

Rogers, Laura

*tiers/clean record*

From: [REDACTED]  
Sent: Monday, May 21, 2007 10:01 AM  
To: GetSMART  
Cc: [REDACTED]  
Subject: SMART, comments regarding

Regarding page 52, third paragraph, last sentence:

It is a shame that those branded a tier II and III have no recourse to reduce their reporting requirements. Many such individuals, because of a singular offense that earned the tier designation, regardless of age when committed, are marked for a lifetime. There should be some consideration for a life worthily lived after a period of time to be able to free themselves from at least having to register for the rest of their lives. Being branded a sex offender is a life sentence in itself regardless of the tier. It makes finding meaningful employment and decent living arrangements extremely difficult for someone trying to be rehabilitated and perhaps raise a family.

Further, on page 53, the bulleted item at the top:

It appears that such successfully completed treatments, at least those conducted in a correctional facility, are not recognized once released and often repeated when on parole. Some sort of after incarceration treatment should be required but taking into account what the offender has already done.

Yours truly,

Edward M. Gundersen

*Registration length*

**Rogers, Laura**

**From:** [REDACTED]  
**Sent:** Tuesday, June 12, 2007 10:48 AM  
**To:** GetSMART; [REDACTED]  
**Subject:** Adam Walsh Act

I have a concern about the duration of registration requirement. Under the Duration of Registration it states: It generally requires that sex offenders keep the registration current for 15 years in case of a tier I sex offender, for 25 years in case of a tier II sex offender, and for the life of the sex offender in case of a tier III sex offender, "excluding any time the sex offender is in custody or civilly committed." However, it does NOT deal with Non Compliance of offenders during the required registration period. This could cause a problem, because approximately 99% of the offenders we deal with are the ones who do not update their information, move and don't tell anyone and so forth. It would be nice if the act would also include "excluding anytime the sex offender is in custody, civilly committed or when any person who is required to register under this act knowingly or willfully fails to comply with the registration requirement."

Thank you,  
Detective Kim Kleinsorge

[REDACTED]  
[REDACTED]  
[REDACTED]

Rosengarten, Clark

*Keep current*

From: Rogers, Laura on behalf of GetSMART  
Sent: Monday, July 30, 2007 11:45 AM  
To: Rosengarten, Clark  
Subject: FW: OAG Docket No. 121

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From: Grace Grogan [REDACTED]  
Sent: Monday, July 30, 2007 8:46 AM  
To: GetSMART  
Subject: OAG Docket No. 121

Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking  
Justice Department's Office of Justice Programs

SUBJECT: OAG Docket No. 121

I am writing to address some issues with the Adam Walsh Proposed Guidelines, Section X KEEPING THE REGISTRATION CURRENT

Section 113(c) provides that each sex offender must no later than three business days after each change of name, residence, employment or student status appear to register these changes. **It needs to be specified that all law enforcement agencies be required to accept registrations 24 hours per day, 7 days per week**, so that offenders can comply with these requirements without jeopardizing their jobs or interfering with their student activities. There are some law enforcement agencies that will only accept registrations during certain times of day, making it difficult for offenders to stay in compliance. The three-day rule makes this even harder, and therefore increases the need for all law enforcement agencies to accept registrations at any time of day or night.

This same section further requires offenders to register in Residence, Employment and School jurisdictions. By the terms of the Adam Walsh Act, a jurisdiction is a state. With the extensive information sharing capabilities of the software described in this Act, **it should be specified that one registration within that state covers all these areas**. There is no reason for offenders to be required to register in various cities or counties within their state jurisdiction...this causes increased paperwork, duplicates registration procedures and increases the chances for discrepancies caused by different agencies entering the information repeatedly.

**IT SHOULD BE MANDATORY THAT WHENEVER AN OFFENDER REGISTERS OR UPDATES HIS/HER INFORMATION THAT THEY BE PROVIDED WITH A COPY OF THAT UPDATE/REGISTRATION.** This is not designated in the guidelines, but is the only proof that that offender has to prove they have complied with the registration requirements in the event of an entering error on the part of the law enforcement agencies. Many young men and women have avoided prosecution only by being able to present documentation of this nature.

Thank you for your consideration.

7/30/2007

**Rosengarten, Clark**

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**From:** Rogers, Laura on behalf of GetSMART  
**Sent:** Tuesday, July 31, 2007 10:56 AM  
**To:** Rosengarten, Clark  
**Subject:** FW: OAG Docket No. 121

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**From:** Grace Grogan [REDACTED]  
**Sent:** Monday, July 30, 2007 9:09 PM  
**To:** GetSMART  
**Subject:** OAG Docket No. 121

Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking  
Justice Department's Office of Justice Programs

**SUBJECT:** OAG Docket No. 121

I am writing concerning discrepancies/contradictions within the guidelines which may cause confusion and ultimately lead to offenders unknowingly violating registration requirements.

The goal should be to ensure compliance with registration guidelines, and for that to happen there needs to be some consistency.

Under Temporary Lodging Information Sec. 114(a)(7) – page 31 of the proposed guidelines, it states that jurisdictions must require sex offenders to provide information about any place in which the offender is staying for seven or more days, identifying the place and the period of time they will be staying there.

Section VIII. Where Registration is Required Section VIII. Where Registration is Required – Page 46 states that a jurisdiction must require a sex offender to register in the jurisdiction as a resident under SORNA if the sex offender has a home in the jurisdiction, or if the offender lives in the jurisdiction for at least 30 days, and that each jurisdiction may choose whether this is 30 consecutive days, 30 nonconsecutive days over a 45 day period or 30 nonconsecutive days within a calendar year.

The logical solution would be to incorporate Temporary Lodging under the 30 day allowance of Section VIII, but setting an established consecutive period of time before registration is required, and not allow states to shorten that period of time. To ensure the most compliance there should be an allowance for the length of time an offender can take a reasonable family vacation without have to register while traveling, and this time frame should be consistent within the 50 United States and its possessions. Since most businesses offer between 2-4 weeks of paid vacation each year, the 30 consecutive day requirement before having to register in a jurisdiction would be most reasonable and prevent unnecessary processing of paperwork, registrations, etc. Again, states should not be allowed to shorten the period of time when within their state.

Consistency amongst all of the states will allow for the most compliance and reduce paperwork,

7/31/2007

needless prosecution due to confusion of requirements, etc.

Thank you for your consideration.

Mother, Grandmother  
Concerned Citizen

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See what you're getting into...before you go there. Check it out!

**Rogers, Laura**

**From:** [REDACTED]

**Sent:** Wednesday, June 13, 2007 10:48 AM

**To:** GetSMART

**Subject:** OAG Docket No 121

I am writing to you about section 114 (a)(7) A sex offender is required to supply information about any place in which the sex offender is staying 7 days or more. This section is to general. Does it mean 7 days in a row? Does in mean 7 days in a calander year? The other problem with this is that how does it get enforced? This does not provide any more protection to the public, but gives them the feeling of more protection. Now if a sex offender does say they are staying at a place for more than 7 days will they be required to register at that location also? And if so will the sex offender have to register everytime they go to that location?

7/21/2007

**Rogers, Laura**

**From:** [REDACTED]  
**Sent:** Friday, June 15, 2007 1:01 PM  
**To:** GetSMART  
**Subject:** OAG Docket No 121

Sec 113 (a) (b) (c) and Sec 117 (a) Change of address and loction of work. 3 working days to change that information at all of the locations is an unreasonable time. 10 working days. Futhermore the sex offender should only be reporting any changes to the place of primary residence. In this day and age of electronic comincations it is unreasonable to think this information can not be transmitted electronically to say a different jursdiction then the sex offenders primary home if say they work in one jursdiction andlive in anouther. Futhermore if they are changing vehicles, e mail or phone numbers it says that infomation will be reported immediatly. Again the sex offender should only have to report this information to the primary place of residence. The information then can be transmitted electronically to the other jursdictions that the sex offender is working in or going to school in. To have them report in person to more locations than one will in the end be counter productive as many may go underground and stop reporting altogether. Futher if under the SONRA a sex offender is required to do so many steps, then soon an offender will take this to court. The courts may rule that this is additional punishment and not in keeping with the public saftey requirement set fourth by the courts already.

7/21/2007

**Rogers, Laura**

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**From:** [REDACTED]  
**Sent:** Monday, June 18, 2007 1:13 PM  
**To:** GetSMART  
**Subject:** OAG Docket No 121

Sec 114 (a) (7) Seven consecutive days in one location requires reporting. This statement is too broad. It should read Seven consecutive days in one location in any calendar year require reporting of address and location.

7/21/2007



**Rogers, Laura**

**From:** [REDACTED]  
**Sent:** Wednesday, June 27, 2007 2:44 PM  
**To:** GetSMART  
**Subject:** OAG Docket No 121

The SONRA under the Adam Walsh act will require that all sex offenders report to any jurisdictions in which they live, go to school, and work. This will place an undue burden on law enforcement agencies though out the USA. Given that some jurisdictions will have over 200 sex offenders that will be required to report to them within the required three (3) days. In that short time frame some will have to register 200 or more sex offenders. To do that the jurisdiction will be forced to add more personnel just to get the offenders registered within the three (3) days. The three (3) days should be changed to ten (10) business days to report to the jurisdictions in question. Another issue with this part of the rules is that it will require a lot of duplication of work on the part of Law Enforcement, given that the sex offender will be required to report to multiple locations, when they work, live or go to school in one jurisdiction, but work, live or go to school in another jurisdiction. In that in this day and age the technology is available to forward information from one jurisdiction to another in a matter of seconds, it would be more prudent and a better use of resources for the sex offender to report to only one location and have that location forward the information to other jurisdictions the offender may work or go to school. The argument that having the sex offender report in person to all the locations, puts the offender on notice that they are known is one that holds little value in that the sex offender will already be aware that the information is forwarded to another jurisdiction of record. As for the Law Enforcement personnel recalling who they are and what they look like, this also holds little value in that it is very unlikely that the person registering the offender will recall what all the offenders they registered looked like, given the high numbers of offenders they will have to register.

**Rogers, Laura**

**From:** [REDACTED]  
**Sent:** Thursday, July 05, 2007 3:22 PM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

Sec 113 (A) (b) (C) and 117(a) As written will require that sex offenders report within 3 days any change of address, change of school, change of work location. This section also says that a sex offender must immediately report any change in vehicle, e mail address or any phone number change. 3 days is an unreasonable amount of time and should be changed to (10) ten business days. Furthermore the sex offender should only have to report the change to one of the three locations and the agency receiving this information required to update the sex offender data base. It is redundant to have the sex offender report to all the locations the change that has occurred. The courts may look at this as being very punitive in nature, in that it will not only be time consuming to the offender; it will also be costly in terms of transportation cost. It should also be brought to your attention that the more restrictive and harder you make it on the sex offenders to complete the requirements under the SONRA, the more non compliant sex offenders will become with the rules. If you do not think this statement is true look to the state of Iowa that has found that they need to change some of the restrictions they put on the books for sex offenders as now the obedience to registering is falling off. This has resulted in many of them going "underground" and lowered the effectiveness of sex offender registry; the same as it will with all the hoops you are having the sex offender jump through with your rules as written on the SONRA.

7/21/2007

**Rogers, Laura**

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**From:** Tim Poxson [REDACTED]  
**Sent:** Monday, July 16, 2007 2:25 PM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

Section 114 Part VI of the SONRA states in part; Each Jurisdiction an offender is a resident the offender must report immediately changes in vehicle information, lodging of seven days or more, changes in designations used for self- identification or routing information, internet communications or posting, or telephonic communications.

This requirement should give the offender 10 (ten) days to report changes. The real issue here is that sex offenders who are not going to re-offend will be in to change the information. However if an sex offender is offending is some way, they are not going to come in and tell the authorities they are offending and using xyz as their identifier. They are going to cover it up or just not report it. So although this rule looks good on paper its real effects will be no effect at all.

7/21/2007

**Rogers, Laura**

**From:** Tim Poxson [REDACTED]  
**Sent:** Thursday, July 19, 2007 4:12 PM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

I will try to be as short as possible. I have some issue with the time lines you are giving sex offenders to do things.

Sec 113 (a) (b) and (c) a;sp sec. 117 (a) one says that change of address change of work or school must be reported within 3 days of making the change. This is not long enough and should be changed to ten (10) days. It is unreasonable to think that people can come in within 3 days of making such changes.

Must report immediately changes; changes in vehicles,E mail addresses and other communications, lodging of seven days or more. It is unreasonable and should be ten days. This will cause many to be in violation of the law if left like it is.

