



August 2011

## **SORNA Substantial Implementation Review Miccosukee Tribe of Florida**

The U.S. Department of Justice, Office of Justice Programs, Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) would like to thank the Miccosukee Tribe of Florida for the extensive work that has gone into its effort to substantially implement Title I of the Adam Walsh Act, the Sex Offender Registration and Notification Act (SORNA). The SMART Office has completed its review of the Miccosukee Tribe of Florida's SORNA substantial implementation packet and has found that the Miccosukee Tribe of Florida has substantially implemented SORNA.

On April 18, 2011, the Miccosukee Tribe of Florida submitted a substantial implementation package that included eleven exhibits, including background information on the tribe and its criminal justice system, courts, and police department, policies and procedures regarding sex offender registration, the tribe's sex offender registration law and relevant additional laws, as well as forms and memoranda of agreement with other law enforcement agencies. In addition, email and phone correspondence with Bernardo Roman, III, Tribal Attorney, and Dr. J. De Gaglia, SORNA Compliance Officer, filled in gaps in information and procedure, which informed our review.<sup>1</sup>

Our review of these materials follows the outline of the SMART Office Substantial Implementation Checklist-Revised, which contains 14 relevant sections addressing the SORNA requirements. Under each section, we indicate that the Miccosukee Tribe of Florida meets the SORNA requirements of that section.

### **I. Immediate Transfer of Information**

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

### **II. Offenses that Must Be Included in the Registry**

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

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<sup>1</sup>The SMART Office had email and phone correspondence with Bernardo Roman, III, Tribal Attorney, and Dr. J. De Gaglia, SORNA Compliance Officer, in July and August 2011.

### **III. Tiering of Offenses**

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

### **IV. Required Registration Information**

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

### **V. Where Registration is Required**

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

### **VI. Initial Registration: Timing and Notice**

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

### **VII. Initial Registration: Retroactive Classes of Offenders**

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

### **VIII. Keeping the Registration Current**

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

### **IX. Verification/Appearance Requirements**

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

### **X. Public Registry Website Requirements**

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

### **XI. Community Notification**

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

**XII. When a Sex Offender Fails to Appear for Registration**

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

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

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

**XIV. Other Considerations**

The Miccosukee Tribe of Florida has an agreement with the Miami Dade Police Department to receive and enter data into NCIC on the tribe's behalf. The tribe has obtained the mailing kits for fingerprints and DNA samples to the FBI. Its code is complete and fully compliant with SORNA. The tribe's representatives are knowledgeable and responsive.

**Conclusion**

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

We encourage you to continue your efforts towards fully implementing the provisions of SORNA. If at any time you require assistance or clarification on implementation, do not hesitate to contact the SMART Office.