

The Honorable Eric Holder, Jr.
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20001

April 20, 2009

Dear Attorney General Holder:

The undersigned organizations representing a wide array of professional fields and entities, including but not limited to, state and tribal governments, criminal justice and law enforcement, sex offender treatment and management, and the civil and human rights communities, write to you to respectfully request that the Department of Justice act now to extend the compliance deadline for the Sex Offender Registration and Notification Act requirements (SORNA) of the Adam Walsh Child Protection and Safety Act of 2006 (Adam Walsh Act)(P.L. No. 109-248) from July, 2009 until July 2011.

We also ask that the Department of Justice reopen and revise the final guidelines pertaining to this Act which were promulgated in June, 2008 by the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART Office). Our groups support the goal of the Adam Walsh Act to keep our communities safe from sexual violence and to reduce the risk of re-offense by known sex offenders. An extension, coupled with meaningful guidelines revisions, will help to not only make SORNA compliance a more realistic goal for states and tribes, but will keep our communities safer.

Pursuant to the federal SORNA requirements, states and tribes must submit a compliance package to the SMART office. SMART office personnel then make the subjective determination of whether or not a jurisdiction has achieved "substantial compliance" with SORNA. Although many jurisdictions have submitted compliance packages, **the SMART Office has not deemed a single state to be in compliance with SORNA.**

Currently, nearly all states have requested a one year extension under SORNA because it is highly unlikely that any jurisdiction will be able to comply in totality by July, 2009. The reasons for noncompliance are diverse and very problematic. Most jurisdictions cannot comply due to the expense of compliance and the SMART Office's strict interpretation of the term "substantial

compliance.” As drafted, the final guidelines are burdensome and add to the tremendous expense jurisdictions face with implementing the law. In addition, the final guidelines were promulgated last summer, giving jurisdictions only one year to attempt to comply with the law. The loss of 10 percent of state Byrne Justice Assistance Grant program money for noncompliance in 2010 will only compound the compliance issues states are already facing.

A blanket extension of the deadline will prevent the unnecessary expenditure of SMART Office staff time and resources assessing each individual extension request. It will also ease the burden on those jurisdictions that have not yet requested an extension. We are hopeful that the additional time will allow jurisdictions to work with the Department of Justice to revisit some of the problematic areas in the Guidelines and develop workable solutions to many of the challenges we are currently facing.

We thank you in advance for your attention to this issue. It is important to our groups that SORNA be workable at the state, tribal and local level and we look forward to working with you to reach that goal. If you have any further questions, please contact Susan Parnas Frederick at the National Conference of State Legislatures - (202)624-5400, susan.frederick@ncsl.org; or Virginia Davis at National Congress of American Indians – (202) 466-7767, vdavis@ncai.org

Sincerely,

National Conference of State Legislatures
Council of State Governments
National Congress of American Indians
National Criminal Justice Association
National Sheriffs’ Association
Coalition For Juvenile Justice
International Community Corrections Association
National Troopers Coalition
Jacob Wetterling Resource Center
North Carolina Department of Juvenile Justice and Delinquency Prevention
North Carolina Office of the Juvenile Defender
North Carolina Coalition Against Sexual Assault
North Carolina Association for the Treatment of Sexual Abusers
Council of Juvenile Correctional Administrators
Erie County (Ohio) Public Defender Office
Franklin County (Ohio) Public Defender Office
Juvenile Justice Coalition (of Ohio)
Law Office of the Public Defender, Montgomery County, Ohio
National Juvenile Defender Center
National Youth Advocate Program
National Center for Youth Law
Office of the Ohio Public Defender
Ohio Justice
ACLU of Nevada
National Alliance to End Sexual Violence
Association for the Treatment of Sexual Abusers

The Ally Foundation
Washington Coalition of Sexual Assault Programs
Pacific Professional Associates
Iowa Coalition Against Sexual Assault
Sexual Assault Center, Nashville, TN
Arizona Sexual Assault Network (AzSAN)
Virginia Sexual and Domestic Violence Action Alliance
Texas Association Against Sexual Assault (TAASA), Austin, TX
Texas Association for the Treatment of Sexual Abusers
Domestic Abuse and Sexual Assault Crisis Center of Warren County, Belvidere, NJ
New Jersey Office of the Public Defender
New Jersey Coalition Against Sexual Assault (NJCASA)
New Mexico Coalition of Sexual Assault Programs, Albuquerque, NM
New Mexico Sex Offender Management Board, Albuquerque, NM
Sex Offender Round Table, Albuquerque, NM
Colorado Coalition Against Sexual Assault
New York State Alliance of Sex Offender Service Providers
New York State Association for the Treatment of Sexual Abusers
Juvenile Justice Project of Louisiana
Connecticut Sexual Assault Crisis Services (CONNSACS)
Florida Council Against Sexual Violence, Tallahassee, Florida
Massachusetts Adolescent Sex Offender Coalition
SHARPER FUTURE
San Francisco, Los Angeles, San Diego, San Jose, Inland Empire, California
Community Counseling Associates, Inc., Milford, DE
Berghuis Psychological Services, Grand Rapids, MI
Riveros Counseling Services, Decatur, Georgia
Alternatives Counseling, Inc., Glen Carbon, IL
Maine Coalition Against Sexual Assault, Augusta, ME
Progressive Therapy Systems, Denver CO
Life Strategy Center, Sheridan, Wyoming
California Coalition On Sexual Offending (CCOSO), San Jose, CA
Massachusetts Citizens for Children, Boston, MA
Massachusetts Association for the Treatment of Sexual Abusers
Vermont Network Against Domestic and Sexual Violence , Montpelier, Vermont
Lost and Found, Inc., Wheat Ridge, CO
The Center for Healthy Sexuality, Houston, Texas
Adolescent Sexual Offender Treatment Program, Grand Rapids, MI
Behavioral Connections Sexual Offender Assessment & Treatment Program
Bowling Green, Ohio
Psych & Psych Services , Elyria, Ohio
Idaho Department of Juvenile Corrections
California Sex Offender Management Board (CASOMB) ,Sacramento, CA
New Jersey Association for the Treatment of Sexual Abusers (NJATSA)
Tennessee Commission on Children and Youth, Nashville, TN
Professional Advisory Board to the Coalition for a Useful Registry, Lansing, Michigan
Montana Sex Offender Treatment Association
Washington State Sex Offender Policy Board

The Wisconsin Council on Children and Families, Madison, Wisconsin
North Carolina Behavioral Health Services
Lifeline Counseling, Inc. , Chesterfield, VA
Washington Association for the Treatment of Sexual Abusers (WATSA) & Policy Center
Voices for Ohio's Children
Western Juvenile Defender Center
Honolulu Family Therapy Centre, Inc., Honolulu, HI
Hawaii Association for the Treatment of Sexual Abusers (HIATSA)
Southeast Second Chance, Brunswick, GA
Defender Association of Philadelphia
Juvenile Defenders Association of Philadelphia
Joseph J. Peters Institute
Juvenile Justice Initiative of Illinois
Juvenile Law Center
Southern Poverty Law Center
Richard Krueger, M.D.,
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Director, Center for Interdisciplinary Law and Policy Studies
Director, Justice for Children Project
Michael E. Moritz College of Law
The Ohio State University
Susan Deems Roske
Chief Deputy Public Defender
Clark County Nevada Public Defender Office-Juvenile Division

cc: Dawn Doran, Deputy Director SMART Office
Noah Bookbinder, Chief Counsel, Senate Committee for the Judiciary
Karen Wilkinson, Counsel, House Committee on the Judiciary