Sec 113 (a) provides that a sex offender must keep the registration current in each jurisdiction in which the sex offender resides, goes to school or works. This is unreasonable and should be accomplished by one of the locations contacting the others via the internet. This one will also cause many to be in violation if left like it is.

The 3 day requirement of above will also make law Enforcement work harder in that more offenders will be coming in to law enforcement in a short time frame causing them problems in getting this work done in 3 days. Ten days would spread the numbers of people coming in out over a longer time, giving law Enforcement more room to get this job done.

Section 114 Part VI again says each sex offender must report to each jurisdiction any change in address, autos, changes in designations used for self identification or routing internet or posting, or telephonic communications. This should be changed to reporting to just one jurisdiction, it is redundant to have the sex offender report to each jurisdiction the change. It will also cause for violations if left like it is. I understand the need to have this information for law Enforcement, but it should also be mandatory that each state can not post this information on the web sight were sex offenders information is posted. To do so will cause some to communicate with the offenders in a negative fashion. This posting of information such as the e mail address would also lead to sex offenders communicating. If someone from the public needs to check an e mail address, this request should be handled by them submitting a e mail address to be checked against the e mails that law enforcement has in its data base. This request should not be made in a manner that would give out an address unless the one submitted by the citizen does belong to a sex offender in the data base.

7/21/2007

## Rosengarten, Clark

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**From:** Rogers, Laura on behalf of GetSMART  
**Sent:** Thursday, July 26, 2007 3:49 PM  
**To:** Rosengarten, Clark  
**Subject:** FW: OAG Docket No. 121

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**From:** David Hess [REDACTED]  
**Sent:** Wednesday, July 25, 2007 9:11 PM  
**To:** GetSMART  
**Subject:** OAG Docket No. 121

RE: OAG Docket No. 121

Thank you for this opportunity to comment on the proposed National Guidelines for Sex Offender Registration and Notification. I am a pastor in New York State and also the New York State Representative of SOhopeful International, a group which advocates for effective sex offender laws.

One of the primary purposes of the Adam Walsh Act (AWA) was to establish consistent and uniform sex offender registries in the various states. The Act specifies that states "shall" establish a 3 tier system which specifies different terms of registration and degrees of public notification for various offenders depending on the crime of conviction.

Unfortunately, the proposed guidelines give states license to ignore the tier system. The proposed guidelines state, "the Act generally constitutes a set of minimum national standards and sets a floor, not a ceiling, for jurisdictions' programs." **The purpose of the Act was not to set "minimum" standards but to set uniform and consistent standards in the various states.**

The Act was intended to address an inconsistent situation where a particular offender would be subject to a 10 year term of registration in one state and a lifetime registration in another. Under the Adam Walsh Act the offender was to be subject to the same length of registration no matter the state in which he resided. Not so under the proposed guidelines. Inconsistent systems of registration are allowed to continue. The proposed guidelines do not implement the Adam Walsh Act; they sabotage it.

The guidelines justify this approach by stating: "Such measures, which encompass the SORNA baseline of sex offender registration and notification requirements but go beyond them, generally have no negative implication concerning jurisdictions' implementation of or compliance with SORNA. This is so because the general purpose of SORNA is to protect the public from sex offenders and offenders against children through effective sex offender registration and notification, and it is not intended to preclude or limit jurisdictions' discretion to adopt more extensive or additional registration and notification requirements to that end."

It must be pointed out that going beyond the AWA requirements does have negative implications. These certainly include continuing a system of patchwork laws, but they also may have negative safety implications. This has been pointed out by respected experts in the field of sex offender management

such as Andrew J. R. Harris and R. Karl Hanson (*Sex Offender Recidivism: A Simple Question*, 2004-03, Public Safety and Emergency Preparedness Canada):

The variation in recidivism rates suggests that not all sex offenders should be treated the same. Within the correctional literature it is well known that the most effective use of correctional resources targets truly high-risk offenders and applies lower levels of resources to lower risk offenders (Andrews & Bonta, 2003). The greater the assessed risk, the higher the levels of intervention and supervision; the lower the assessed risk, the lower the levels of intervention and supervision. **Research has even suggested that offenders may actually be made worse by the imposition of higher levels of treatment and supervision than is warranted given their risk level (emphasis mine) (Andrews & Bonta, 2003).** Consequently, blanket policies that treat all sexual offenders as "high risk" waste resources by over-supervising lower risk offenders and risk diverting resources from the truly high-risk offenders who could benefit from increased supervision and human service.

To allow jurisdictions to ignore the uniform guidelines in AWA also makes AWA more difficult to implement. For example, Section 113 states:

**KEEPING THE REGISTRATION CURRENT.**—A sex offender shall, not later than 3 business days after each change of name, residence, employment, or student status, appear in person in at least 1 jurisdiction involved pursuant to subsection (a) and inform that jurisdiction of all changes in the information required for that offender in the sex offender registry. **That jurisdiction shall immediately provide that information to all other jurisdictions in which the offender is required to register.** (emphasis mine)

An inconsistent implementation of AWA on the part of jurisdictions makes it extremely difficult and confusing for jurisdictions to know what other jurisdictions to notify since registration requirements would be allowed to vary greatly.

I urge you to eliminate this "floor, not a ceiling" language in the guidelines. A uniform and consistent implementation of the registration requirement are true to both the spirit and letter of the Adam Walsh Act.

Sincerely,

Rev. Dr. C. David Hess

[REDACTED]

## Rosengarten, Clark

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**From:** Rogers, Laura on behalf of GetSMART  
**Sent:** Tuesday, July 31, 2007 10:53 AM  
**To:** Rosengarten, Clark  
**Subject:** FW: Docket No. OAG 121

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**From:** [REDACTED]  
**Sent:** Tuesday, July 31, 2007 10:47 AM  
**To:** GetSMART  
**Subject:** Docket No. OAG 121

**Re: Docket No. OAG 121**

The guidelines for the AWA should be a ceiling not a floor for the states anything other has a good chance of being deemed unconstitutional by the courts, I point to the narrative of the SCOTUS questions from the judges in the Alaska and Conn. cases.

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## Rosengarten, Clark

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**From:** Rogers, Laura on behalf of GetSMART  
**nt:** Monday, July 30, 2007 11:46 AM  
Rosengarten, Clark  
**Subject:** FW: Docket No. OAG 121  
**Attachments:** 307788946-Bewig comments re Docket No. OAG 121.doc



Bewig comments re  
Docket No. O...

-----Original Message-----

**From:** Matthew Bewig [REDACTED]  
**Sent:** Sunday, July 29, 2007 8:06 PM  
**To:** GetSMART  
**Subject:** Docket No. OAG 121

Attached are my comments on the proposed regulations relating to SORNA.

Thank you,

Matt Bewig

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29 July 2007

VIA ELECTRONIC AND FIRST CLASS MAIL

Laura L. Rogers  
Director, SMART Office  
Office of Justice Programs  
United States Department of Justice  
810 7th Street NW  
Washington, DC 20531

**Re: OAG Docket No. 121  
Proposed National Guidelines for Sex Offender Registration and Notification**

### Introduction

These comments are directed toward Sections II.B., V, and XII of the proposed guidelines, set forth at the Federal Register, Vol. 72, No. 103, (May 30, 2007). For the reasons set forth below, I respectfully request that the guidelines be withdrawn so that they can be rewritten to be in conformance with the statute, the intent of Congress, and the weight of expert opinion.

Specifically, the proposed guidelines state that, among other provisions, the sex offender registration requirements set forth at Sections 112 to 118 of the Sex Offender Registration Notification Act (hereinafter "SORNA"), P. L. 109-248, 120 Stat. 587, establish "a set of minimum national standards and sets a floor, not a ceiling, for jurisdictions' programs. Hence, for example, a jurisdiction may . . . require sex offenders to register for longer periods than those required by the SORNA standards." 72 Fed. Reg. at 30212. This approach is reflected as well in Sections V and XII of the proposed guidelines. This "minimum standards" aspect of the proposed regulations contradicts the plain language of the referenced sections of SORNA, and hence ought not to be adopted, as this would violate a cardinal rule of administrative law that regulations must be in accordance with, and may not be inconsistent with, the text of the statute they purport to interpret or enforce. Furthermore, this approach is inconsistent with the clear intent of Congress and the weight of expert opinion presented to the Congress.

### SORNA's Plain Language States that the Full Registration Periods are Maximums

First, the plain meaning of the statutory text of Sections 112 and 115 forecloses this "minimum standards" approach. Set forth below are relevant quotations of the statutory text (emphasis supplied):

"SEC. 112. REGISTRY REQUIREMENTS FOR JURISDICTIONS.

(a) JURISDICTION TO MAINTAIN A REGISTRY.—Each jurisdiction *shall maintain a jurisdiction-wide sex offender registry conforming to the requirements of this title.*"

"SEC. 115. DURATION OF REGISTRATION REQUIREMENT.



(a) FULL REGISTRATION PERIOD.—A sex offender shall keep the registration current for the *full registration period* (excluding any time the sex offender is in custody or civilly committed) unless the offender is allowed a reduction under subsection (b). The *full registration period* is—

- (1) 15 years, if the offender is a tier I sex offender;
- (2) 25 years, if the offender is a tier II sex offender; and
- (3) the life of the offender, if the offender is a tier III sex offender.

(b) REDUCED PERIOD FOR CLEAN RECORD.—

(1) CLEAN RECORD.—The full registration period shall be reduced as described in paragraph (3) for a sex offender who maintains a clean record for the period described in paragraph (2) by—

(A) not being convicted of any offense for which imprisonment for more than 1 year may be imposed;

(B) not being convicted of any sex offense;

(C) successfully completing any periods of supervised release, probation, and parole; and

(D) successfully completing of an appropriate sex offender treatment program certified by a jurisdiction or by the Attorney General.

(2) PERIOD.—In the case of—

(A) a tier I sex offender, the period during which the clean record shall be maintained is 10 years; and

(B) a tier III sex offender adjudicated delinquent for the offense which required registration in a sex registry under this title, the period during which the clean record shall be maintained is 25 years.

(3) REDUCTION.—In the case of—

(A) a tier I sex offender, the reduction is 5 years;

(B) a tier III sex offender adjudicated delinquent, the reduction is from life to that period for which the clean record under paragraph (2) is maintained.”

The meaning of this text could not be plainer. Subtitle A of SORNA, comprising sections 111 through 131, establishes a comprehensive system of federal requirements for sex offender registries throughout the United States. Section 111 sets forth a set of carefully worded definitions for three “tiers” of offenders. Section 112, titled “REGISTRY REQUIREMENTS FOR JURISDICTIONS” mandates that each jurisdiction “shall maintain” a registry of offenders in conformity with SORNA or suffer the fiscal consequences set forth at Section 125. In using the word “shall,” Congress stated a mandate, a requirement, not an optional choice. Section 115 sets forth the “full registration period” as being fifteen years, twenty-five years, and life, for Tier I, II, and III offenders, respectively. No language appears in Subtitle A or elsewhere in the statute, either stating or implying that these registration periods are minimums or floors. Had Congress intended these “full registration periods” to be minimums, it would have explicitly stated so, or it would have used terminology such as “minimum registration period” or the like. Instead, Congress chose to use the word “full,” which, according to *Webster’s Unabridged Dictionary* (1996), means “containing all that possibly can be placed or put within,” and “having the normal or intended capacity supplied or accommodated : entirely occupied.” In other words, by the plain meaning of the statute, Congress intended these to be maximum terms of registration, not minimum terms. Indeed, it is hard to understand how the life registration requirement for Tier III offenders could be anything other than a maximum.

The mandatory nature of these “full registration periods” is further underscored by the terms of Section 115(b), which states that “[t]he full registration period shall be reduced as described

in paragraph (3) for a sex offender who maintains a clean record for the period described in paragraph (2) by” meeting certain criteria. Once again, Congress uses the term “full registration period,” with no qualifying language indicating that these are minimum periods of time, and mandates that these periods “shall be reduced” when the criteria are met.

Indeed, the structure of these statutorily mandated reductions makes sense only if the registration periods are maximums, and is unworkable under the regulations as currently written. Take the example of a Tier I offender who meets the “clean record” criteria of Section 115(b), but lives in a jurisdiction in which all sex offenders (regardless of Tier classification) are subject to lifetime registration—of which there are quite a number, and were at the time Congress passed the statute. A lifetime registration requirement cannot be reduced by five years because its indefinite nature renders any subtraction from its termination point logically impossible.

