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SEARCH Survey on State Compliance with the Sex Offender Registration and Notification Act (SORNA)

April 2009

Summary

Not one of the 47 states that responded to questions in a recent survey will meet the July 2009 compliance deadline for implementing the sex offender registration and notification standards required by the Adam Walsh Act.

The seven-question email survey of the states was conducted in February 2009 by SEARCH, The National Consortium for Justice Information and Statistics.

Title I of the Walsh Act, titled the Sex Offender Registration and Notification Act or SORNA for short, sets minimum standards for sex offender registration and notification in the United States that, in many instances, are stricter than those established by individual states.

States that fail to comply with SORNA requirements by July 27, 2009, risk losing 10 percent of their funding under the federal Byrne Justice Assistance Grant.

States may apply for two one-year extensions of the deadline. Not surprisingly, almost all of the states responding to the survey expect to file for extensions and a few have already received them.

Two of the 47 states that responded to the survey indicated that they would decline to answer its questions. Of the 45 states that did answer the survey questions, 42 reported that legislation would be needed to bring the states into SORNA compliance.

Two others were unclear whether legislation would be needed, and one was unlikely to put forth any more SORNA compliance legislation after two previous legislative attempts failed.

Federally recognized Indian tribes were present in 26 responding states. Ten of those states indicated that they would work with the tribes on SORNA compliance through cooperative agreements.

Seven states said they were not planning to enter into cooperative agreements with the tribes in that fashion, and nine states had not determined whether the state and tribe would work together on SORNA compliance.

States responding to the survey cited a number of factors impacting their ability to comply with SORNA although some common themes emerged (most states cited more than one impacting



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factor). The most commonly cited barrier to SORNA compliance was the act's juvenile registration and reporting requirements, cited by 23 states.

According to the SORNA guidelines, SORNA does not require registration for juveniles adjudicated as delinquent for all sex offenses, but it does require registration for a defined class of older juveniles (at least 14 years old) adjudicated for committing particularly serious sexually assaults, along with conspiracies or attempts to commit such crimes.

Retroactive registration was the second most frequently referenced SORNA barrier cited by the states (20 states). SORNA requires registration to be retroactive to certain sex offenders whose convictions predate SORNA enactment or its implementation in a particular jurisdiction.

The act requires the registration of sex offenders who remain in the system as prisoners, supervisees or registrants, along with those who re-enter the system through a subsequent criminal conviction, even if that conviction is not for a sexual offense.

Seven states were concerned with the cost of implementing SORNA, as the federal government has yet to provide funds to support its implementation.

Seven states also cited as a barrier SORNA's requirement that convicted sex offenders be assigned to tiers based on the severity of their crimes, with Tier 1 offenders being considered the least dangerous and Tier III offenders the most dangerous. Length of registration requirement and other controls are based on an offender's assigned tier.

Four states' SORNA compliance was impacted by the act's in-person reporting requirements, which direct registrants to appear in person to register and, periodically, to verify or update registry information.

SORNA's palm print collection requirement was cited by three states as a barrier.

Several states expressed concerns about posting a registrant's school and/or employer information online, or about posting information on low-level offenders.

Other SORNA barriers cited by the states include:

- The need for additional staff
- Background check logistics
- No recourse for the offender to get off the registry
- SORNA's definition of "substantial compliance"
- Conflicts with state constitutions or state laws
- Updating offender information
- Transforming from a risk-based to a conviction-based assessment
- Increased verification requirements
- Overly restrictive compliance standards



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State	Comply	Extension	Reason	Difficulty	Legislation	Tribes	Agreement
Alabama							
Alaska	No	Yes	Need substantial revisions to AK law	Retroactive registration	Yes	Doesn't apply to AK	N/A
Arizona	No	Yes	Legislation	In-person reporting, juvenile requirements and tier system	Yes	22	Yes
Arkansas	Not yet	Already rec'd	Legislative	Retroactivity, juvenile requirements and add'l staff to comply	Yes	No	N/A
California	No	Undetermined	Cost, statutory barriers, privacy issues	Cost	Yes	Yes	Undetermined
Colorado	No	Yes	Statutory changes, particularly relating to juveniles, and cost	Statutory changes, retroactivity and cost	Yes	Yes	Yes
Connecticut	No	Yes	First legislative session underway since final guidelines issues; IT upgrade ongoing	In-person verification and background check logistics	Yes	Yes	Possibly
Delaware	No	Yes	Awaiting legislative changes	Retroactive registration	Minor legislative changes still needed	No	N/A
District of Columbia							



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State	Comply	Extension	Reason	Difficulty	Legislation	Tribes	Agreement
Florida	No	Yes	Funding/state budget restrictions	Largest dollar items such as retroactivity, posting employment and school data, palm print collection	Yes	Yes	No
Georgia	No	Yes	Misdemeanor convictions, juveniles, retroactivity, funding	Misdemeanor convictions, juveniles, retroactivity, funding	Yes	No	N/A
Hawaii	No	Yes	Awaiting working group report before legislative action	Juvenile registration and in-person verification	Yes	No	N/A
Idaho	No	Yes	Draft legislation rejected	Juvenile issue	Yes	Yes	Yes
Illinois	No	Yes	Current law not compliant with SORNA	Juvenile and retroactive registration, tier reclassification, and palm print collection	Yes	No	N/A
Indiana	Unlikely	Most likely yes	Legislative issues, technological modifications	Juvenile requirements and retroactivity	Yes	No	N/A
Iowa	Too early to tell	Already rec'd	Uncertainty over approval of legislation	Juvenile registration, retroactivity, employer's addresses on	Yes	Yes	Not at this time



