

Thanks and Acknowledgements

- SMART Office and the National Institute of Justice
- State registry officials and agencies
- County and local registration personnel
- U.S. Marshals Service region chiefs, sex offender investigations coordinator, sex offender program coordinators, National Sex Offender Targeting Center
- Institute for Intergovernmental Research (IIR) staff



Goals

- Present an overview of "Information Sharing and the Sex Offender Registration and Notification Act" project
- Present key project findings related to information sharing practices since SORNA passed
- Elicit and capture feedback on key findings



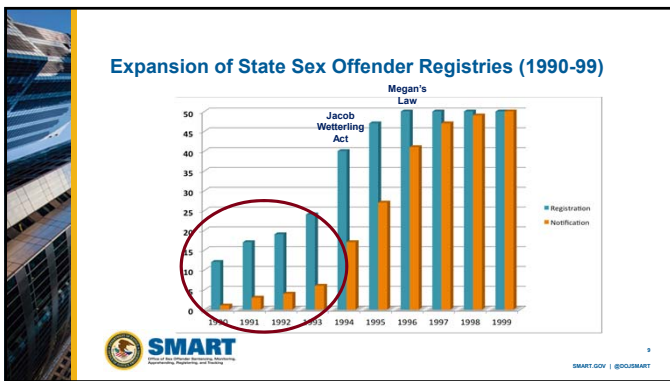
Presentation Overview

- Project background: policy context, goals, methods and approach
- Key findings
 - State implementation of SORNA standards
 - o Implementation elements, state variation, challenges and barriers, costs
 - Federal systems of support: USMS, SORNA grant programs
 - Information sharing practices and issues
 - Role of information technology
- Questions, feedback and discussion