A fundamental rule of statutory construction—and of regulatory rulemaking pursuant to statute—is that the words of Congress must be interpreted in a way that gives them meaning and does not reduce them to a nullity. The only ways to give meaning to the terms of Section 115(b), especially with regard to Tier I offenders, are either to interpret the full registration periods as mandated maximums, or to assume that Congress meant the reductions to operate similarly for Tier I and Tier III offenders, so that just as the Tier III reduction shortens the registration period to the same length as the clean record period of 25 years, the Tier I reduction likewise shortens the registration period to ten years.

### **The Legislative History Indicates that the Full Registration Periods were to be Maximums**

Furthermore, the legislative history of the statute demonstrates that Congress wrestled with the registration periods, and intended to create a nationally uniform sex offender registration system. For example, a key Senate report on the statute’s legislative history states that “[t]he Registry provisions were designed to establish uniform standards for the registration of sex offenders, including a lifetime registration requirement for the most serious offenders.” Activities Report of the Committee on the Judiciary, United States Senate, 2005–2006, Report 109–369, at 16. This report further states that “[i]n its original form, S. 1086 (the Senate antecedent to the Adam Walsh Act) was regarded by some Senate critics as too harsh in its requirements that states implement the provisions of a sex offender registry or face the loss of federal program funds. A similar concern was voiced regarding the bill’s treatment of lower level offenders.” *Id.* at 16. As to the first concern, Congress decided to relax the fiscal consequences of noncompliance—but not to remove the language requiring the states to comply with SORNA.

As to the latter issue, the relevant committees in both houses of Congress heard overwhelming testimony from experts in the field of sex offender recidivism and management that the best way to ensure public safety was to legislate shorter registration periods for low-risk offenders. For example, the Association for Treatment of Sexual Abusers, in written testimony submitted to the ranking Judiciary Committee members in both Houses, urged that “[l]ifetime registration . . . may in fact interfere with the stability of low risk offenders by limiting their employment and housing opportunities. Sex offenders represent a wide range of offense patterns and future risk. Research has found that community notification of low risk offenders may unnecessarily isolate them and lead to harassment and ostracism, which can inadvertently increasing their risk.” Letter from the ATSA Board of Directors, “Pending Sex Offender Registry Legislation (HR 3132, S 792, S 1086),” dated August 15, 2005. Based on these expert findings, ATSA

recommended that "sex offenders should be allowed to petition for release from registration when the sex offender is deemed to pose a low risk to the community AND the offender has successfully completed a sex offender treatment program AND the offender has been living in the community offense free for at least five years." *Id.*


Congress's considered, and largely positive, response to ATSA's recommendations was at least twofold. First, Congress added the system of classification at Section 111 establishing three tiers of offenders, with three corresponding "full registration periods." Second, at Section 115(b), Congress explicitly adopted ATSA's proposal by legislating a means by which lower level offenders may be relieved of registration requirements by completing sex offender treatment and maintaining a clean record. Congress made this reduction available only to two classes of offenders—low level Tier I offenders, and some Tier III offenders adjudicated as juveniles. As indicated by the plain meaning of the statute and by the legislative history, Congress clearly intended to mandate a reduced registration period for these limited classes of offenders.

This legislative history, this careful deliberation on the part of the legislative branch of government, however, would be undermined by the proposed regulations, because they allow the states to ignore the three tier system, and even to render the indisputably mandatory registration period reduction provisions of Section 115(b) an unworkable nullity, as explained above. Regulations that frustrate the clear intent of the Congress are improper and ought not to be made final.

### Conclusion

For the reasons set forth above, the Department should withdraw the proposed regulations. The Department should then rewrite the regulations in such a way as to give effect to the plain language and clear intent of Congress, specifically by recognizing the mandatory nature of the "full registration periods" and the registration period reduction provisions.

Respectfully submitted,

  
Matthew S.R. Bewig, M.A., J.D., A.B.D.



From: Rogers, Laura on behalf of GetSMART  
Sent: Monday, August 06, 2007 10:49 AM  
To: Rosengarten, Clark  
Subject: FW: comments on DOJ "SMART" guidelines

-----Original Message-----

From: BelleAnne Curry [REDACTED]  
Sent: Tuesday, July 31, 2007 8:18 PM  
To: GetSMART; christine\_leonard@judiciary-dem.senate.gov  
Subject: comments on DOJ "SMART" guidelines

Dear GetSMART@usdoj.gov and Ms. Christine Leonard:

One of the positive aspects of the Adam Walsh legislation - as written and signed into law - is that it provides a uniform code for sex-offender registries by specifying and defining with some specificity the three-tier classification of offenders by offense and number of offenses.

The guidelines proposed by the Department of Justice, if implemented, will negate the benefits of a national three-tier system by treating the states' registration laws as minimums. These published guidelines repeatedly make the point that the federal legislation is really just a minimum standard that the states are free to exceed. I do not understand how "guidelines" can so clearly contradict the legislation's language.

A patchwork quilt of state registration laws has resulted in big problems for law enforcement and low-risk offenders because so many state lawmakers are interested in being the first on the block to devise new ways to get tough on sex offenders. It is only natural for people to attempt to avoid the negative consequences of registration, and when laws differ from jurisdiction to jurisdiction, such avoidance is possible. When State A has 15-year registration and State B has lifetime registration - for the same offense - offenders will naturally be inclined to live in State A, and who can blame them? But then, State A discerns that offenders are moving in and changes its laws because it doesn't want to look like the weak sister. Pretty soon, your reasonable three-tier system is in shambles because every state requires lifetime registration. The result is actually decreased public safety, because you have low-risk offenders and high-risk offenders lumped together and the public will not take the registry seriously.

A simple reading of the legislation does not suggest that the classification system is intended as "a minimum." Do not try to make it such.

Rogers, Laura

'Conviction'

**From:** George and/or Barb [REDACTED]  
**Sent:** Thursday, July 26, 2007 8:46 PM  
**To:** GetSMART  
**Subject:** OAG Docket No. 121

Dear Ms. Rogers,

I am writing concerning the interpretation of whether a person should have to register when they do not have a conviction on their record.

The language in the Adam Walsh Act (AWA) defines a "sex offender" as an "individual who was convicted of a sex offense." There are 2 caveats 1) the consensual exclusion, and 2) the 14 – 18 year old aggravated sexual abuse inclusion. The AWA, as written, does not include those without a conviction or adjudication on their record (with the exception of the 14-18 juvenile aggravated sexual abuse inclusion). It also does not say that someone who has been granted a set-aside of their conviction has to register. The AWA guidelines **Section IV – Convictions Generally, paragraph 3**, includes those whose offenses were vacated or set-aside but were required to serve what amounts to a criminal sentence for the offense.

Since the language in the AWA act does not specifically say these individuals should be included, it therefore appears that the intent was that those without a conviction or adjudication NOT be included in the definition of sex offender per the act. This would mean that each State could make the decision on how these individuals should be handled. In speaking with legislative aides prior to the enactment of the AWA there is no question that many people were led to believe that the intent was NOT to include those without a conviction.

Further support for the exclusion of those without a conviction or adjudication is found when comparing the language in the AWA and the Jacob Wetterling Act (JWA). The AWA makes use of the word convicted/conviction, without any explicit reference to including those without a conviction or adjudication. This terminology was also used in the Jacob Wetterling Act, but the JWA guidelines specifically allowed for the exclusion of those without a conviction. That was its intent, and that was how it was implemented, leaving discretion up to the states.

In addition, each state handles these kinds of programs (programs that keep a conviction off a person's record or allow for a set-aside) differently, so it would be inappropriate for the federal law to make assumptions on that, or apply a law broadly to that. It makes sense that it would be the individual states that need to make that decision on whether these individuals should be placed on their SOR or not. It's wrong to second-guess that state program, and its application, and broadly include them in the AWA. A judicious decision was made at some point, and respect should be given to that decision. These individuals should not be subject to the SORNA standards, but should be subject to the requirements of their own state. This is only right since a judicious decision was made for some valid reason which allowed them to participate in such a program, or be eligible to have a conviction set-aside.

Individuals that were given programs that didn't result in a conviction, or have been allowed to get a record set-aside, have had to meet the criteria for such programs. These programs are almost always determined by a judge, or with the judge's approval.

Please revise guidelines **Section IV – Convictions Generally, paragraph 3**, to exclude these individuals without a conviction or adjudication on their record, and leave that decision up to the individual states.

8/16/2007

Sincerely,  
Barb Lambourne



Rogers, Laura

*conviction*

**From:** [REDACTED]  
**Sent:** Saturday, May 19, 2007 9:45 PM  
**To:** GetSMART  
**Subject:** Proposed Guidelines

I was wondering what is being done to protect children from offenders who have never been convicted, especially with the new trend of offenders pleading to lesser charges to avoid being placed on the sex offender registry.

In many more insulated Jewish communities it is frowned upon to report an offender to the "secular authorities." Instead rabbi tend to handle the cases on their own. Often chasing an offender out of town to unsuspecting new community. I know that this is not just happening in Jewish communities and is a problem that needs to be addressed.

Sincerely,  
Vicki Polin, MA, ATR-BC, LCPC

*The Awareness Center, Inc.*  
*(The Jewish Coalition Against Sexual Abuse/Assault)*  
*P.O. Box 65273, Baltimore, MD 21209*  
*www.theawarenesscenter.org*  
*443-857-5560*

*"An oak tree is just a nut that held its ground"*

\*\*\*\*\*

See what's free at <http://www.aol.com>.



Rogers, Laura

Convict

**From:** [REDACTED]  
**Sent:** Tuesday, June 26, 2007 11:52 AM  
**To:** GetSMART  
**Cc:** christine\_leonard@40judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

Below is a direct copy out of the rules the AG issued. Section IV (a)

This does not mean, however, that nominal changes or terminological variations that do not relieve a conviction of substantive effect negate the SORNA requirements. For example, the need to require registration would not be avoided by a jurisdiction's having a procedure under which the convictions of sex offenders in certain categories (e.g., young adult sex offenders who satisfy certain criteria) are referred to as something other than "convictions," or under which the convictions of such sex offenders may nominally be "vacated" or "set aside," but the sex offender is nevertheless required to serve what amounts to a criminal sentence for the offense. Rather, an adult sex offender is "convicted" for SORNA purposes if the sex offender remains subject to penal consequences based on the conviction, however it may be styled. Likewise, the sealing of a criminal record or other action that limits the publicity or availability of a conviction, but does not deprive it of continuing legal validity, does not change its status as a "conviction" for purposes of SORNA.

**Problem:** The problem I see with this is that if you read the section right before this one you will see that states may leave this type of offender off the SONRA. So this section starts out with conflict. I do think it should be mandatory that this type of status that an offender may get should be left off the SONRA. If they are included on the SONRA, the need for states to have this type of disposition of a case will be pointless. It will also make prosecution more difficult in many cases, as the defendant will not want to "plea bargain" a case knowing they will still end up on the public sex offender registry. Furthermore prosecution of this type of case or plea bargaining of this type of case would not be used in any aggravated situation. Also again this type of disposition is mainly used in Juvenile cases and all juvenile cases should be left off the SNORA unless a case involving a Juvenile defendant who is tried as an adult.

7/21/2007

**Rogers, Laura**

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**From:** [REDACTED]  
**Sent:** Thursday, July 12, 2007 11:23 AM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

The SNORA says in part that a person who's conviction is set aside by any means, and what ever the state calls it, that offender shall still be required to register and have their name on the SNORA. NO PUBLIC GOOD is served by requiring these offender to the conditions of the SNORA. If the court hearing the case and the prosecution trying the case had thought this offender was so bad that they should be given no opportunity to reform, the court or the prosecution would not agree to any provision that would set aside the conviction. The court maybe offering this as a way to get someone help because they feel that the case is so weak. But for what ever reason it is being offered by the court, if the SNORA still requires this offender to register, no offenders are going to want to take this deal. The SNORA will in essence cause some very weak cases that do go to trail to end up in no conviction at all and no help for the accused sex offender. This in turn may cause this offender to go out and commit another sex offense and maybe hurt or kill a child, that otherwise could have been saved had the sex offender been able to get help. Instead of saving a child the SNORA will be responsible for the hurt, injury or death of a child.

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7/21/2007

Rogers, Laura

com.net.

