


NCJA National Criminal Justice Association

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October 5, 2011

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The Honorable Lamar Smith
Chair, House Judiciary Committee
2409 Rayburn House Office Building
Washington, DC 20515

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The Honorable John Conyers
Ranking Member, House Judiciary Committee
1201 Longworth House Office Building
Washington, DC 20515

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Cabell C. Cropper†

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Dear Congressmen Smith and Conyers:

Robert P. Boehmer†

Director
Institute for Public Safety Partnerships
University of Illinois at Chicago

I write on behalf of the members of the National Criminal Justice Association (NCJA) who are the chief executive officers of the state and territorial criminal justice planning agencies. In this role they administer the Byrne Justice Assistance Grant (Byrne JAG) program. While NCJA member agencies are not responsible for compliance with the Sex Offender Registration and Notification Act (SORNA), they have a direct role and interest in implementation. First and foremost, our members strongly support the intent of the bill in protecting our children and communities from sex offenders. NCJA members are also involved since the penalty for non-compliance is the withholding of 10 percent of a state's Byrne JAG award. Byrne JAG is the cornerstone federal criminal justice grant program, allowing the federal government to support innovative, evidence-based approaches to preventing and fighting crime in states nationwide.

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Most states and territories are working diligently to come into compliance with SORNA. To date, 15 states, two territories and 16 tribes have been found to be in substantial compliance. We anticipate as many as 10-15 more states may come into compliance over the next year. Given that the SMART Office's supplemental guidelines for implementation were released only 10 months ago, this is a record of which the states can be proud.

Many states not yet in compliance have identified four remaining barriers to implementation:

1. the frequency with which offenders must register in-person with their registering authority;
2. the length of time juvenile offenders must register;
3. the offender information which must be disclosed to the public; and,
4. additional flexibility in classification.

Furthermore, NCJA members believe the mandatory penalty for non-compliance should be made flexible to provide an incentive for states which are able to achieve partial compliance with SORNA. Also, NCJA members believe that tribes in PL 280 states should have the opportunity to be registration jurisdictions.

We understand that the House Judiciary Committee is scheduled to consider H. R . 2870, the Adam Walsh Reauthorization Act, tomorrow Thursday, October 6, 2011. We respectfully request that the Committee consider providing additional flexibilities in the areas outline above which, taken together, we believe can move the majority of remaining states into substantial compliance with SORNA while at the same time maintaining the highest level of public safety.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Cabell Cropper". The signature is written in a cursive style and is placed on a light gray rectangular background.

Cabell Cropper
Executive Director
National Criminal Justice Association