



# SOUTHERN UTE INDIAN TRIBE

## NOTICE

### New Sex Offender Registration Requirements

**REGISTRATION DEADLINE: OCTOBER 1, 2013**

*Background: In 2008, Congress enacted the Sex Offender Registration and Notification Act, which established a set of minimum standards for sex offender registration and notification, and for the first time required tribal jurisdictions to establish registration programs. Before this new federal requirement, many tribes, including the Southern Ute Indian Tribe, did not require sex offenders on their reservations to register. The law gave tribal jurisdictions a choice between either establishing a sex offender registration program or ceding jurisdiction to the State. The Southern Ute Indian Tribe elected to become a sex offender registration jurisdiction, and began an extensive process of code and program development, which included notice and opportunity for review and comment. The United States Department of Justice recently approved the Tribe's program, thereby triggering the need for the Tribe to begin implementation.*

1. An individual who has been convicted of a qualifying sex offense as outlined in the Southern Ute Indian Tribe's Sex Offender Registration and Community Notification Code must immediately appear at the Southern Ute Police Department (SUPD), 149 County Road 517, Ignacio, in person and register as a sex offender if any of the following apply:

- a. He or she was convicted by the Southern Ute Tribal Court of a qualifying offense.
- b. He or she was incarcerated by or with the Southern Ute Indian Tribe (Tribe) for a qualifying offense.
- c. He or she is an Indian who resides, is employed (including volunteer work), or is a student within the exterior boundaries of the Southern Ute Indian Reservation.
- d. He or she is a non-Indian who resides on lands subject to the jurisdiction of the Tribe, including tribal trust land and tribally-owned fee land within the exterior boundaries of the Reservation.
- e. He or she is a non-Indian employed (including volunteer work) by the Tribe in any capacity or otherwise is employed within lands subject to the jurisdiction of the Tribe including tribal trust land and tribally-owned fee land within the exterior boundaries of the Reservation.
- f. He or she is a non-Indian student, in any capacity, within lands subject to the jurisdiction of the Tribe including tribal trust land and tribally-owned fee land within the exterior boundaries of the Reservation.

2. Qualifying sex offenses generally include criminal offenses that have an element involving a sexual act or sexual contact with another; and certain offenses against a minor. This includes convictions, attempts, and conspiracies to commit such an offense.

3. Sex offenders required to register with the Tribe shall provide SUPD with the following information: criminal history, date of birth, DNA samples, driver's licenses, identification cards, passports, immigration documents, employment information, finger and palm prints, internet identifiers, name, phone numbers, picture, physical description, professional licensing information, address (residential and mailing), school information, social security number, temporary lodging information, conviction offense information, and vehicle information.

4. Anyone who is required to register with the Tribe shall do so in the following timeframe:

- a. If required to register pursuant to the Code, a sex offender must appear in person at SUPD to register on or before October 1, 2013.
- b. If incarcerated, before release from imprisonment for the registerable offense.
- c. If not incarcerated, within 3 business days of sentencing for the registerable offense.
- d. A sex offender must appear in person at SUPD within 3 business days of establishing a residence, commencing employment, or becoming a student.

5. All sex offenders required to register with the Tribe must immediately appear at SUPD in person to update any change in their name, residence (including termination of residence), employment (including termination of employment), and school attendance (including termination of school attendance). All sex offenders required to register with the Tribe shall immediately inform SUPD by telephone of any changes to their vehicle information, temporary lodging, email addresses, telephone numbers, Instant Messaging addresses, and any other internet identifiers. In the event of a change in temporary lodging, the sex offender shall immediately notify the jurisdiction in which the sex offender will be temporarily staying.

6. A sex offender who is or should be registered with the Tribe shall at a minimum appear in person at SUPD for purposes of keeping registration current in accordance with the following time frames:

- a. For tier 1 offenders, once every year for 15 years from the time of release from custody for a sex offender who is incarcerated for the registerable offense or from the date of sentencing for a sex offender who is not incarcerated for the registerable offense.
- b. For tier 2 offenders, once every 180 days for 25 years from the time of release from custody for a sex offender who is incarcerated for the registerable offense or from the date of sentencing for a sex offender who is not incarcerated for the registerable offense.
- c. For tier 3 offenders, once every 90 days for the rest of their lives.

7. The following information related to Tier 3 offenders, Tier 2 offenders, and Tier 1 offenders convicted of a specified offense against a minor, will be maintained on a state and national sex offender registry website: name, including aliases; if absconded, any registration requirement violations; all sex offenses for which convicted; all sex offenses for which currently registered; address of employer; current photograph; physical description; residential address including habitual residences; all addresses of schools attended; and vehicle license plate number along with a description of the vehicle. The Tribe will not publish information regarding juvenile offenders or Tier 1 offenders not convicted of a specified offense against a minor.

8. Any failure to appear for registration, absconding, or other violation of the Tribe's Code will result in criminal or civil sanctions, potentially including exclusion, whether pursuant to a tribal or federal enforcement action.

**To View the Sex Offender Registration & Community Notification Code, visit: [www.southernute-nsn.gov/supd](http://www.southernute-nsn.gov/supd)**

**Southern Ute Police Department  
149 County Road 517, Ignacio  
(970)-563-0246**