**From:** Desiree Allen-Cruz [REDACTED]  
**Sent:** Wednesday, July 25, 2007 9:37 PM  
**To:** GetSMART  
**Cc:** Desiree Allen-Cruz  
**Subject:** Guideline Recommendation  
**Importance:** High

We have reviewed the Proposed Guidelines and agree "Notification to Jurisdictions" need to be defined to the greatest extent possible. While we understand that larger more electronically advanced jurisdictions (state, fed) are likely to work closely and quickly, smaller jurisdictions such as rural or frontier areas within the state do not. And, as such, Tribal jurisdictions are not usually a priority especially when we reside in the rural or frontier areas. **Defining an agency within jurisdictions** (residential, school, employment) **that must give notification to ensure quick and reliable notification is important for the safety of our communities.**

Example: A sex offender currently a resident of Colorado employed with a construction company within that state, travels to Pendleton, Oregon for a construction project on our Reservation. Will the Colorado SO Registering office contact the state of Oregon? Or will the Colorado SO Registering office be contacting our Tribal agency? Will that notification reach the Tribal agency before the SO arrives or within 3 days after arrival? Or, will the SO Colorado employer have to notify our Tribal Law Enforcement or other Tribal agency upon or prior to arrival? Or will we have to bear the wait of Colorado State notifying Oregon or the Federal jurisdiction who will in turn contact our Tribe?

If racism prevails within jurisdictions (by agency or employee), defining the agency responsible to notify along with timelines is of utmost and imperative importance.

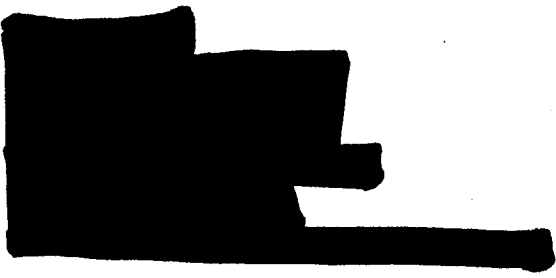
Please detail or further refine, within the proposed Guidelines, which agency within each jurisdiction that must notify which receiving agency of each jurisdiction and timeline for each.

Folks in attendance and in agreement of above include:

Jessie Grow Hodges, Tribal Sexual Assault/Teen Advocate; Desiree Allen-Cruz, Domestic Violence Services Coordinator; Kate Beckwith, Tribal Prosecutor; Ron Harnden, Tribal Chief of Police.

Respectfully,

**Desiree Allen-Cruz**  
CTUIR, Domestic Violence Services Coord.



Rogers, Laura

dates

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**From:** Tim [REDACTED]  
**Sent:** Friday, July 27, 2007 1:12 PM  
**To:** GetSMART  
**Subject:** OAG Docket No 121

SONRA dates. In that the SONRA input to the get smart office is running behind schedule, the Important dates of the SONRA should be changed, so the OAG will have time to review all the comments sent in by the many who have e mail or mailed them in. To not back up the dates would send the wrong message. It would make people think that no matter what comments they sent in the get smart office of the A.G. had already made up it mind. I would think it would take 4 to 6 months to review all the comments and catalog them, and work on those issues that have been raised, with the first priority being the issues that draw the most input. July 27,2007 Date by which feerally recognized must elect to become a SORNA registration jurisdiction. The automatic delegation of duties to states for tribes not electing by July 27,2007. This date should be moved to Jan 1,2008.

July 27,2009 deadline for substantial implementation of SORNA for all registration jurisdictions. This date should be changed to July 27,2010 in that when the office of the get smart does review the input, time will now be needed to post any changes to the SORNA the get smart will recomend. The states will need time to adjust to the changes and write the changes in the laws they need to pass to become substantially implemented.

April 27,2009 date to submit compliance packet to SMART office. This date should be changed to April 27,2010. Again so the states will have time to react to any changes that the A.G.s office may come out with as a result of the input.

NAT'L

Suggestion

PS 31

Passport / Travel / Immigration  
documents should have some  
type of marking to indicate  
their requirement to Register  
under SOBNA

- Encryption, File hiding, File shredding  
Software Possession is violation  
of Probation / Parole

PS 34  
- Criminal History info should not only  
have County, state of conviction it  
should include the Agency ORI so  
that Law enforcement can easily  
identify the Law Enforcement agency  
of conviction.

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**Muhammad, Debra**

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**From:** Rogers, Laura

**Sent:** Tuesday, December 11, 2007 10:22 AM

**To:** Muhammad, Debra

**Subject:** Concerning Proposed Guidelines The Adam Walsh Child Protection Act (AWA) of 2006 & SMART guidelines

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**From:** [REDACTED]

**Sent:** Friday, May 18, 2007 2:17 AM

**To:** GetSMART

**Subject:** Concerning Proposed Guidelines The Adam Walsh Child Protection Act (AWA) of 2006 & SMART guidelines

Dear, Attorney General et .al:

One of the concerns I have about your proposed rules is the listing of employers, I'm not sure if your looking at this from a 'real world' perspective, how could anybody maintain any kind of employment with this type of Machiavellian shamelessness by destroying all judicial remedies against terrorism, the families of registered sex offenders are being harassed, threatened on a daily basis. This has to stop.

Congress did not pass the Adam Walsh Act, Senator Sensenbrenner rushed into the hands of the president as a "non-controversial issue" ! This is a sad day in the United States of America.

God will Judge those who enforce such laws severely, it's just a matter of time.

For the government who claim they are not (regulatory) punishing people, this sure looks like punishment.

Where is the support systems? Where are the employment opportunities? Where is the Therapy while in the community (most important)?

I can just imagine all the children that will be murdered because of the harshness of these neo-nazi revivification in philosophies.

If any of you really were concerned about protecting children you would not be doing this?

Knowing where someone is does not, prevent sex crimes, what you are doing is making it so the very few sex offenders that do re-offend, will take the extra effort to cover their tracks.

If you think these type of laws acts as a deterrent, you are gravely mistaken.

Sincerely,

Erika P. , Phoenix, Arizona

**ACTUARIAL EVALUATION OF DANGEROUSNESS:**

12/11/2007

### **...ETHICAL STANDARDS—APA:**

When assessing the risk a certain person may be to a community, serious issues are involved. The American Psychological Association recognized the problem and set forth ethical standards for such activities.

Ethical Standard 2.02(a) therefore obligates psychologists to carefully consider the consequences of dealing with predictive variables in a dichotomous context. In particular, risk assessments made for sexual predator hearings will lead to one of the following four outcomes.<sup>4</sup>

### **PREDICTION: OPTION**

1. Correctly classified as will re offend in the future does not re offend.
2. Correctly classified as will re offend in the future does re offend.
3. Incorrectly classified as will re offend in the future does not re offend.
4. Incorrectly classified as will re offend in the future does re offend.

In any assessment of dangerousness there are four and only four possible choices in the re-offense prediction process, no more, no less. As only one can be right, three of the four options or 75 percent probability of being wrong in the selection. Even after the gymnastics of analysis and guessing are over, marks made on the paper and totaled, it is still a prediction of probability [odds] of an event until it happens, if it does. This is all the more problematic when the BJS published<sup>5</sup> recent documented **empirical studies that documented that less than 5% of sex offenders re-offend sexually--leaving 95% that will not.** The question then becomes, which specific person is in the 5% and will that specific person actually re-offend?...

## **The Nuremberg Principles:**

**I**nternational Conference on Military Trials: London, 1945 - Report to the President by Mr. Justice Jackson, October 7, 1946:

"...6. It has been well said that this trial is the world's first post mortem examination of a totalitarian regime. In this trial, **the Nazis themselves with Machiavellian shamelessness exposed their methods of subverting people's liberties and establishing their dictatorship. The record is a merciless expose of the cruel and sordid methods by which a militant minority seized power, suppressed opposition, set up secret political police and concentration camps. They resorted to legal devices such as "protective custody[1], " which Goering**



"Naturally, the common people don't want war, but after all, it is the leaders of a country who determine the policy, and it is always a simple matter to drag people along whether it is a democracy, or a fascist dictatorship, or a parliament, or a communist dictatorship. Voice or no voice, the people can always be brought to the bidding of the leaders. This is easy. All you have to do is to tell them they are being attacked, and denounce the pacifists for lack of patriotism and exposing the country to danger. It works the same in every country."



Hermann Goering, Hitler's Reich-Marshal  
at the Nuremberg Trials after WWII

**frankly said meant the arrest of people not because they had committed any crime but because of acts it was suspected they might commit if left at liberty. They destroyed all judicial remedies for the citizen and all protections against terrorism.** The record discloses the early symptoms of dictatorship and shows that it is only in its incipient stages that it can be brought under control. And the testimony records the German example that the destruction of opposition produces eventual deterioration in the government that does it. By progressive intolerance a dictatorship by its very nature becomes so arbitrary that it cannot tolerate opposition, even when it consists merely of the correction of misinformation or the communication to its highest officers of unwelcome intelligence. It was really the recoil of **the Nazi blows at liberty that destroyed the Nazi regime.** They struck down freedom of speech and press and other freedoms which pass as ordinary civil rights with us, so thoroughly that not even its highest officers dared to warn the people or the Fuehrer that they were taking the road to destruction. **The Nurnberg trial has put that handwriting on the wall for the oppressor as well as the oppressed to read."**

[1] Modern day equivalent: "Megan's Laws;" "Sex Offender Registries," "Residency Restrictions" and "Civil Commitment" etc. under the pretext and guise of "public safety" i.e. "protection of children."

[Source: October 7, 1946. *THE PRESIDENT, The White House, Washington, D. C. MY DEAR MR. PRESIDENT: Respectfully submitted, ROBERT H. JACKSON* (1) *Nazi Conspiracy and Aggression, vols. I-VIII, Supplements A and B, Washington, 1946-48.* (2) *This recommendation was carried into effect by informal notification to other signatories on or about Jan. 22, 1947* <http://www.yale.edu/lawweb/avalon/imt/jackson/jack63.htm> *The Avalon Project: International Conference on Military Trials : London, 1945 - Report to the President by Mr. Justice Jackson, October 7, 1946. Original Source: International Conference on Military Trials: London, 1945 Report of Robert H. Jackson, United States Representative to the International Conference on Military Trials: London, 1945 International organization and conference series; II European and British Commonwealth 1 Department of State Publication 3080 Washington, DC : Government Printing Office, 1949]*

**Rogers, Laura**

WLB

**From:** AT [REDACTED]  
**Sent:** Saturday, July 21, 2007 10:42 AM  
**To:** GetSMART  
**Subject:** Docket No. OAG 121

I am opposed to the inclusion of the following information in any sex offender registry:

- Registrants e-mail addresses and telephone numbers
- Temporary lodging information
- Passport information
- Employment information other than name and address of employer
- Professional licenses information
- Information where the registrant's vehicles are kept
- Date of birth

These changes are so significant that they should be subject to debate by Congress in public hearings. If after public debate, Congress believes that this information is necessary, it can amend the legislation. I view these proposals as an attempt to implement registration requirements which Congress was unwilling to include in the original Act.

**Asma Tapert**  
[REDACTED]

Rogers, Laura

website

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**From:** AT [REDACTED]  
**Sent:** Saturday, July 21, 2007 1:13 PM  
**To:** GetSMART  
**Subject:** Docket No. OAG 121

I am opposed to the inclusion of internet identifiers and addresses and telephone numbers in any sex offender registry.

Registrants and their families are in a dangerous position because of the ease in which this information can be copied and posted to other Web sites, shared on file-sharing networks, and passed around in instant messages and emails.

The risk of harassment and exploitation is very real. In particular, juvenile registrants will be at increased risk of bullying, blackmail, and/or physical threats. Juvenile registrants will be especially vulnerable to predatory individuals seeking to exploit a person's past troubles.

This information will be available without any control over who is accessing the information and increases the likelihood that the information will be used in a malicious manner.

Asma Tapert  
[REDACTED]

Rogers, Laura

Website

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**From:** AT [REDACTED]  
**Sent:** Monday, July 23, 2007 2:49 PM  
**To:** GetSMART  
**Subject:** Docket No. OAG 121

I am opposed to the inclusion of date of birth in any public sex offender registry.

Public posting of birth dates will facilitate identity theft. In addition, juvenile registrants will be particularly vulnerable to predatory individuals seeking to exploit a person's past troubles. Also, they will be subject to an increased risk of bullying, blackmail and/or physical threats.

Asma Tapert  
[REDACTED]

**Note:** This comment was originally sent on July 21, 2007, and received this message: "Unable to accept message because the server is out of disk space". Therefore, it is being resubmitted.

8/16/2007

**Rosengarten, Clark**

*Web*

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**From:** Rogers, Laura on behalf of GetSMART  
**Sent:** Thursday, July 26, 2007 3:41 PM  
**To:** Rosengarten, Clark  
**Subject:** FW: Docket No. OAG 121

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**From:** AT [REDACTED]  
**Sent:** Tuesday, July 24, 2007 8:34 PM  
**To:** GetSMART  
**Subject:** Docket No. OAG 121

I am opposed to the inclusion of other employment information and professional license information in any sex offender registry.