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State	Comply	Extension	Reason	Difficulty	Legislation	Tribes	Agreement
				website, cost			
Kansas	Already rec'd	N/A	Constitution issues; time to pass needed legislation; review of juvenile and retroactivity requirements	Juvenile and retroactivity	Yes	Yes	Yes
Kentucky	No	Yes	Awaiting legislative changes	Juvenile registration, tiering and retroactivity	Yes	No	N/A
Louisiana	No	Likely	Previous compliance efforts rejected; seeking other recourses	Retroactivity, tiers and juvenile registration	Yes	Yes	Just begun dialog
Maine	No	Yes	Legal challenges, opposition to juvenile registration, cost	No recourse to get off the registry.	Yes	Yes	Yes
Maryland	No	Yes	Unable to pass compliance legislation	Juvenile registration and retroactivity issues blocking legislation	Yes	No	N/A
Massachusetts	No	Yes	SORNA requirements conflict w/state constitution	SORNA requirements conflict w/state constitution	Yes	Yes	Unknown
Michigan	No	Yes	Computer programming, legislation	Palm print collection, updating	Yes	Yes	Yes



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State	Comply	Extension	Reason	Difficulty	Legislation	Tribes	Agreement
				offender information			
Minnesota	Declined to comment						
Mississippi	No	Yes	Legislative	Legislative	Yes	Yes	No
Missouri	No	Yes	Awaiting legislative changes/additions	Immediate notification for registration/updates	Yes	No	No
Montana	Decline to comment						
Nebraska	By Fall '09	Yes	Legislative	Juveniles & retroactivity	Yes	Yes	Yes
Nevada	No	Yes	Injunction on state SORNA compliance law being appealed	Tiering process and cost	Perhaps pending result of appeal	Yes	Yes
New Hampshire	No	Yes	Awaiting legislation	Rectifying conflict between NH laws and SORNA	Yes	No	N/A
New Jersey	No	Yes	Need to make requisite changes to NJ statutes, AG guidelines, training, and sex offender d-bases.	Transforming sex offender classification from risk-based to conviction-based assessment	Yes	No	N/A



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State	Comply	Extension	Reason	Difficulty	Legislation	Tribes	Agreement
New Mexico	No	Yes	Retroactivity and juvenile issues	Retroactivity and juvenile issues	Yes	Yes	Yes
New York	Unknown	Unknown	Unknown	Unknown	Yes	Different statutory relation w/Tribes/PL280 may not be applicable to NY	See previous
North Carolina	Most likely	Yes	Complying legislation	Complying legislation	Yes	Yes	Most likely
North Dakota	No	Yes.	To allow Congress to re-think its approach.	1. Tier system 2. Posting low-risk offenders and employer addresses 3. Retroactive provisions	Have promoted two compliance bills; unlikely to support another.	Yes.	Possibly. Discussions are underway.
Ohio	No	Yes	Overly restrictive compliance standard	Juvenile registration, "super-retroactivity," and "substantially implement" standard	Unclear	No	No
Oklahoma	No	Possibly	Juvenile and retroactivity issues	Juvenile and retroactivity issues	Yes	Yes	No
Oregon	No	Yes	Legislation, retroactivity, tiering, cost	Cost and state constitutionality issues	Yes	Yes	No



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State	Comply	Extension	Reason	Difficulty	Legislation	Tribes	Agreement
Pennsylvania							
Puerto Rico							
Rhode Island	No	Yes	Legislative	Juvenile and retroactive provisions	Yes	No	No
South Carolina	No	Yes	Legislative	Legislative	Yes	Yes	Unsure
South Dakota	No	Yes	Legislative		Yes	Yes	Yes
Tennessee	No	Yes	Need additional time to implement juvenile registration and tier requirements	Strong opposition to juvenile requirement	Yes	No	N/A
Texas	No	Yes	State legislative issues; final guidelines publication date; impact to current program; definition of substantial compliance	Increased verification requirements; retroactivity; "substantial compliance" definition	Yes	Yes	Not at this time
Utah							
Vermont	No	Yes	Complexity and cost; need for legislative change	Tiering, in-person reporting, Internet posting requirement, juvenile registration	Yes	No	N/A



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State	Comply	Extension	Reason	Difficulty	Legislation	Tribes	Agreement
Virgin Islands							
Virginia	No	Yes	Awaiting state action on pending legislation	Retroactive registration requirements and juvenile registration issues	Yes	No	N/A
Washington	No	Unknown		TBD	Yes	Yes	Unknown
West Virginia	No	Yes	Cost, legislative changes	Securing funding and juvenile registration requirements	Yes	No	N /A
Wisconsin	No	Yes	Legislative and system changes needed	Face-to-face contacts; juvenile listings	Yes	Yes	No
Wyoming	No	Yes	Awaiting results of SMART office compliance review	Juvenile registration issues	Yes	Yes	Possibly