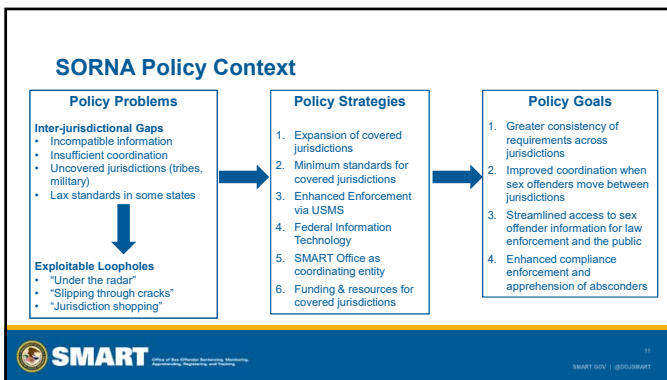




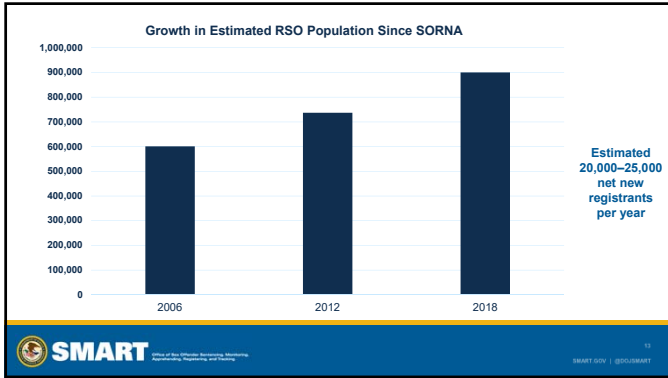


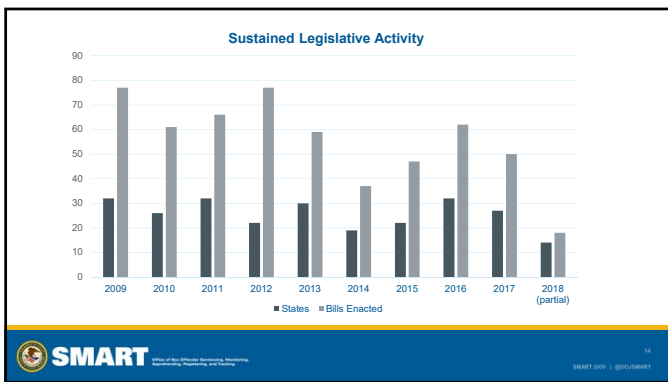












Emergent Questions

I. Broad-based questions

- Where have we seen improvement in addressing the key issues identified when SORNA passed? Where have we seen continued challenges, and why?
- How, and to what extent, have federal initiatives – including investment in information system infrastructure, technical support, and grant funding to states – helped to advance SORNA's broader goals?

II. Questions specifically focused on information sharing

- What is the connection between a state's implementation of SORNA standards and the effectiveness of its systems for exchange and sharing of information?
- What factors, independent of SORNA standards, either promote or impede the effective exchange and flow of information within and across jurisdictions?

“Big Picture” Project Goals

1. Produce **analyses** that respond to the aforementioned questions.
2. Provide **policy-relevant data** that can inform refinements to federal policy, particularly surrounding improving the utility and functionality of the nation’s systems of sex offender registration and notification.
3. Identify **promising information sharing practices** from the states that might serve as templates for informing both federal and state policy.





Project Design and Process

Study Framework

Nationwide Picture

- Contours of federal systems, resources and modes of support
- SORNA standard implementation

State Experiences

- Information sharing practices and challenges
- Experience with federal policies and resources

Synthesis

- What’s working as intended?
- Lingering issues and challenges



Primary Data Sources

Nationwide Picture

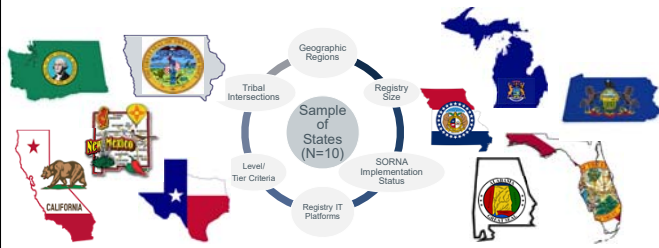
- Background interviews with federal stakeholders
- SMART, USMS/NSOTC
- National Center for Missing & Exploited Children, IIR
- Supporting data review and analysis
- Coded state compliance letters
- NSOPW.gov and Exchange Portal utilization
- National Sex Offender Registry (NSOR) functionality (via USMS)
- Coded SORNA Implementation Grants
- Probation and parole agency survey and focus groups (via American Probation and Parole Assoc.)

State Experiences

- **10 state-based case studies**
- Site-based interviews (N = 139)
- State registering agencies (management, technical staff, field agents, analysts)
- Supporting state agencies (e.g., corrections, probation, parole, attorneys general offices)
- County/local agencies
- Supplemental data and documentation
- Policy and training manuals
- Legislative/case law histories
- Registry data (registered sex offender profiles, trends, utilization)
- Cost data where available



Diverse Cross-section of States



Summary of Findings



Organization of Results

- | | | | |
|---|--|---|--|
| State Implementation of SORNA Standards <ul style="list-style-type: none"> • Overall substantial implementation picture • Implementation in context of state experiences • Barriers to implementation | Federal Resources and Support <ul style="list-style-type: none"> • Roles of U.S. Marshals Service • Impacts of SORNA grants and Byrne Justice Assistance Grant reinvestment | Information Sharing Practice <ul style="list-style-type: none"> • Parameters of effective information sharing • Relationship to SORNA implementation • Sharing public information • Challenges and promising practices | Information Technology <ul style="list-style-type: none"> • Sex offender registry technology ecosystem • Roles of federal systems • Exchange Portal • NSOR • NSOPW • Identified gaps and issues |
|---|--|---|--|