Other employment information may change frequently. For example, temporary employment agency personnel may be assigned to a new location every few days. Since the information can change quickly, the registrant could be in violation on a daily basis.

Expecting a registrant to change the information on a frequent basis is unrealistic both in terms of the registrant's ability to notify the jurisdiction and the jurisdiction's ability to keep the registry up-to-date. Registrant's need to maintain their employment and an unreasonable number of absences will jeopardize that employment. Jurisdictions will need to allocate additional personnel and funds to process frequent changes.

Information on professional licenses is unnecessary. Many professions require licensing but have no direct contact with children or vulnerable individuals such as city planners, architects or accountants.

This information will be available without any control over who is accessing the information and increases the likelihood that the information will be used in a malicious manner.

Asma Tapert  
[REDACTED]

Rogers, Laura

web

From: [REDACTED]  
Sent: Tuesday, July 17, 2007 10:56 AM  
To: GetSMART  
Subject: Docket No. OAG 121

To whom it may concern:

I am the mother of a 20 year old adopted son who has a diagnosis of ARND (Alcohol Related Neurodevelopmental Disorder), who is also presently a registered sex offender in the State of Michigan. As I read through the SORNA proposed guidelines I have grave concerns with "What information is required in jurisdictions' sex offender registries; **Employers name and address**".

At present it already is nearly impossible for anyone with a sexual felony on their record to get a job. Posting employer information to the public will certainly discourage any employer from hiring a sex offender. Why would they wish to jeopardize their business when it's posted to the world that a sex offender is in their employment, be their job ever so menial.

Ultimately where will this population of people be able to find gainful employment and turn their lives around to become an asset to society rather than being ostracized, an outcast and a drain on the welfare role?

[REDACTED]

**Free 3D Earth Screensaver** - Watch the Earth right on your desktop!  
Check it out at <http://www.inbox.com/earth>

Rogers, Laura

12/10

From: [REDACTED]

Sent: Monday, May 21, 2007 9:28 PM

To: GetSMART

Subject: Sex Offenders

My main concern is about the families of sex offenders, I do not agree with the publishing of information concerning our cars, tag numbers, or telephone numbers. We are being victimized by this public information. How many innocent lives are going to be lost due to someone running an innocent person off the road and killing them, Or kill someone because they were at the right house wrong time. How many times is my family going to have to not answer the phone due to harrassing phone calls. Those of us who are trying to live in the system and abide by the rules are getting set up for failure due to the system I am all for giving all the information to the authorities but not all of it to the public. If it were not for families, how many sex offenders would stay in one place and try to obey the rules? We are truly trying to live by the rules, please take the families into consideration before you get us killed.

[REDACTED]

7/21/2007

**Rosengarten, Clark**

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**From:** Rogers, Laura on behalf of GetSMART  
**Sent:** Tuesday, July 31, 2007 10:54 AM  
**To:** Rosengarten, Clark  
**Subject:** FW: No. OAG 121 - Comments on AWA Guidelines

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**From:** [REDACTED]  
**Sent:** Tuesday, July 31, 2007 12:45 AM  
**To:** GetSMART  
**Subject:** No. OAG 121 - Comments on AWA Guidelines

I urge the attorney general to do the following:

1) Section VI should not include the name and address of locations where a registrant volunteers. Registrants have a difficult time finding employment, and volunteerism is a positive and productive way for them to use their energy and learn a skill. This requirement would mean that every time they volunteer somewhere, no matter how infrequent, or for how short a period of time, they would have to go report the name and location to the police. At a minimum there should be some threshold before volunteering must be reported - for example more than 80 hours in a calendar year for a particular organization. Section 114 of the AWA does not require that this information be collected..

2) VII – Disclosure and Sharing of Information - The AWA allows the employer and school name to be excluded by a jurisdiction on the public website. In keeping with this, the address of an employer and a school should also be allowed to be excluded by a jurisdiction from public access.. It's absurd that an address would be included, when it was the intent of the Act to allow that kind of information to be excuded if the jurisdiction so decides.

I urge you to make these changes. .

Sharon Denniston

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Get a sneak peek of the all-new [AOL.com](http://AOL.com).



**Rosengarten, Clark**

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**From:** Rogers, Laura on behalf of GetSMART  
**Sent:** Monday, July 30, 2007 12:00 PM  
**To:** Rosengarten, Clark  
**Subject:** FW: OAG Docket No. 121

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**From:** Grace Grogan [REDACTED]  
**Sent:** Friday, July 27, 2007 12:42 AM  
**To:** GetSMART  
**Subject:** OAG Docket No. 121

Attn: Laura L. Rogers, Director  
SMART Office, Office of Justice Programs  
United States Department of Justice

**SUBJECT:** Adam Walsh Act Guidelines – OAG Docket No. 121

I am writing concerning concerns I have with part VI. Required Registration Information of the above guidelines.

**INTERNET IDENTIFIERS AND ADDRESSES:** These are identifiers that are constantly changed, added, etc and maintaining and tracking records of this nature would be almost impossible. Many families share one computer and email address, this invades the privacy of any other individual who is living in the home of the offender – this includes spouses, parents, and innocent children.

This portion of the guidelines should apply only to those offenders who used the internet to commit a sexual crime. When you limit to those individuals only, it is easier for authorities to maintain, monitor and track those individuals who have a history of using the internet to target young children.

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PC Magazine's 2007 editors' choice for best web mail—award-winning Windows Live Hotmail. [Check it out!](#)

Rosengarten, Clark

- web staff

From: Rogers, Laura on behalf of GetSMART  
Sent: Monday, July 30, 2007 11:59 AM  
To: Rosengarten, Clark  
Subject: FW: OAG Docket No. 121 - Discretionary Inclusions: Employment & Educational Institutions

From: Grace Grogan [REDACTED]  
Sent: Friday, July 27, 2007 12:44 AM  
To: GetSMART  
Subject: OAG Docket No. 121 - Discretionary Inclusions: Employment & Educational Institutions

Attn: Laura L. Rogers, Director  
SMART Office, Office of Justice Programs  
United States Department of Justice

SUBJECT: Adam Walsh Act Guidelines – OAG Docket No. 121

I am writing concerning concerns I have with part VI. Required Registration Information of the above guidelines.

**DISCRETIONARY EXEMPTIONS AND REQUIRED INCLUSIONS:**

Name of an Employer of the sex-offender should be a mandatory exemption on the public SOR. Disclosing such information to the public will prevent many businesses from hiring individuals who are on SOR, and may also result in the firing of offenders from their places of employment. There are many businesses who willingly employ these individuals, but if their name is going to be publicly connected with sex offenders, then they may no longer be willing to keep those individuals in their employ. This will result in more offenders being unemployable, putting them on either state assistance or into a homeless state and thereby making them harder to track. This also infringes on the rights of privacy for the business and opens the business, its owners and other employees to harassment.

Name of an Educational Institution where the sex offender is a student should be a mandatory exemption on the public SOR. Disclosing this information to the public opens up the possibility of educational institutions refusing admission to those individuals who are on SOR, as they do not want their institution associated with having offenders on their campus. This will affect the employability of thousands of young men and women who became offenders when adjudicated as juveniles and can no longer obtain a higher education. It also leaves those young offenders open to harassment from other students and educators, possibly endangering their lives as they move about campus for classes, especially during nighttime hours.

Address of Employers or Places Where Offender is Student – this should be a mandatory exemption from the public SOR for many of the same reasons noted above. With today's technology it is easy to find out the name of any business or institution through reverse look-up on the internet. Therefore listing the address without the business name does not afford that business, institution or anyone connected with it any degree of privacy.

**Rosengarten, Clark**

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**From:** Rogers, Laura on behalf of GetSMART  
**Sent:** Monday, July 30, 2007 11:59 AM  
**To:** Rosengarten, Clark  
**Subject:** FW: OAG Docket No. 121 - Licence Plates & Listing of Offences

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**From:** Grace Grogan [REDACTED]  
**Sent:** Friday, July 27, 2007 12:47 AM  
**To:** GetSMART  
**Subject:** OAG Docket No. 121 - Licence Plates & Listing of Offences

Attn: Laura L. Rogers, Director  
SMART Office, Office of Justice Programs  
United States Department of Justice

**SUBJECT:** Adam Walsh Act Guidelines – OAG Docket No. 121

I am writing concerning concerns I have with part VI. Required Registration Information of the above guidelines.

**DISCRETIONARY EXEMPTIONS AND REQUIRED INCLUSIONS:**

**Sex Offence for which the offender is registered:** In addition to this information the registry should specifically note if this is a juvenile adjudication and the offender's age at the time of the offence.

**License Plate Number and Vehicle Description:** This should be a mandatory exemption and should not be required on the SOR in any means. By placing this information on the registry you are opening the opportunity for individuals to suffer harassment from police, who may randomly run license plate numbers and then find excuses to pull those individuals needlessly. Offenders repeatedly suffer harassment from law enforcement, and this is another means of encouraging such harassment.

Disclosure of this information may also cause an increase in road-rage, if vigilante-type individuals use a posted address to track down an offender, then note their license plates and target those individuals on the road, trying to cause accidents, etc.

Allowing registries the option of going one step further and publicly displaying this information on their registries is an absolute violation of the rights of privacy by anyone who owns or operates any of those vehicles but is not a registered sex offender and opens them to harassment as well. This may also prevent employers from hiring or keeping offenders in their employ, resulting in higher unemployment and increased homeless sex offenders, who are then harder to track and monitor.

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on't get caught with egg on your face. Play Chicktionary!

7/30/2007

Rosengarten, Clark

Web

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**From:** Rogers, Laura on behalf of GetSMART  
**Sent:** Monday, July 30, 2007 11:45 AM  
**To:** Rosengarten, Clark  
**Subject:** FW: OAG Docket No. 121 - Keeping Current Section B

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**From:** Grace Grogan [REDACTED]  
**Sent:** Monday, July 30, 2007 8:56 AM  
**To:** GetSMART  
**Subject:** OAG Docket No. 121 - Keeping Current Section B

Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking  
Justice Department's Office of Justice Programs

SUBJECT: OAG Docket No. 121

I am writing regarding the section on Keeping Registration Current, specifically Section B. Changes in Other Registration Information.

I believe the goal is to ensure that all registration information is kept as accurate and up-to-date as possible. Therefore, the goal should be to make it as easy as possible for offenders to comply in maintaining an accurate registration.

With the extensive software program that these Guidelines mention having, and the ability to immediately transmit such information to all other jurisdictions, any changes needed to be made to the registrations between designated registration periods should be able to be updated by the offender via internet – changes to items such as vehicle information, telephone numbers, internet addresses, etc. It would greatly reduce paperwork and man-hours necessary for monitoring and maintaining the registry if these changes could be made via internet, with a confirming email sent back to the offender confirming the receipt of the information. Such auto-replies are done regularly by companies when they take orders via internet. The information could then be confirmed at the regular in-person registration confirmation.

Thank You,

Mother, Grandmother, Citizen  
Who wants a Useful Registry

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PC Magazine's 2007 editors' choice for best web mail—award-winning Windows Live Hotmail. Check it out!

7/30/2007

Rogers, Laura

Website

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**From:** Howard Taub [REDACTED]  
**Sent:** Friday, July 27, 2007 6:30 PM  
**To:** GetSMART  
**Subject:** SORNA GUIDELINES COMMENT

It's a terrible law, anyway.

We employ two RSOs, both quiet, decent men who are trying to rebuild their lives. By listing their employer on the internet, you are punishing small businesses who have invested in these men; and you are making them practically unemployable.

Plus, we are in an industrial park, so it will do nothing to prevent crime.

Howard Taub

[REDACTED]

Rogers, Laura

public registry

**From:** Florence Rogers [REDACTED]  
**Sent:** Tuesday, July 31, 2007 11:40 PM  
**To:** GetSMART  
**Subject:** Registry Guidelines

Dear DOJ;

I have been reading about the proposed minimums for listing felons on the sex offender registry and I wanted to make some comments.

First, if a registry is going to be useful it needs to be restricted to people known to be a danger to minors. If a person's crime does not involve any interaction with a minor then that person is not known to be a danger. If they have not at least e-mailed a minor as was the recent case with the Senator and the Capitol Pages then I oppose putting that person on the registry.

A law enforcement officer in Atlanta has stated that putting unnecessary people on the registry keeps his office from being able to concentrate resources on keeping close track of dangerous people.