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State Survey Responses

Alabama	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	
3. If your state will seek an extension, what are the primary reasons?	
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	
6. Do you have any federally recognized tribes in your state?	
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	



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Alaska	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Substantial revisions to Alaska law will be needed to achieve substantial compliance with SORNA.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	SORNA requires that offenders register retroactively. This requirement was in our state law, and our State Court has held that that provision violates the Alaska State Constitution.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	This question has no application in Alaska.
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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Arizona	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	Arizona will not be in compliance with the Adam Walsh Act's SORNA requirements by the deadline. Arizona applied for and was granted an extension. We received a letter from the SMART office on October 15, 2008 advising us that our request for extension was approved.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Arizona requested and was approved for an extension on October 15, 2008.
3. If your state will seek an extension, what are the primary reasons?	Arizona is working to enact legislation to comply with the SORNA guidelines.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	The most difficult aspect for Arizona is handling the cost and implementation of the three-month, and annual in-person show-ups. Additionally, the juvenile requirements and changing the Arizona system from levels to the SORNA tier system.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes, Arizona will require extensive changes to our sex offender compliance laws.
6. Do you have any federally recognized tribes in your state?	Yes, there are 22 recognized tribes in Arizona.
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Yes, we anticipate entering into cooperative agreements with some of the tribes in Arizona if we are successful in passing legislation to implement SORNA.



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Arkansas	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	A bill has been filed in the legislature that, if passed, would, I believe, bring Arkansas into compliance with AWA. Passage is not a foregone conclusion. The legislature and governor may very well decide to only enact parts of the bill and not others thus keeping Arkansas from being in compliance.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Arkansas already received an extension.
3. If your state will seek an extension, what are the primary reasons?	The reason we asked for an extension was that the legislature would not take up this issue until now and any bill passed would not be effective until later this year.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	The problems will be with the juvenile requirements and the retroactivity aspects of its application. Other concerns are the need for additional staffing to process the additional data and act requirements.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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California	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No, California will not be in compliance by July 27, 2009.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Undetermined as of yet. California is in contact with the SMART Office.
3. If your state will seek an extension, what are the primary reasons?	Cost, statutory barriers, juvenile privacy issues and constitutional privacy protections.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Cost.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes.
6. Do you have any federally recognized tribes in your state?	Yes.
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Undetermined.



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Colorado	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	Colorado has formed a multi-agency committee to study the implementation of the Adam Walsh Act SORNA requirements. The committee has been looking at what statutory changes and resources would be needed to implement the SORNA requirements. Due to needed legislative changes and cost of implementation, Colorado will not be in compliance by July 27, 2009.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	A draft extension letter is currently being reviewed by the Colorado Governor's Office for submission to the SMART Office by the July 27, 2009 deadline.
3. If your state will seek an extension, what are the primary reasons?	Implementation of the Adam Walsh Act SORNA requirements will require significant statutory changes to enhance sex offender registration requirements (i.e. length and frequency of registration, and posting of all sex offender registration information on the public internet website), particularly as it relates to juveniles who currently are not posted on the sex offender internet registry and can petition the court for registration relief following completion of supervision and treatment. In addition, statutory changes would be required to identify a specific age of the victim component to the sex crimes involving a child victim, as Colorado statute currently makes no distinction in Sexual Assault on a Child on child victims under the age of 14. Further, the existing Megan's Law statutes requiring community notification via town-hall style meeting on Sexually Violent Predators would need to be repealed so as not to further confuse the public with different notification schemas. Finally, current estimates of the cost for implementation are prohibitive, and discussion and investigation continue on ways to solve this issue.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Changing Colorado statutes to conform with the Adam Walsh Act SORNA requirements related to juvenile requirements will be difficult to achieve given the current state of research related to this population and policy maker sentiment. In addition, the retroactive application of the new registration and notification tiers will be difficult to achieve based upon the lack of specific victim categorization in the Colorado sex crime statutes, making reclassification difficult, and possible legal challenges as have been seen in other jurisdictions. Finally, the cost for implementation will be difficult given the significant budget problems being experienced by the state as well as local jurisdictions.



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5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes, Colorado would require significant statutory changes related to the length and frequency of registration, placing all sex offender registration information on the public sex offender internet registry, and child sex crime discrimination based on the age of the victim among other changes.
6. Do you have any federally recognized tribes in your state?	Yes, there are two, the Southern Ute Tribe and the Ute Mountain Ute Tribe.
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Yes, Colorado has been collaborating with both tribes and although both tribes have elected to stand up their own registry, inter-jurisdictional agreements will be necessary to address sex offender registration and notification across jurisdictional boundaries.