State Implementation of SORNA Standards

SORNA Substantial Implementation Designations

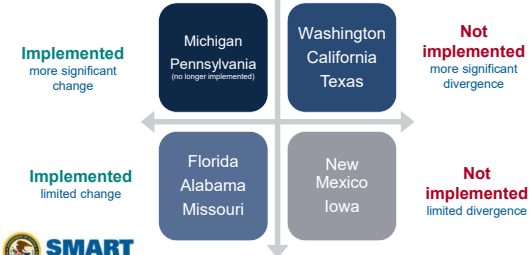


State Experiences with SORNA Implementation: Insights From Case Studies



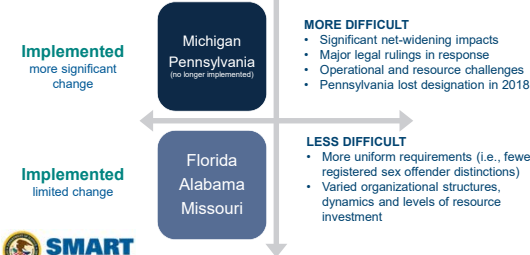
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Typology of State SORNA Implementation Journeys



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Typology of State SORNA Implementation Journeys



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Typology of State SORNA Implementation Journeys

MORE DIVERGENCE FROM SORNA

- Deeply invested in systems predating federal mandates
- Varied ideas on registry core purposes
- Significant county/local control

CLOSER SORNA ALIGNMENT

- Post-SORNA changes modest and incremental
- Legislative barriers to meeting limited remaining standards

Not implemented
more significant divergence

Not implemented
limited divergence

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Factors Affecting State Progress Toward SORNA Standards

Pre-SORNA Conditions	Legal/Political	Organizational
<ul style="list-style-type: none"> • System investment and "distance to travel" • Historical goals and orientation of registry system • State approach to criminal justice policy 	<ul style="list-style-type: none"> • Legislative dynamics • Intergovernmental dynamics (state, county, local relations) • Judicial culture and climate • Role of policy boards and coalitions 	<ul style="list-style-type: none"> • Levels of (and priorities for) resource investment • System design and management • Enforcement • Quality assurance • Agency culture and locus of control

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Summary


- SORNA implementation is multi-faceted, not binary.
- Implementation picture looks different in every state.
- Significant progress has been made:
 - Most standards met by majority of states.
 - Most states meet majority of standards.
- Most departures concentrated among limited group of standards and sub-standards:
 - Some modest and incremental
 - Others more foundational (e.g., risk classification, juveniles, retroactivity)

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Evaluating the Costs of SORNA Implementation

- **Myth: SORNA implementation is uniformly costly.**
 - Commonly cited 2009 Justice Policy Institute analysis
 - SORNA implementation costs far exceed lost Byrne JAG funding across every state
 - Simplistic and deeply flawed methodology
- **Finding: Costs of SORNA implementation varies greatly from state to state.**




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Variation in SORNA Costs

Varied Implementation Pathways





- "Distance to travel"
- Political, organizational and legal conditions

Varied Choices And Priorities


VS.


- Field-based verification
- Risk assessment systems and training
- Investment in robust investigatory functions
- Significant field training emphasis





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Role of Federal Support and Resources



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United States Marshals Service

SOIB Field Operations	Central Support
<ul style="list-style-type: none"> Regional Sex Offender Investigations Branch Operations District-based SOICs 	<ul style="list-style-type: none"> NSOTC Behavioral Analysis Unit NCMEC/SOTT


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United States Marshals Service

SORNA Mandate

“The Attorney General shall use the resources of Federal law enforcement, including the United States Marshals Service, to assist jurisdictions in locating and apprehending sex offenders who violate sex offender registration requirements.”



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Broad Range of Functions

Enforcement operations



- Bridge-building and cross-jurisdictional collaboration
- Information brokers
- Intelligence and analytic expertise
- Training
- Funding support for local operations

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United States Marshals Service

Widely viewed by stakeholders as a supportive and collaborative agency facilitating development and maintenance of state and tribal registration activities.