Keeping children as safe as possible is always going to require vigilance. The adults responsible must keep open lines of communication so that they know of any dangers as they arise. They should also teach children how to respond so that they can protect themselves as much as possible. It is not necessary to scare children with horror stories to do this. They need to be told they can say no to adults, that it is appropriate to scream if someone is scaring them and that they have a right to their bodies and no one other than parents and medical professionals have a right to touch them if they do not want to be touched. There is no way to list offenders before their first offense, so safe practices are necessary.

I believe that limiting the time a person is on the registry is helpful to them in trying to live a normal and stable life. At least they will not have to keep moving to comply with ever changing restrictions. But it should be remembered that once something is on the Internet it is never really gone, so in that sense everyone ever listed is listed for life.

Sincerely,  
Florence S. Rogers

Rogers, Laura

websites

From: Donna Miles [REDACTED]  
Sent: Wednesday, July 25, 2007 9:09 PM  
To: GetSMART  
Subject: comments on new guidelines

I am writing to you to offer some thoughts I have on the new rules the AG is coming out with in the name of Adam Walsh Act. First let me say that there are some violent sex offenders whom I am afraid of. However I believe the majority of sex offenders on the public registry should not be there. They have offended family members and will continue to do so until they have had treatment and healing, emotionally mentally, and spiritually. I know someone on your registry who is on probation for 4 years. The girl whom he had and improper relationship lied about her age. She told him she was 18. He believed her because she looked and acted like she was. She came to the home where this man lived and was very interested in him. one thing led to another when she was there and now this person is on probation for 4 years. He is on the registry. My point in sharing this story is that this person would be first to tell you he made a serious mistake. He is paying for it. But if all the new guidelines go through he would be in prison for 25 years. Some of the guidelines I think need to thought through more carefully are:

Increasing amount of info the public receives about the sex offender. I believe giving info about where they work does nothing but bring about more hysteria. It is already difficult for them to find jobs. Please don't set them up for failure. All this will do is make the serious offenders go underground and those who are trying to do right more difficult to find good jobs. Who will hire them if the employees name is on the registry with them?? Also by giving the email address does nothing either...how easy is it for serious offenders to change their email address??Very! All this will do is to create vigilante hysteria. And make it easy to target and terrorize the many sex offenders who are trying...they are in treatment and going to their P.O.'s Please have a change in registration. Many serious offenders need to be on there, but some do not. Why not make guidelines based on offenses and the circumstances around it. People who are on probation should not be on there. If they break probation then yes they should be..but give them a break. They would do a lot better without having to register. Just some thoughts on your new guidelines.

I am afraid if you don't make the registry different...just about everyone will be on there some time or another.

Thanks for reading this.  
Donna

Rogers, Laura

~~STP~~ web

From: [REDACTED]  
Sent: Tuesday, June 12, 2007 4:03 PM  
To: GetSMART  
Subject: OAG Docket No 121

VI Required to registration of e mail address and other communications tools.

I feel that this should be mandatory that this information only be available to the public on special request and should not be posted on the public web registry.



Rogers, Laura

8/14/07

From: [REDACTED]  
Sent: Wednesday, June 13, 2007 11:05 AM  
To: GetSMART  
Subject: OAG Docket No 121

Sec 114 (A) (4), and (A) (7) Sex offender to provide employment information. This information should NOT be available to the public. The reason I am saying this is because if this information is available to the public then many employers will not be willing to hire a sex offender. Now that will be counter productive to stopping the sex offender from re offending. No what we want is all of the sex offenders working and not having time on their hands so they become more inclined to maybe commit another crime. As a matter of fact the government should give some tax incentives to employers who hire sex offenders. This may help to keep a sex offender from repeating a sex crime.

I do understand the need for Law Enforcement to have this information but not the public. The other issue is if we make the sex offender register at their home and place of employment we may find that many sex offenders are going to be out of a job, because they are spending so much time away from work registering at all the locations. Now if that same sex offender works and goes to school and lives in different area for each, well they will spend all of a day or more going to each location. This information could be transmitted to all of the locations by having the sex offender just going to the location were they live and that being the point of contact for the sex offender only. The home jurisdiction would then be required to transmit any other information to the agency's that the sex offender will be in. If it is made so hard on the sex offender many more will drop out of sight and this is not what this law should be forcing to happen.

**Rogers, Laura**

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**From:** [REDACTED]  
**Sent:** Thursday, June 14, 2007 12:44 PM  
**To:** GetSMART  
**Subject:** OAG Docket No 121

Section 118 (c) (1) -(3); It should be mandatory that All tier 1 be exempt from being on the web public look up. The reason I say this is because if this tier is of no danger to the public then they should not be available to the public on the web. If the reason for posting information on the web is to "protect the public" then by your stander and the US Supreme past ruling this group of sex offenders should not be available to the public. Futhermore if you look at the US Dept. Of Justice Bureau of Justice Statistics on Recidivism web sight you will see that sex offenders as a group are one of the lowest to repeat the crime after arrest. Per the bureaus web sight within 3 years of release from prison 5.3 % of sex offenders will be recharged with a sex crime and of that 3.5% will be convited. The only lower rate of recidivism among criminals is those who are arrested on murder charges. Given that information this group is very low at oddes to repeat a sex crime and those in tier 1 are even at a lower risk.

**Rogers, Laura**

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**From:** [REDACTED]  
**Sent:** Thursday, June 14, 2007 12:52 PM  
**To:** GetSMART  
**Subject:** OAG Docket No 121

All communications types that is collected by the registering agency should be mandatory that this information not be made public. IE no e mail address or phone numbers cell or land line should be included on the public SONRA. The states should be required to set up a system were an e mail could be entered by a individual trying to find out if a child has been e mailing a sex offender, and this system would check to see if it is an e mail that is infact one that belongs to a sex offender. If some states place the e mail addresses on the web sight, besides being able to communicate with eachother to maybe plan a new sex crimes, sex offenders would be able to band together to fight registration laws as a group, including putting money toward an all out fight to the highest court in the land.

**Rogers, Laura**

*§ 118P web*

**From:** [REDACTED]  
**Sent:** Friday, June 15, 2007 1:11 PM  
**To:** GetSMART  
**Subject:** OAG Docket No 121

114 (a) (6) (a) (7) All vehicles should only be placed on the non public information available to police. This information should be excluded from the web SORNA and added to sec 118(b) as excluded information.

The problem with posting the vehicles on the web sight is that this may encourage someone to strike out at the person driving that vehicle, when in fact it may not be the sex offender driving the vehicle but a member of the sex offenders family.

Posting of too much information on the web sight will hinder law enforcement in the investigation should someone look up the information about what vehicle is listed for the sex offender and then report that vehicle was in the area of a where a sex crime is being investigated. The people who report what they have seen should be doing it based on what they really saw and not what they think they say because they were fed the information off the internet. Furthermore if a sex offender were thinking about committing a crime, do not you think they would get a unlisted vehicle to do the crime with, since they will know which vehicles they have reported they drive. This will also make it harder to catch them as they will work hard not to get caught.

7/21/2007

Rogers, Laura

STAY web

**From:** [REDACTED]  
**Sent:** Friday, June 29, 2007 2:34 PM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

Section VI of the SORNA includes the option that states may post on the sex offender registry information as to sex offenders e mail address on the registry. This is without a doubt a very problematic issue. I am suggesting that posting on the internet sex offender registry of a sex offenders e mail, phone numbers (land line & mobile), and along with social security numbers be prohibited.

Instead the approach should be that law enforcement may have that information given to them at time of registry of the sex offender, and if a citizen request to know if an e mail address the citizen submits to Law Enforcement is one that belongs to a sex offender, law enforcement can check to see if it does. The request to Law Enforcement should be made by contacting law enforcement in writing via the internet or some type of written communications requesting the verification of a requested e mail address to be checked against the data base of e mail address that are associated with sex offenders.

7/21/2007

Rogers, Laura

WLB

From: [REDACTED]  
Sent: Monday, July 02, 2007 1:15 PM  
To: GetSMART  
Cc: christine\_leonard@judiciary-dem.senate.gov  
Subject: OAG Docket No 121

The rules issued under the AG, say that listing of names of employers of sex offenders is optional under the SONRA 114(a) (4) and (a) (7). I am suggesting that listing the names and address of employers of Sex Offenders will be counter productive to the intent of the SONRA!

The reason I say this is that if you look at the reasoning of the SONRA it is to protect the public from sex offenders. Well if a sex offender is working and not "out on the street", the chances of the sex offender re offending are a lot less. By posting the names and address on the public registry, will cause many employers to not want to employ sex offenders, as they will not want the business they own to be subject to boycott by those in the public that do not want to have anything to do with sex offenders and those who support them. It is a far better public policy to have sex offenders working then out of work and on public assistance of some type. If the law enforcement agency wants the information as to where a sex offender works, that is one thing and may be understandable. However the posting of this information on the public web sight will not enhance the public safety in anyway, and as stated may make the public at more risk to see these offenders recommit a crimes, and those crimes may not be sex crimes they may be other crimes when the offender is trying to keep food on the table when because the public posting of their employment information, the sex offender losses the job they have.

7/21/2007

**Rogers, Laura**

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**From:** [REDACTED]  
**Sent:** Monday, July 02, 2007 1:35 PM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

SONRA Section 118 (c) (1) - (3) as issued will let states determine if they want Tier I to be left off the public on line sex offender registry. And that all though not forced to use a tier system each state may leave those offenders off the registry that would fall into tier I as defined by the SONRA.

The requirement that states leave Tier I sex offenders off the public sex offender registry should be mandated and required by each state to continue to get federal funds. This would work as a great crime prevention tool! If all sex offenders knew that they would have a chance to go to the non public sex offender registry if they stayed free and clear of all crimes for say ten (10) years, they would be able to ask the original court of record to review the courant tier level they were placed on at time of conviction. This would place the onus on the offender to be good and then you will get off the public registry. If using the thinking of the AG that all sex offenders are at a risk to re-offend, would reduce that likely hood by a number of offenses. This would be a public safety measure that has some hope of reducing future crimes. However the AG may not think the number it would cut down would be that high in that if you go to the official web sight of the government on recidivism, one is shocked that the number of sex offenders the US Dept. Of Justice Bureau of Justice Statistics on Recidivism is reporting that within three years of release from prison 5.3% of sex offenders will be rearrested for a sex crime and of that only 3.5% will be convicted. But given that information maybe we can cut that down to even less than it is now, even though it is the second lowest recidivism rates among all criminals with the exception of those who commit homicide. Well anyway if the goal of the SONRA is to protect the public from this group of offenders the AG will do all in his power to see that all the acts of the SONRA will help do just that. However if the goal of the SONRA is just to see how many names and faces it can have on it, well than of course the AG will not be interested in anything that will cut down on that number or cut down on crime.

7/21/2007

**Rogers, Laura**

*mlb*

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**From:** [REDACTED]  
**Sent:** Tuesday, July 03, 2007 3:21 PM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** oag docket no 121

The SONRA rules as posted by the AG call for the states to decided if the sex offenders e mail and other types of communication contacts should be posted on the public web sight for all to see. By doing this you will subject the offenders to all types of additional harassment and could cause offenders to start to communicate with each other. I am suggesting that if this information is collected it should be mandatory left off the public sex offender registry. (this would include leaving off the e mail address and all phone numbers of the sex offenders)



Rogers, Laura

wcb

**From:** [REDACTED]  
**Sent:** Tuesday, July 03, 2007 3:57 PM  
**To:** GetSMART  
**Cc:** christine\_jeonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

Section 114 (a) (6) & (a) (7) of the rules as posted as recommended by the office of the Attorney General, say that all information on the vehicles including any registered vehicle (water craft and alike) and any vehicle the sex offender has access to must be registered when the sex offender registers for the SONRA.

The issue I see with this is that this information should not be available to the public. The reason is that should a sex offender be identified in an assault, the defense attorney would be able to raise the issue that the only reason the victim was able to I. D. the vehicle used by the offender was because the victim got the information off the public sex offender registry.

I am suggesting that all vehicle information if obtained by the states would mandatory excluded from the SONRA and any other public sex offender registries. Having this information on a public web sight will add no additional safety for the public, in that they would have to be able to memorize the vehicles that any given sex offender has listed and then be watching for that vehicle. In the mean time the public would be faced with the fact that in some states the sex offender registry includes over 10,000 sex offenders. This would be a monumental undertaking to memorize the vehicles used by the offenders who are registered. Now if the reasoning to have the sex offender register all vehicles is a crime prevention tool, then this information should only be available to Law Enforcement and not the general public. Also if the reasoning to have all the vehicles information is to help Law Enforcement with an investigation, again this should limit the information to the police and not have the public have access to the information on the vehicles sex offenders may be able to use. The other issue with this type of information is that truly if an offender is going to be involved with a new sex crime, nothing would pohibite the offender from renting a vehilce for a short time frame. Use the rental vehilce to commite the crime and then return the rental vehilce to the renting agency. In that case detection on the part of the police would be harder. In summary; if you require the vehicles information be posted on the public sex offender registry you will be making the job of detection by the police and prosecution by the prosecutors office much harder.