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Connecticut	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	I do not believe that Connecticut will be in substantial compliance by the July 27, 2009 deadline as we need to complete our Information Technology Update and pass the legislative package which is now part of Governor Rell's legislative proposals.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes we have requested an extension in a letter from Commissioner Danaher dated January 14, 2009. The DOJ has since requested that we provide additional documentation for our request.
3. If your state will seek an extension, what are the primary reasons?	The Final Guidelines were only released in June of 2008 leaving this as the first legislative session since the release of the guidelines to seek implementation that is in line with the guidelines. Further we are working on an aggressive schedule to implement the SOR IT Replacement Project that will allow us to have functionality compatible with AWA compliance. This was done with State Bond funds as states were not directly funded for the costs of implementation. We applied for a competitive grant and were rejected due to a technical error in an attached document.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	I don't believe it will be with the act itself. Connecticut is already an offense based state. We will have some difficulties with logistics of in-person verification and conducting criminal history checks on all parties entering the criminal justice system however, I believe it will be in dealing with the numbers of violations with in-person verifications. We currently have 400-500 individuals that do not send back a 90 day address verification letter. Courts are not always willing to sign arrest warrants or prosecute those that violate. I can see the enforcement initiative for failing to report being a significant effort on the SOR, local police, and the courts.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes, two. We have not received notification from the SMART Office of what the tribes have elected to do. Speaking to one of the tribal nations it appears that they have decided to operate as their own registering authority.
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Possibly



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Delaware	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No, Delaware will very likely not be in SORNA compliance by the July 27, 2009 deadline.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes. Delaware is very likely to seek an extension, in order to comply with SORNA requirements.
3. If your state will seek an extension, what are the primary reasons?	Additional legislative changes are needed to meet SORNA compliance.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Retroactive registration of pre-1994 offenders, who previously were not required to register in Delaware.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Although most legislative changes have been made, a few, relatively minor changes are still needed.
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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District of Columbia	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	
3. If your state will seek an extension, what are the primary reasons?	
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	
6. Do you have any federally recognized tribes in your state?	
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	



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Florida	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No. While significant steps have been instituted towards compliance, at this time it does not seem likely that Florida will be in full compliance with all SORNA requirements by July 27, 2009.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes. Florida has submitted a request for extension to achieve SORNA compliance.
3. If your state will seek an extension, what are the primary reasons?	The items for which Florida continues to work toward compliance with SORNA require significant funding. The severity of current budget restrictions has hindered Florida's ability to move forward with compliance.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Due to current budgetary restraints, the requirements associated with the largest dollar amount, especially retroactivity, will cause the most difficulty. Additionally requirements concerning the collection and public posting of employment and secondary school information as well as the timing of the collection of palm prints are also of fiscal and logistic concern.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes. A significant portion of Florida registration statutes will require modification for full compliance with SORNA. While recent direction from federal authorities has indicated that some requirements may not require state level statutory change in order to achieve compliance from the federal point of view, through some 16 years of registration and litigation experience Florida has learned that requiring specific information from registrants at specific intervals without statutory mandate is unenforceable, legally costly and may tend to weaken registration laws and enforcement of them generally. Efforts have been made to identify and draft proposed statutory changes that will be necessary for Florida law to comply with SORNA requirements.
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Thus far all federally recognized Florida tribes have elected to operate their own registration activities. The Florida state registry stands ready to assist in this process in any way possible and acceptable to the tribes. Should a tribe choose to change their election at a later date, the State registry stands ready to take on these responsibilities as well.



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Georgia	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	A state working group consisting of representatives from the various state and local agencies was created and has completed a gaps analysis as well as operational, cost, and legislative impact analyses. The state working group continues to meet regularly to identify policy and implementation issues.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Georgia plans to submit an extension request in March 2009.
3. If your state will seek an extension, what are the primary reasons?	Georgia continues to seek to resolve policy and implementation impediments regarding misdemeanor convictions, juveniles and retroactivity. Additionally, in the current economic climate, no state funding is anticipated.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Again, many issues, both policy and implementation, regarding misdemeanor convictions, juvenile registration and retroactivity, in addition to available funding for both state and local operations and the registry, are huge hurdles for Georgia. In 2006, state legislation was changed to remove the registration requirement for misdemeanants and juveniles.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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Hawaii	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	Hawaii will not be in compliance with SORNA by July 27, 2009.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes, Hawaii will apply for a one-year extension.
3. If your state will seek an extension, what are the primary reasons?	Hawaii has made significant progress in implementing many of the required provisions of SORNA with the passage last year of Act 80, Session Laws of Hawaii 2008. The Act established a working group which was tasked with determining which Hawaii laws need to be amended and whether any new laws need to be enacted to comply with SORNA, identifying what resources are needed and all sources of funding that may be available for implementation, and drafting proposed legislation to bring Hawaii into compliance with SORNA and the Department of Justice guidelines implementing it. The current legislative session for Hawaii just began and the legislators will be reviewing the final report.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Juvenile registration and the frequency of in-person verification appear to be the most difficult aspects of the Adam Walsh Act/SORNA for Hawaii's compliance.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes, Hawaii will require additional legislative changes to come into compliance with SORNA.
6. Do you have any federally recognized tribes in your state?	No, Hawaii does not have any federally recognized tribes.
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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Idaho	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Draft legislation not accepted by the SMART office.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Juvenile issue the biggest
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Yes, we have had discussions with all the tribes. There are two interested in working with the state.