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Federal Support for State System Improvement

**SORNA Grants
(2008-2017)**

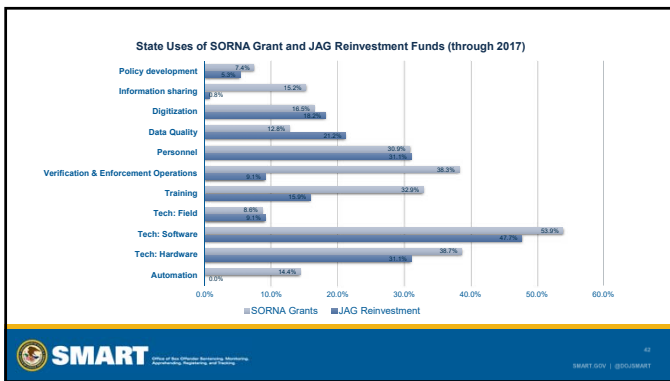
- 250 awards
- \$57.8 million

**JAG Reinvestment
(2012-2017)**

- 177 reallocations
- \$31.1 million



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Slide 41

BS5 Will they make sure to note that the time frames are different?
SORNA is a 10 year period, while the JAG is 5 years?

Blazucki, Sarah, 7/9/2019

State Information Sharing Practices

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Evolution of State Information Sharing Practices Since SORNA

- **Culture of information-sharing:** Significant attunement to interjurisdictional transfer issues across sample of states — **noted improvement since SORNA.**
- **Relationship with SORNA standards:** No evidence of relationship between SORNA implementation status and effectiveness of information sharing practices.
 - States supportive of and working toward enhanced information sharing practices regardless of SORNA implementation status.

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Concerns Related to Information Sharing