7/21/2007

**From:** [REDACTED]  
**Sent:** Tuesday, July 10, 2007 11:40 AM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

Sec 114 (a) (7) of the SNORA states in summary; concerning all licensing of registrant to engage in occupation or carry our a trade or business - " may provide a bases for notifying the responsible licensing authority if the registrants conviction of a sex offense may affect his or her eligibility for the license."

When looked at in first light this may seem like a reasonable thing to do, but upon close inspection this looks more like the SNORA is trying to give states the authority to be punitive. What good would it do for example for a member of the agency that has control over the sex offender registry to call say a state licensing agency in charge of issuing electricians licenses to tell them they have a sex offender with a licenses to do business. No place in the law does it say that a sex offender can not have a license to do electrical work. However looking at this if the agency gets a call from the state telling them about a sex offender with a electrical license do not you think the issuing agency will look for some way to take this persons license away from them? I am only using an electrician as an example.

Now if for example a sex offender reports having a licenses to teach for example, that is clearly against the law in most of the 50 states and should be investigated.

The issue I have is that this truly shows the intent of the SNORA is to be as punitive as possible on sex offenders and this is not what the sex offender registry is for or should be used for.

The other issue is that do you really think that if a sex offender has a license that they should not have because it is against the law, that they will report it when they register? NO not at all. If the reason to have a sex offender is to educate the public as to who the sex offenders are, and this information is posted on a web sight open to the public; then I submit to you that the checking of the sex offender registry to see if a sex offender has a license that is forbidden by law; it is the responsibility of the agency issuing licenses to check the on line sex offender registry. It is not the responsibility of the government agency controlling the information on sex offenders to contact the licensing agency's.

Had the SNORA only tried to gather licensing information for record reasons and nothing else than maybe it would be something that could be done. But since this issue has shown the real reason of the SNORA is to try to be as punitive as it can be. You need to have an outside agency review this full SNORA law before it goes into effect. Maybe even the US Supreme court should be consulted if that is possible. It is clear from what the A.G's office has written not only in this part of the SNORA but other parts that the office of the U.S. Attorney General is not without bias in this issue and is trying to make sure the SNORA does all it can to harm and humiliate sex offenders and that is beyond what the intent of Sex Offender Registries were enacted to do by law.

**Rogers, Laura**

web

**From:** Tim Poxson [REDACTED]  
**Sent:** Friday, July 20, 2007 3:38 PM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

The SORNA should prohibited the following activities

1. States should be prohibited from making those who are required to register pay more money when they register. The SORNA should not be used by the states or local government as a way to collect more money from people who by law are required to do something that is above and beyond what the court set as punishment for a crime they committed.
2. 114 (a) (4) and (a) (7) the SORNA should mandate that employment information not be made available to the public but the information can be collected for non public use by law enforcement. If this information is posted on the sex offender registries, many sex offenders will be fired from jobs they have, even when the employer knows they are a sex offender, the employer will not want to be at a loss of any business because they employee a sex offender so they will fire the sex offender. The last thing the SORNA should want to do is put offenders out of work who are legally employed, paying taxes and most of all working so they are less likely to commit any new crimes.
3. States should be prohibited from posting on the sex offender registries any information as to how to communicate with the sex offenders, including cell phone numbers, e mail addresses, internet names used by the sex offender, and any other form of communications that would let the public directly contact sex offenders. The collection of this information should be for law enforcement use only.
4. All vehicle registration information should be prohibited from being posted on the sex offender registries, as this will only lead to possible road rage on the part of a citizen who see a vehicle they think is an sex offenders auto. The collection of this information should be for law enforcement use only.

Rosengarten, Clark

8114

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**From:** Rogers, Laura on behalf of GetSMART  
**Sent:** Thursday, July 26, 2007 3:44 PM  
**To:** Rosengarten, Clark  
**Subject:** FW: OAG Docket No 121

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**From:** Tim Poxson [REDACTED]  
**Sent:** Wednesday, July 25, 2007 1:31 PM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

Sec 114 (a) (7) covers that each state will collect all information from each sex offender as to any license they have. The SORNA states that one reason for this is so it "may provide a basis for notifying the responsible licensing authority to see if the registrants conviction of a sex offense may affect his or her eligibility for the license". Clearly if the sex offender has a license of some type that the laws of the state say he should not have, then that should be checked into. But this statement on the SORNA is a blanket statement to check with all licensing authorities, were does it say in any law of any state that for example a sex offender can not have a license to sell houses? But yet all states require a license to sell homes. Checking with this examples licensing authority (in most places this is the state its self) is outside of government law enforcements legal authority, and could be looked upon as harassment, and unitive punishment. In that if law enforcement starts checking with licensing agencies for which they know that no law prohibits a sex offender from having said license, then what is the real reason for make such checks? For the SORNA to even make such a statement shows the real intent of the SORNA; punitive and more punishment to sex offenders. The other issue is that if this causes a sex offender to be fired from a job, because of the loss of a license they legally have, I would think the SORNA and the state officials in question will have some type of law suit. And beyond that why would you want to stop a person from lawfully working? When the sex offender is working, they are paying taxes, and of much lower chance of recidivism.

7/26/2007

**Rosengarten, Clark**

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**From:** Rogers, Laura on behalf of GetSMART  
**Sent:** Monday, August 06, 2007 10:47 AM  
**To:** Rosengarten, Clark  
**Subject:** FW: Docket No. OAG 121 - Comments to SMART Office on SORNA Proposed Guidelines  
**Attachments:** Comments.SMART.SORNA.August.1.2007.FINAL.doc

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**From:** Abby Stewart [REDACTED]  
**Sent:** Wednesday, August 01, 2007 12:29 AM  
**To:** GetSMART  
**Subject:** Docket No. OAG 121 - Comments to SMART Office on SORNA Proposed Guidelines

Attached please find comments submitted by LexisNexis regarding the SMART Office's Proposed Guidelines for the National Guidelines for Sex Offender Registration and Notification - due date August 1, 2007. LexisNexis appreciates the opportunity to provide these comments and looks forward to working with the SMART Office in the near future to help SORNA jurisdictions comply with the SORNA requirements. If there are any substantive questions regarding these comments, please contact Mr. Tom Regan of LexisNexis - [thomas.regan@lnssi.com](mailto:thomas.regan@lnssi.com) / 202-378-1009 and any questions regarding this electronic submission should be addressed via a response to this email or a phone call to Abby Stewart [REDACTED]

Thank you -

Abby Stewart  
[REDACTED]



Thomas M. Regan  
SVP, Executive Director for Privacy  
and Regulatory Affairs  
LexisNexis Special Services, Inc.  
Suite 250  
1150 18<sup>th</sup> Street, NW  
Washington, DC 20036  
202-378-1009  
[Thomas.regan@lnssi.com](mailto:Thomas.regan@lnssi.com)

August 1, 2007

Laura L. Rogers, Director  
SMART Office, Office of Justice Programs  
United States Department of Justice  
810 7<sup>th</sup> Street, NW  
Washington, DC 20531

**OAG Docket No. 121**

Re: Comments on the SMART Office's National Guidelines for Sex Offender  
Registration and Notification – Proposed Guidelines, May 2007

Dear Director Rogers:

Please consider the following comments from LexisNexis concerning the above:

**Introduction**

LexisNexis appreciates the opportunity to submit the following comments to the newly established SMART Office (Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking Office) regarding the Proposed Guidelines for the National Guidelines for Sex Offender Registration and Notification, as published in the Federal Register on May 30, 2007. LexisNexis would also like to take this opportunity to commend the Department of Justice (DoJ) for establishing the SMART Office in a timely manner to begin the process of assisting the jurisdictions statutorily defined in the Adam Walsh Child Protection and Safety Act of 2006 (*P.L. 109-248* – hereinafter the “Adam Walsh Act”) in complying with the comprehensive national standards set out in Title I of that Act – the Sex Offender Registration and Notification Act (“SORNA”).

As an advanced data management and information sharing company, LexisNexis has, for many years, assisted law enforcement agencies by leveraging advanced

technology to integrate law enforcement data sets with public records to help rapidly and accurately generate new leads in complex investigations. To that end, LexisNexis has been particularly focused on helping law enforcement track and monitor convicted sex offenders once released into local communities. LexisNexis provides this assistance primarily through its well-proven Advanced Sex Offender Search (ASOS) technology. ASOS provides law enforcement agencies with a mechanism to rapidly link relevant state controlled data, including criminal histories, sex offender data, and Department of Corrections data with public records to provide immediate answers to queries such as whether a sex offender has moved without updating state sex offender registration information and whether a non-compliant (“absconder”) sex offender was in a given area of a child abduction.

ASOS technology has numerous components that law enforcement jurisdictions could immediately deploy to help with SORNA compliance. Specifically, the information provided herein emphasizes how ASOS could help SORNA jurisdictions: 1) maintain updated sex offender registration information, including verifying relevant addresses of both “compliant” sex offenders (i.e., those who update their registration information as it changes) and “absconded” sex offenders (i.e., those who do not update their registration information); 2) provide alerts to other relevant SORNA jurisdictions about sex offenders moving into and out of those jurisdictions, without depending on the sex offender self-registering the new information; and 3) share vital information amongst jurisdictions immediately after a child goes missing to determine whether absconded sex offenders are in a given area, or have connections with a given area of an abduction.

LexisNexis is submitting these comments so that the SMART Office is aware as it drafts finalized SORNA Guidelines that technology already exists today to help jurisdictions comply with several primary SORNA legislative requirements. LexisNexis looks forward to working with the SMART Office in the future to continue to help relevant jurisdictions comply with SORNA.

## **ASOS Program**

### *Technology Description*

ASOS is an information sharing program that enhances jurisdictions’ ability to meet the following goals of the Adam Walsh Act. ASOS can:

- Help SORNA jurisdictions maintain accurate registration information, including addresses on both compliant sex offenders who provide updated information to state registries and non-compliant sex offenders – “absconders” – who do not provide registries with updated information;
- Provide SORNA jurisdictions with a Sex Offender Alert Service that notifies the jurisdictions when a sex offender moves from a registered address and also when a sex offender from another jurisdiction moves into a given jurisdiction; and
- Enable a SORNA jurisdiction, when confronted with a non-custodial abduction, to immediately identify both registered and non-compliant sex

offenders in the area who might be suspects in the commission of the crime.

At the heart of the ASOS technology is the *LexisNexis Enterprise Data Fusion System* (EDFS). EDFS enables loading, linking, querying, and analyzing of massive data sets from diverse data sources at unmatched speeds, and also enables rapid data fusion and analysis of tens of billions of records in seconds and minutes instead of hours, days, or even weeks. EDFS allows law enforcement to query comprehensive information in a missing child investigation and receive answers in real time.

Another key component of ASOS is the *Accurint Data Link* (ADL), a patent pending set of algorithms that leverages billions of LexisNexis public records and a state's own data sets to identify people and link multiple records into a complete, unified view. ADL technology uniquely identifies persons, properties, addresses, businesses, vehicles, and many other entities.

*LexisNexis Advanced Investigative Solution* (AIS) software provides advanced data analytics and visualization technology to enable law enforcement to quickly identify, locate and visually map addresses associated with both registered and non-compliant sexual offenders as well as other addresses of investigative interest. Using built-in mapping technology, law enforcement officials can also quickly analyze the proximity of sex offenders to locations such as elementary schools and day care facilities.

The data that powers ASOS emanates from two locations. The first is the LexisNexis public records database, which contains the sexual offender data for all 50 states plus the District of Columbia and also includes nearly 9,000 sources of records on persons, assets, relatives, associates, businesses, licenses, and courts. The other source is data that is possessed by participating states. The following state data sets are incorporated into the ASOS Program: 1) Sex Offender Registries and images; 2) Driver's License Records and images; 3) Motor Vehicle Records; 4) Criminal History Records and images; and 5) Department of Corrections Records and images.