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Illinois	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	The Illinois State Police (ISP) will not be in compliance with the AWA by July 2009. The ISP will be submitting a request for a one-year extension to the Department of Justice. This will be completed within the next month.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	The current Illinois law regarding registration does not meet substantial compliance with the AWA.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	The major hurdles are juveniles being placed on the website, retroactivity for registration, reclassification of all sex offenders into different tiers (thus changing their registration requirements) and palm prints of all sex offenders. All changes to registration must be completed through legislation.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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Indiana	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	It is unlikely. Indiana will have some changes that will need to be made through legislation. While Indiana is currently in the middle of a legislative session, at this point it doesn't appear the necessary changes will be made.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	I would suspect yes. Indiana has been awarded two SMART grants to address many of the technological issues found in SORNA and has made a few legislative changes over the last couple of session in order to move towards compliance
3. If your state will seek an extension, what are the primary reasons?	-Additional time to address legislative issues -Additional time to made necessary technology modifications
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	The issues that seem to be most discussed in the state are the juvenile requirement and retroactivity. Indiana currently requires juveniles to register who fall within either of the two following categories: (1) tried and convicted in adult court of a registration offense, (2) adjudicated delinquent where a court has found the juvenile to likely commit another sex offense in the future. Thus, Indiana does not currently mandate juveniles who are adjudicated in juvenile court to register without court order which seems to be in conflict with SORNA requirements. Indiana currently has no limitations on retroactively in statute (i.e., there are no built in begin or end dates). However, there have been concerns raised over reentering individuals back into the system for new non sex offenses.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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Iowa	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	The Iowa Department of Public Safety submitted a bill to the Iowa Legislature that would bring Iowa's current sex offender registry law into compliance with Adam Walsh Guidelines. Our Legislature is currently in session and we continue to work with Legislative leaders on the current bill draft. However, it is too early to tell if Iowa's legislature will pass this bill.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Iowa has already received an extension for the SMART Office.
3. If your state will seek an extension, what are the primary reasons?	As part of our ongoing communication with the SMART Office regarding our bill draft, and the uncertainty regarding its passage, Iowa was granted an extension.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	<p>Four key issues seem to be at the center of debate with respect to Adam Walsh Guidelines. They are:</p> <ul style="list-style-type: none"> • Registration of Juvenile Offenders (Courts can currently waive juveniles.) • Retroactivity • Posting of Employers Address on public website • Increased expense and strain on resources by local SO's. (relates primarily to increased cycle of in person reports for Tier 2 and 3 offenders)
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Not at this time



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Kansas	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Already rec'd an extension.
3. If your state will seek an extension, what are the primary reasons?	Our extension request was based on several issues, including some state constitutional issues as well as the need for the State Attorney General to further review the Juvenile and Retroactivity portion of AWA/SORNA. In addition we wanted to ensure that the State has sufficient time to pass all of the required legislation.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Juvenile and retroactivity
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	We are currently working on a Memorandum of Agreement with all four tribes in the State of Kansas. In addition, working group meetings have been set on a quarterly basis and the tribes are part of the State Offender Registration Working Group.



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Kentucky	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Kentucky requested and was approved for an extension January 8, 2009.
3. If your state will seek an extension, what are the primary reasons?	Additional time is needed to pursue statutory revisions in upcoming legislative sessions.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Juvenile registration, tiering and retroactivity.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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Louisiana	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	The State of Louisiana will not be in compliance with the AWA's SORNA requirements by this date.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	The State of Louisiana is likely to seek an extension.
3. If your state will seek an extension, what are the primary reasons?	The State will likely seek an extension because it has already spent much time and resources attempting to come into compliance and were found to be non-compliant by the SMART Office. Louisiana has been working on this issue since 2006 and was the first state to submit a compliance package to the SMART office and the first state to be rejected as failing to achieve compliance. The 2009 regular legislative session is a fiscal only session with each legislator only allowed to file five (5) bills which are not fiscal in nature. Also, it is believed by many policy makers here in Louisiana that we have done enough to be deemed in "substantial compliance" and want to have time to seek other recourse before we consider making any other changes to our legislation.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	100% compliance with Retroactivity requirements, 100% compliance with offense "tiering" requirements, 100% compliance with juvenile registration, being required to look to underlying facts to determine "tier" rather than to elements of conviction crime and facts alleged in formal charging document i.e. bill of information or indictment. SMART office's guidelines state that in order to be found in substantial compliance you must do everything AWA suggests. The guidelines basically set the AWA requirements as a floor. The "substantial compliance" language in the AWA is interpreted by the DOJ to mean that you can do more than the AWA requires but you cannot do less. The AWA sets the "floor" on the penthouse level, and then gives you permission to set your standards as high as the moon – never mind the extreme cost involved as compared to the possibility of increased public safety.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes



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7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?

We have just begun dialog with tribes.



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Maine	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	We currently have thirty plus cases challenging State laws related to the SORNA pending at the Law Court. Any decision by the Law Court will obviously dictate what direction we are allowed to proceed in. There is strong opposition to posting juveniles on the web site. The cost of implementing the AWA is another concern, particularly the look back.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	No recourse to get off the registry.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Yes



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Maryland	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No, Maryland will not be in compliance with SORNA by July 27, 2009
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes, Maryland is in the process of drafting a request for an extension to the SMART Office
3. If your state will seek an extension, what are the primary reasons?	Maryland's primary reason for seeking an extension is that we have been unable to pass legislation that will bring the State into substantial compliance. Without the legislation the State can only make minimal administrative changes.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	The most difficult aspects of implementing SORNA will be in the passage of legislation that requires juvenile sex offenders to register and creates a registration responsibility for individuals convicted of a qualifying offense retroactively.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes, legislative change is essential to compliance.
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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Massachusetts	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Many of the provisions of SORNA may run afoul of state constitutional provisions, as interpreted by the state supreme court in a series of decisions regarding our state sex offender registry laws.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Many of the provisions of SORNA may run afoul of state constitutional provisions, as interpreted by the state supreme court in a series of decisions regarding our state sex offender registry laws.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Unknown



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Michigan	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Need time to do computer programming; need time to enact legislation.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Collection of palm prints; notification of sex offender moves/changes of information.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Yes, we are actively working with tribes but they have yet to decide if they want to do this.



