Frequently Asked Questions:

1. Can a convicted sex offender live within 2000 feet of a school? (NO)

2. Does a convicted sex offender have to let law enforcement know where they live/work/go to school? (YES)

3. Can a convicted sex offender own or carry a firearm? (NO)

4. Are there penalties for a convicted sex offender who does not register? (YES)

5. How does a convicted sex offender register with law enforcement?

6. How long must a convicted sex offender continue to register or check in?

7. Are my children safe living/working around convicted sex offenders?
Unfortunately, neither tribes nor states were consulted in the development of the Adam Walsh Act, and SORNA in particular. Consequently, there are many unanswered questions and clear gaps in the law. However, in order to ensure they maintained their sovereign authority over sex offense registration and notification tribes were required to pass resolutions declaring their intent to implement the requirements of SORNA by July 2007. 198 tribes across the nation did so. However, the Act further required that those tribes substantially implement the requirements by July 2009. Whereas states have had at least ten years of experience in developing and maintaining sex offender registries, most tribes have not. Furthermore, the guidelines for implementing the Act were not finalized until July 2008. Thus, tribes have had one year to develop and implement a comprehensive sex offender registry in order to maintain their sovereignty over such matters. This policy and procedures manual is a critical component of this tribes’ implementation of SORNA.

In furtherance of implementing the requirements of SORNA, this Tribe enacted the Absentee Shawnee Tribal Sex Offender Registration Code. Pursuant to that Code, any qualifying sex offender must register with the Tribe.

Who Must Register? Individuals subject to registration under the Code are not limited to individuals who have been convicted or sentenced by the Tribal court, nor to Tribal members or Indians in general. The following individuals MUST register with the Tribe, including all individuals who have been convicted and sentenced by the Tribal court for a qualifying offense. Offenders who reside within the exterior boundaries of the reservation or otherwise reside on property owned by the Tribe in fee, restricted status or trust regardless of location, are employed within the exterior boundaries of the reservation or on property owned by the Tribe in fee, restricted status or trust regardless of location, or who attend school within the exterior boundaries of the reservation or on property owned by the Tribe in fee, restricted status or trust regardless of location.

What happens when a sex offender does not register?

Any time an offender’s location cannot be verified, whether by failing to initially register or by apparently leaving their address of record, officers shall abide by the following procedures.

In the case of individuals who fail to initially appear for registration, the officer shall immediately inform the jurisdiction that provided notification that the sex offender was to commence residency, employment, or school attendance with the tribe that the sex offender failed to appear for registration.

In the event an officer receives information that a sex offender has absconded the police shall make an effort to determine if the offender has actually absconded. Upon confirmation of an offender having absconded, the officer shall:

1. Notify tribal police,
2. Update the National Tribal Sex Offender Registry to reflect that the offender has absconded or is otherwise not capable of being located.
3. Update the NSOR to reflect the sex offender’s status as an absconder or is otherwise not capable of being located.
4. Enter the offender in to the National Crime Information Center (NCIC) Wanted Person File.
5. Request a federal warrant for arrest of the offender.

Where Can I Find More Information?

If you or someone you know have any questions or concerns, please contact the Absentee Shawnee Tribal Police Department via e-mail or by calling 405.275.3200.