#### *Maintaining Accurate and Updated Registration Information*

Section 114 of the Adam Walsh Act, and Section VI of the Proposed National Guidelines, entitled "*Required Registration Information*" recognize that crucial to the success of SORNA is accurate sex offender registration information. Section VI of the Proposed Guidelines lists the following information as that which will be required to be kept by the state sex offender registries: names/ aliases; internet identifiers; phone numbers; Social Security Numbers; residence/lodging/travel information; temporary lodging information; employment information; professional licenses; school/student information; vehicle information, including the license plate number and description of any vehicle owner by the registered sex offender; date of birth; physical description; text of registration offense; criminal history; current photograph; fingerprints and palm prints; DNA information; and Driver's License or ID card.



Much of this information is held in public records that LexisNexis manages within its core business function as a comprehensive data management company and can be accessed through the ASOS program. As such, LexisNexis has the most updated version of this information for most members of the public, including sex offenders – and it is all managed with appropriate privacy protections in place. Because ASOS has the ability to link the LexisNexis public record data with various information held only by the states, including criminal history information, ASOS can present a rapid, and most importantly current, view of sex offenders as they move throughout society. ASOS can be structured so that SORNA jurisdictions can receive periodic updates about sex offenders to check the accuracy of state sex offender registries. ASOS can also be accessed by SORNA jurisdictions when law enforcement officials have questions about the movements of specific sex offenders and whether their information as presented in the registry is correct.

*Alerts for SORNA jurisdictions as sex offenders move into and out of various jurisdictions*

A central theme throughout both SORNA and its proposed guidelines is that SORNA jurisdictions need to immediately and electronically share changes in state sex offender registry information as such information is received. Specifically, Section 119(b) requires that the Attorney General ensure that updated information about a sex offender is immediately transmitted by electronic forwarding to all relevant jurisdictions. Section 121(b)(3) requires that immediately after a sex offender registers or updates a registration, that information must be provided to 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. The problem with this requirement is that it presumes that sex offenders willingly provide updated registry information.

LexisNexis has created a unique tool called the ASOS Sex Offender Alert System which can provide SORNA jurisdictions with updated sex offender registry information without relying on sex offenders to provide the information. Using the ASOS technology, state sex offender registries can be regularly monitored for discrepancies between a sexual offender's registered address and the current address obtained through public records information. This means that sexual offenders across the country who relocate and fail to register their new addresses are immediately flagged as living at an unverified address. The ASOS system then creates an "Alert" list of national at-risk sexual offenders that contains the following information regarding offenders: Name; Date of Birth; Social Security Number (if available); Registered Address; New Suspected Address; Record (and photograph if available); and Phone Numbers. The Sex Offender Alert is then encrypted and securely e-mailed to relevant SORNA jurisdictions for subsequent review and analysis. Thus, the ASOS Alert system can help SORNA jurisdictions comply with Sections 119(b) and 121(b)(3) without relying on sex offenders to provide updated information.

*Information Sharing Immediately After a Child Abduction*

At the heart of SORNA and the Adam Walsh Act is the nation's attempt to prevent any children from being abducted and subjected to unspeakable abuses by sex offenders. Due to the prominence of recidivism amongst sex offenders, in order to protect children, it is necessary for law enforcement personnel to determine the whereabouts of all sex offenders in a given radius of an abduction, whether they are compliant with a state sex offender registry's rules or not. Perhaps the strongest and most beneficial capability of ASOS is its ability to, immediately following a child abduction, link relevant public record information with state specific information to provide details on every sex offender with connections to a particular abduction site, whether that sex offender has updated information in the state sex offender registry or not.

ASOS delivers this application through the well-proven LexisNexis Advanced Investigative Solution (AIS) application that is easily downloaded onto an investigator's desktop and which enables access to the ASOS program data. Based on an initial query through the AIS, ASOS correlates both state data and LexisNexis public records data, and within seconds produces information that pinpoints all likely sex offender locations within a given radius of an abduction site. To permit investigators to focus on the locations most likely to produce results, locations are classified into four categories: 1) REGISTERED – a location within the given radius that is a sex offender's registered address; 2) UNREGISTERED – a location within the given radius that is not a sex offender's registered address but is nonetheless the address at which the offender is living (i.e., an absconder's or non-compliant offender's address); 3) HISTORICAL – a location within the given radius at which a sex offender resided at some point in the past; and 4) ASSOCIATE – any location within the given radius with which a sex offender may have a connection.

To maximize the usefulness of the response, the AIS application includes an integrated geospatial mapping component and link-analysis visualization capability to supplement tabular results. With this capability, investigators can visualize results in a single view for registered, unregistered, historical, and associate locations of sex offenders within a specified radius.

### **Closing**

The legislative requirements and proposed guidelines for the implementation of SORNA attempt to ensure that state sex offender registries are as accurate as possible to help SORNA jurisdiction's continually monitor and track sex offenders within each jurisdiction. However, the law and guidelines do not currently have much in place to help SORNA jurisdictions obtain updated registry information, outside of depending on the sex offender to provide it. The LexisNexis ASOS program currently has the capability of helping SORNA jurisdictions not only maintain accurate and complete sex offender registries, but protect children who are abducted by providing immediate answers regarding all sex offenders in a given radius after a child abduction.

Rogers, Laura

DNA

From: [REDACTED]  
Sent: Tuesday, July 10, 2007 11:57 AM  
To: GetSMART  
Cc: christine\_leonard@judiciary-dem.senate.gov  
Subject: OAG Docket No 121

Section 114 (b) (6) of the SNORA states in part that DNA must be taken or must have been taken.

ISSUE> Many of the people the SNORA will now add to the data base of the sex offender registry were convicted before the advent of DNA and the everyday gathering of DNA evidence from persons arrested. The SNORA is calling for those who have no DNA sample in the data base to now be required to submit to a DNA draw or be subject to violation of the rules of the SNORA and their by opening them up to prosecution by State and or Federal authorities. The issue here is that this is clearly a case of an exo-facto law. I would draw your attention to the Alaska vs Doe case that in no place granted the authority to government to take DNA samples of sex offenders for use in a data base that is associated with the sex offender registry.

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**From:** Rogers, Laura on behalf of GetSMART  
**Sent:** Thursday, July 26, 2007 3:40 PM  
**To:** Rosengarten, Clark  
**Subject:** FW: OAG Docket No 121

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**From:** Tim Poxson [REDACTED]  
**Sent:** Tuesday, July 24, 2007 1:22 PM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

Section 114 (b) (6) of the SORNA should be rewritten as it stands now it says that all sex offenders must have on file a DNA sample or one must be taken.

The problem here is that in many cases DNA was not taken at time of conviction. IE the conviction was before DNA samples were taken, or the sex crime was so minor that a DNA sample was not requested. To ask for one now is a kin to ex post fact law. If the sex offender refuses to give a DNA sample at this date after the fact, the sex offender will be prosecuted under the rules and law of the SORNA which was written and became law after the fact of the conviction and sentence of the original crime. I understand the need of the government to collect a data base for possible further crimes of the sex offender, but the rights of the sex offender should not be overlooked to obtain this objective.

The easiest way to take care of this issue is to change section 114 (b) (6) to read that all sex crimes that a person is convicted of, from this date forward will require the submitting of DNA samples. The SORNA will note the fact that DNA sample is available or is not available in the narrative section of each sex offenders details.

**Rogers, Laura**

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**From:** Laney, Ron  
**nt:** Wednesday, August 08, 2007 1:58 PM  
Rogers, Laura  
Darke Schmitt, Katherine; O'Reilly, Jacqueline  
**Subject:** Comment from me on AWCPSA

It is not in the Adam Walsh Child Protection Act that a convicted sex offender "NEVER" be allowed to change their name in any way shape or form in their life time. The potential for the victims to be severely re-victimized by the fact the sex offender could change his/her name and re insert themselves into the victim's environment is something that should not be allowed. I would like to see this become federal law in the AWCPSA.

**Rogers, Laura**

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**From:** [REDACTED]

**Sent:** Sunday, May 20, 2007 1:45 PM

**To:** GetSMART

**Subject:** LEVEL 3 SEX OFFENDERS HAVING THEIR COMMERCIAL DRIVERS LICENSE

I FIRMLY BELIEVE THAT LEVEL THREE SEX OFFENDERS SHOULD NOT BE ABLE TO TRAVEL FROM COAST TO COAST DRIVING FOR A TRUCKING COMPANY, WHERE THEY ARE NOT BEING TRACKED. THEY COULD BE DOING ANYTHING AND THE CRIMES THEY COMMIT WOULD THEREFOR BE HARDER TO SOLVE, I HAVE A FILE ON A LEVEL 3 INVOLVING CHILDREN THAT DOES HAVE HIS C.D.L. AND WORKS FOR A LONG HAUL TRUCKING COMPANY

7/21/2007

**From:** [REDACTED]  
**Sent:** Monday, May 21, 2007 10:25 AM  
**o:** GetSMART  
**Subject:** DOB Information needs to be searchable on the website.

[http://www.ojp.usdoj.gov/smart/pdfs/sorna\\_faqs.pdf](http://www.ojp.usdoj.gov/smart/pdfs/sorna_faqs.pdf)

Section 17. What information must be available to the public through public websites? Date of Birth needs to be added. If I go to the site right now, and put in John Smith, 233 results come up. We need to be able to search with a DOB to figure out if the John Smith I am looking for is registered.

Thank you,  
Amanda Maddox

[REDACTED]

[REDACTED]

- [www.criminalbackground.com](http://www.criminalbackground.com)
- [www.safe-schools.com](http://www.safe-schools.com)
- [www.safecamps.net](http://www.safecamps.net)
- [www.safechurches.com](http://www.safechurches.com)
- [www.safevolunteers.com](http://www.safevolunteers.com)
- [www.fadv.com](http://www.fadv.com)

New Look. A New Vision. A World of Solutions.

*reg'd info*

**Rogers, Laura**

**From:** Ian Horlock [REDACTED]  
**Sent:** Tuesday, July 17, 2007 5:56 PM  
**To:** GetSMART  
**Subject:** SORNA comments: TRAVEL AND IMMIGRATION DOCUMENTS (§ 114(a)(7))

Ref. the "TRAVEL AND IMMIGRATION DOCUMENTS (§ 114(a)(7))" section for the proposed guidelines for SORNA, has consideration been given to registrants who hold additional non-USA citizenship(s), and who may also possess foreign passport(s)? I would like to suggest the collection of information regarding other citizenships a registrant may hold, including foreign passport(s) information.

Sincerely,

Ian Horlock



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Rogers, Laura

Reg reqmts

From: [REDACTED]

Sent: Wednesday, June 20, 2007 12:41 PM

To: GetSMART

Subject: OAG Docket No 121

I would like the following requirement added to the SORNA. Each state shall be required to set up a toll free phone number that will assist registrants with compliance. This resource should be available to answer questions regarding the Sex Offender related laws and the specific registration requirements. Because the SORNA will be hard to interpret and because Law Enforcement agencies and municipalities will misinterpret and misapply the law. This location will also be used should a registrant with compliance should an emergency such as hospitalization or alike takes place the registrant will be required to call this number and a case number will be assigned to the registrant. If truly you are interested in compliance with the SORNA you will include this in the mix of the law.

7/21/2007

Rogers, Laura

web

**From:** [REDACTED]  
**Sent:** Thursday, June 28, 2007 2:55 PM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

Under the SORNA as your office has them written you have covered about everything with the exception of how to remove a sex offender from the SONRA should they die before they have served the full number of years as required by the SONRA. Given that the SONRA will have over 600,000 names on it, no question this will be an issue that needs to be addressed.

My suggestion so that the family of a sex offender does not have to be unduly burden with the requirement that they go to all the different jurisdictions the offender would have to go to if, they were still alive, that the family of the offender be able to mail a death certificate to the jurisdiction in which the sex offender registered as were they lived. The jurisdiction receiving this information would then be required to notify the other jurisdictions the sex offender had been required to register in that the offender is no longer required to register because they are dead. If you fail to add this provision many people will be listed on the SORNA that are of no danger any longer to the public. Also Law Enforcement will be using resources to track down offenders who are dead.

Rogers, Laura

com net / web

**From:** Tim Poxson [REDACTED]  
**Sent:** Monday, July 16, 2007 2:46 PM  
**To:** GetSMART  
**Cc:** christine\_leonard@judiciary-dem.senate.gov  
**Subject:** OAG Docket No 121

The SNORA as written includes no way to remove a sex offender upon the offenders death. Valuable Law Enforcement time will be wasted trying to track these offenders down and bringing them to justice. The SNORA should include that if a death certificate is mailed to any of the jurisdictions the sex offender had to appear at, that jurisdiction shall cause the sex offenders information to be removed from the sex offender registry.