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Minnesota	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	Declined to comment.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	
3. If your state will seek an extension, what are the primary reasons?	
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	
6. Do you have any federally recognized tribes in your state?	
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	



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Mississippi	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	NO
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	MS HAS REQUESTED AND RECEIVED AN EXTENSION
3. If your state will seek an extension, what are the primary reasons?	NEED ADDITIONAL TIME TO DRAFT/IMPLEMENT LEGISLATIVE AND ADMINISTRATIVE CHANGES
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	LEGISLATIVE CHANGES
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	YES
6. Do you have any federally recognized tribes in your state?	YES
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	NO, THEY ARE IN THE PROCESS IMPLEMENTING THEIR OWN REGISTRY.



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Missouri	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No, but Missouri has substantially enacted legislation and implemented a majority of the Adam Walsh compliance requirements.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Awaiting legislative changes/additions
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Immediate notification to specified entities and individuals upon registration or update.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes, Missouri is waiting for a review of its current laws by the SMART Office.
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	No



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Montana	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	
3. If your state will seek an extension, what are the primary reasons?	
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	
6. Do you have any federally recognized tribes in your state?	
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	



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Nebraska	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	Nebraska currently has legislation (LB285) submitted to the Nebraska Legislature to come into compliance with Adam Walsh by the fall of 2009. We will be seeking an extension in July anticipating passage of the legislation.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Nebraska will seek an extension to allow time for passage of LB 285 in the Nebraska Legislature.
3. If your state will seek an extension, what are the primary reasons?	To allow time for the Nebraska Legislature to pass LB 285.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Two issues, juveniles & retroactivity.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes, LB 285 is currently moving through the Nebraska Legislature.
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Yes



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Nevada	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No. Although our state law to come into compliance with the SORNA requirements was effective 7/1/08 (Assembly Bill 579, 2007 Legislative Session), a U.S. District Court judge in Las Vegas issued a permanent injunction barring the State from implementation. The Nevada Attorney General's Office appealed the judge's decision, and the case is pending before the U.S. 9 th Circuit Court of Appeals. Until the courts resolve the issue, the State of Nevada cannot comply with SORNA.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	We sent a letter to the SMART Office yesterday seeking the 1-year extension due to the injunction mentioned above. In the meantime, we have sent our compliance packet to the SMART Office for them to review to see if we would be compliant when the court case is resolved. We are waiting to hear on that.
3. If your state will seek an extension, what are the primary reasons?	See # 1.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	The retiring process, i.e., tiering on conviction rather than risk to re-offend, has gone relatively smoothly, although we were barred from actually implementing the retiring due to the injunction mentioned above. The costs to make the changes to our state's Sex Offender Registry and public website as a result of the SORNA requirements will pose greater challenges for us. We received a grant from the SMART Office for FFY 2008 to make various enhancements to our State's Sex Offender Registry in anticipation of eventual legal success with AB 579. We issued a Request for Proposals for bids on the project, although we have not received any responses as of yet. We anticipate the costs to make the changes will exceed the amount of grant funding available to us. Given our state's budget shortfall, we are unsure where we would get the funding to make up the anticipated difference between the costs of the project and the amount of our grant.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Perhaps. It depends on whether or not the SMART Office deems our state law (AB 579) as substantially compliant with the SORNA regulations or not. Also, depending upon the outcome of the court case, we may be legally barred from implementing certain parts of the regulations, which would necessitate legislative changes to remove those aspects.
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	We do believe that if AWA is implement that several of the tribes will enter into agreements with the State.



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New Hampshire	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Awaiting legislative action
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Rectifying conflict between existing New Hampshire laws and SORNA requirements
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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New Jersey	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	An extension of the SORNA compliance deadline is needed in order to make the requisite changes to NJ's statutes, Attorney General Guidelines, training procedures and sex offender databases.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Transforming our sex offender classification from a risk based assessment to a conviction based assessment.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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New Mexico	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No. New Mexico has proposed a bill to the NM Legislature. However; this bill is not a full compliance bill. It will be omitting the Juvenile and Retroactivity components.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	The concerns with Juvenile and Retroactivity are the biggest concerns right now.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	The concerns with Juvenile and Retroactivity are the biggest concerns right now.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes, we have 24 federally recognized tribes in our state. We have reached out to some of them but feel that some are not being responsive to the Adam Walsh requirements.
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Yes, we are in the process of proofing and agreeing on language right now for at least two of them.



