OFFENDER MAY HAVE ABSCONDED

When a jurisdiction has information that a sex offender may have absconded, certain actions must be taken.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
An effort must be made to determine whether the sex offender has actually absconded			
If no determination can be made, then a law enforcement agency with jurisdiction to investigate the matter must be notified			
If the information indicating the possible absconding came through notice from another jurisdiction or federal authorities, the authorities that provided the notification must be informed that the sex offender has failed to appear and register			
If an absconded sex offender cannot be located, then the jurisdiction must take the following steps:			
The information in the registry must be revised to reflect that the sex offender is an absconder or unlocatable			
A warrant must be sought for the sex offender’s arrest, if the legal requirements for doing so are satisfied			
The United States Marshals Service, which			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
is the lead federal agency for investigating sex offender registration violations, must be notified			
The jurisdiction must update NCIC/NSOR to reflect the sex offender's status as an absconder or unlocatable			
The jurisdiction must enter the sex offender into the National Crime Information Center Wanted Person File (assuming issuance of a warrant meeting the requirement for entry into that file)			