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New York	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	The adoption of the Adam Walsh Act raises policy issues that have not been decided. Therefore, it is not known if New York State will be in compliance by July 27, 2009.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	New York State has not decided whether it will seek an extension or not.
3. If your state will seek an extension, what are the primary reasons?	Please see # 2.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Please see # 1.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	New York State may be different than some other states in that 25 U.S.C. § 232 gives New York jurisdiction over crimes committed within tribal territories. As a result, the Adam Walsh Act's distinction between Public Law §280 states and non-Public Law §280 states may not be applicable to New York.
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Please see # 6.



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North Carolina	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	North Carolina will most likely seek a one-year extension
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Need for legislative changes to bring North Carolina's laws into compliance with the Adam Walsh Act
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Changing North Carolina's laws to comply with AWA
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes, Eastern band of Cherokee Indians
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Yes, most likely



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North Dakota	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	Not under the current treatment of "substantial compliance" as it is being applied by the Smart Office.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes.
3. If your state will seek an extension, what are the primary reasons?	To provide time for Congress to re-think the one size fits all approach mandated by SORNA.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	1. Offense-based tier system 2. Requirement to post low-risk offenders and employer addresses 3. Retroactive recapture provisions
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	We have promoted two Adam Walsh compliance bills in 2007 and 2009, and it is unlikely we will support another.
6. Do you have any federally recognized tribes in your state?	Yes.
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Possibly. Discussions are underway.



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Ohio	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No, the SMART office concluded Ohio is not in compliance. That decision defied the understanding shared by the Ohio legislature and numerous Ohio agencies that Ohio had "substantially implemented" the AWA. Tremendous efforts were made to revise Ohio's SORNA law and system to achieve compliance.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Because the SMART office's compliance standard was overly restrictive, Ohio must seek additional time to respond and/or seek reconsideration of the SMART office's compliance determination.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Based on the legislative proceedings that resulted in implementation of the AWA, the unfettered registration of juveniles and the "super-retroactivity" requirements will likely be difficult to address. If the SMART office continues to apply the "substantially implement" standard as requiring absolutely no departure of any kind or degree from AWA guidelines, then compliance will be enormously difficult for every state.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	It is unclear at this time.
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	No



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Oklahoma	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Possibly
3. If your state will seek an extension, what are the primary reasons?	Juvenile and retroactive pieces
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	See above
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	No tribe has of this date (Feb. 17, 2009) has entered into a cooperative agreement with the State.



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Oregon	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes - we are currently researching our response.
3. If your state will seek an extension, what are the primary reasons?	<ul style="list-style-type: none"> a. Lack of time to write legislation since final guidelines were released (Oregon concepts for the January 2009 legislative session had to be completed in April 2008 - the final guidelines came out in May 2008); b. Compliance requires a total overhaul of Oregon registration and relief statutes, specifically those concerning juveniles; c. The retroactivity and tiering pieces of SORNA appear to be a Constitutional issue in Oregon, but requires further research; d. The projected cost of compliance is between \$6-7 million. Oregon is experiencing funding issues for current programs without including SORNA.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	The cost of implementation, constitutionality issues including the juvenile registration pieces; and loss of recently implemented relief statutes.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	It requires a total rewrite of Oregon registration statutes and a further look at the constitutionality issue.
6. Do you have any federally recognized tribes in your state?	There are currently 3 (Confederated Tribes of Warm Springs, Confederated Tribes of Umatilla and the Burns/Paiute Tribe).
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	According to the federal tribal liaison at the SMART office, all 3 of the above listed tribes have indicated they will maintain their own registries. All have the ability to access the state registry at this time.



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Pennsylvania	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	
3. If your state will seek an extension, what are the primary reasons?	
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	
6. Do you have any federally recognized tribes in your state?	
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	



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Puerto Rico	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	
3. If your state will seek an extension, what are the primary reasons?	
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	
6. Do you have any federally recognized tribes in your state?	
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	



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Rhode Island	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Legislative
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Juvenile and retroactive provisions.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	No



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South Carolina	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	We will not be in compliance by July 27, 2009 and we have requested and received a one-year extension.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	We have already received a one-year extension.
3. If your state will seek an extension, what are the primary reasons?	The primary reason for our extension request was the necessary legislative changes.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	The most difficult aspect will be obtaining necessary legislative changes. This factor is outside of our control.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes.
6. Do you have any federally recognized tribes in your state?	Catawba Indians in South Carolina believed to be a federally recognized tribe.
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	We are unsure at this time.



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South Dakota	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Our legislature has not passed all the portions of the AWA that would be required at this time.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	We may have some funding issues since more staff will be required to handle the additional contacts. We may also have an issue regarding juvenile registrations since our Supreme Court has already found our current statute unconstitutional.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	We have been working with one tribal agency on a cooperative agreement, but do not have it completed. We have not been contacted by any other tribal agencies at this time.



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Tennessee	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	We need additional time to implement two remaining requirements: juvenile registration and changing from our current two-tier offender classification to the required three-tier classification.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	The juvenile registration requirement has strong opposition. We are planning on moving forward with the legislative process, and see what happens.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	We amended the law last year to include everything except the juvenile registration and the three-tier offender classification. We will present legislation this year to add those two remaining requirements.
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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Texas	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	<ul style="list-style-type: none"> • State legislative session timing with deadline. • Publication date of Final Guidelines. • Assessment of impact to the Sex Offender Registration Program for substantial compliance.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	<ul style="list-style-type: none"> • Increased frequency of verification requirements based upon tier level and impact on local law enforcement. SORNA currently does not require risk level assessments on registrants and bases verification requirements solely on tiered offenses. Resources would be more effective on those assessed as predators rather than those assessed as offenders. Current SORNA requirements treats both populations the same and increases personnel/costs involved with increased offender reporting. • Retro-applicability based upon re-entry into criminal justice system based on non-sex offense. • SMART office's definition of "substantial compliance" - state registry's impression is that "substantial compliance" is exact mirroring of SORNA.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Unknown at time of survey



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Utah	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	
3. If your state will seek an extension, what are the primary reasons?	
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	
6. Do you have any federally recognized tribes in your state?	
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	



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Vermont	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes – already submitted
3. If your state will seek an extension, what are the primary reasons?	A. Impact of implementation (both complexity of requirements and cost to implement and administer). B. Need for legislative change
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	A. Tiering issue B. In-person reporting C. Requirement to provide Internet information D. Juvenile registration
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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Virgin Islands	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	
3. If your state will seek an extension, what are the primary reasons?	
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	
6. Do you have any federally recognized tribes in your state?	
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	



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Virginia	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Virginia has taken steps towards AWA compliance, since the passage of federal AWA legislation. Those steps have not been measured in the introduction of one AWA Bill, but several legislative initiatives targeted at achieving AWA compliance. Since those legislative initiatives are not complete, Virginia will be required to file for an extension.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Application of retroactivity to criminal offenses not related to registration requirements. All cases of non-compliance are felonies. Juveniles 14 years or older adjudicated delinquent for sexually related offenses.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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Washington	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No, Washington State will not be in compliance.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	It is unknown at this time if Washington State will seek an extension. During the 2008 legislative session, a Sex Offender Policy Board (SOPB) was created to review sex offender registration requirements as well as other sex offender issues and recommend any changes to the Governor.
3. If your state will seek an extension, what are the primary reasons?	
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	This is yet to be determined.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes, extensive.
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Unknown at this time.



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West Virginia	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	The cost of implementing the Act's requirements and implementing the necessary legislative changes for compliance.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Securing the funding necessary for compliance and the juvenile registration requirements mandated within the Act.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	No
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	N/A



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Wisconsin	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Legislative and system changes are needed.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	Face-to-face contacts; and, the listing of juveniles on a public web site.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	Yes
6. Do you have any federally recognized tribes in your state?	Yes
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	No. The Menominee Tribe is establishing a Sex Offender Registry. WI- DOC Sex Offender Registry has, and is, working closely with the tribal authorities; but, no formal agreement was in place. Overall, tribal convictions are required to register with the WI-DOC SOR. All tribes except Menominee are covered by PL 280 and thus not eligible to create their own registry.



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Wyoming	
1. Will your state be in compliance with the Adam Walsh Act's SORNA requirements by July 27, 2009, the deadline for seeking a one-year extension?	No. Wyoming enacted a significant amendment to the former sex offender registry statute in July 2007. It was worded to "substantially comply" with Adam Walsh Act SORNA requirements. The specific state statute is Wyo Stat. Ann. § 7-19-301, and is linked from the Wyoming Sex Offender Registry System Web site http://wysors.dci.wyo.gov/sor/regact.htm . The Web site intentionally comports with most AWA criteria with exceptions noted below.
2. If not, is your state likely to seek an extension to comply with the requirements of the Adam Walsh Act/SORNA?	Yes
3. If your state will seek an extension, what are the primary reasons?	Wyoming submitted our Statute, Web site and other materials to the SMART Office for AWA compliance review but did not receive a response. Will send in the extension request along with, once again, requesting a SMART Office compliance review. With review results, there will be a statement to present to the Wyoming Attorney General and Legislature for consideration of deficiencies.
4. What will be the most difficult aspect of the Adam Walsh Act/SORNA for your state to comply with?	When the current Wyoming statute made it through the Legislature in 2007, there was considerable debate both in committee and on the floor, on the AWA requirement to register juvenile offenders and post them to the public web site. In essence, the majority felt strongly, including juvenile offenders was contradictory to Wyoming's long-standing position of commencing "Proceeding in the interest of... a minor" in confidentially rehabilitating juvenile offenders. If a juvenile in Wyoming were to meet the age and aggravating circumstances provided for in AWA, such juveniles would likely be moved to adult court. Therefore be convicted as an adult and would not be an adjudicated juvenile.
5. Will your state require legislative changes to come into compliance with the Adam Walsh Act/SORNA?	It will require amending the current registry statute to include identified differences between the AWA and what was enacted to date.
6. Do you have any federally recognized tribes in your state?	Yes.
7. Do you anticipate entering into a cooperative agreement with one or more tribes before July 27, 2011?	Possibly. Under SORNA, Indian tribes may elect to function as jurisdictions as provided in SORNA § 127. Wyoming was advised by the SMART Office that the Arapahoe and Shoshone tribes of the Wind River Reservation passed a joint resolution by their Joint Business Council for shared reservation to provide for a registry run by the reservation to track sex offenders living on tribal land. This allows the tribes to exercise their sovereignty on the reservation.