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    graph TD
      A[Accuracy of system information] --- B[Data Quality]
      B <--> C[Data Exchange]
      C <--> D[Data Consistency]
      D <--> E[Data Access]
      E <--> B
      F[Range of relevant and actionable information] --- E
      G[Shared definitions across systems] --- D
  
```

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Data Quality

- **Data quality assurance (DQA)** is major area of focus for state registry agencies, yet largely independent of SORNA.
- **Prominent Challenges**
 - Decentralized processes/range of local users
 - Resource-intensity of effective DQA
- **Diffuse range of methods for achieving DQA goals:** training, technical/analytic staff, automated interfaces, field-based verification, local law enforcement staff resources, model policies, audit functions
- **SORNA grant programs and USMS financial support highly instrumental.**



Data Access

- Demand for **richer data and information** for range of uses across range of stakeholder groups:
 - Registry enforcement (federal, state, local), investigative tools, local registered sex offender monitoring and risk management, planning and resource deployment
- **Prominent needs and challenges**
 - Reporting and decision support capacity
 - Unmet data needs: court records, arrests/charges, offense details beyond conviction offense of record (e.g., victim age)
- Most needs independent of SORNA




Data Consistency

- Need for **comparability of information** across jurisdictions
- Key area of SORNA emphasis
- **Prominent Challenges**
 - Differences in state criminal codes (statutory cross-walk resources)
 - Persistent differences in state laws governing registry requirements
 - Broad and diverse universe of users and systems
 - Limits of NSOR data fields and definitions




Data Exchange

- SORNA call for immediate transfer of information
- Use of both analog and technology-focused systems
- Disparate practices across jurisdictions
- **Prominent issues**
 - Varied methods of communication
 - NSOR and Exchange Portal limitations
 - "Ownership" problem

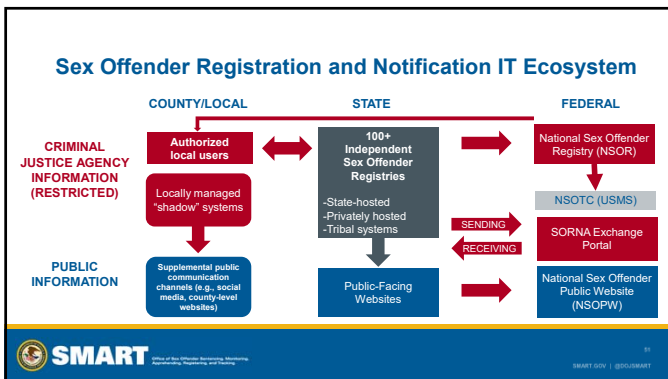


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Information Systems: Data Integration and Interoperability



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SORNA Vision

1. Capacity to seamlessly link systems for law enforcement use
2. Capacity to seamlessly link systems for public information
3. Efficient methods of exchanging information when offenders relocate
 - **Timely, meaningful and accurate** exchange of information between sending and receiving jurisdictions
 - Centralized methods of tracking interjurisdictional transfers and identifying absconders
4. Improved compatibility of information across states, based on standardized data definitions



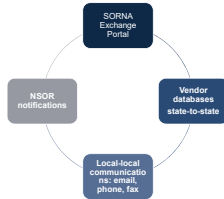
SORNA and Information Exchange


“The Attorney General shall ensure (through the National Sex Offender Registry or otherwise) that updated information about a sex offender is immediately transmitted by electronic forwarding to all relevant jurisdictions.”

—Pub. L. 109–248, title I, § 119, July 27, 2006, 120 Stat. 596.



Communication Mechanisms RE: RSO Relocations





Communication Mechanisms RE: RSO Relocations

- Extensive variation across jurisdictions.
- To date, no commonly shared and trackable method.

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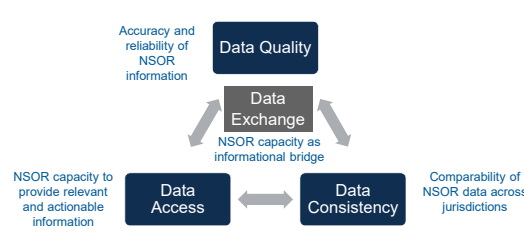
National Sex Offender Registry (NSOR)

- One of 21 NCIC files/14 NCIC "person files"
- "Point in time" system (i.e., fields overwritten when updated)
- ~1.4 million records, covering ~900,000 individuals
 - ~850,000 *active* records and ~550,000 *cleared* records
 - 27% of registered sex offenders with 2+ records
- State processes to populate and update NSOR vary.

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Evaluating NSOR as Information Sharing Tool



Accuracy and reliability of NSOR information

Data Quality

Data Exchange
 NSOR capacity as informational bridge

NSOR capacity to provide relevant and actionable information

Data Access

Data Consistency

Comparability of NSOR data across jurisdictions

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Communication Mechanisms RE: RSO Relocations

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Other Areas Examined Through Study

- Probation and parole roles in, and interface with, sex offender registration and notification systems
- Registries as sources of public information
- State-tribal nexus and coordination
- **For more details, contact us!**

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SORNA Policy Goals Revisited

Policy Problems	Policy Strategies	Policy Goals
INTER-JURISDICTIONAL GAPS <ul style="list-style-type: none"> • Incompatible information • Insufficient coordination • Uncovered jurisdictions (e.g., tribes, military) • Lax standards in some states 	<ol style="list-style-type: none"> 1. Expansion of covered jurisdictions 2. Minimum standards for covered jurisdictions 3. Enhanced Enforcement via USMS 4. Federal information technology 5. SMART Office as coordinating entity 6. Funding & resources for covered jurisdictions 	<ol style="list-style-type: none"> 1. Greater consistency of requirements across jurisdictions 2. Improved coordination when sex offenders move between jurisdictions 3. Streamlined access to sex offender information for law enforcement and the public 4. Enhanced compliance enforcement and apprehension of absconders
EXPLOITABLE LOOPHOLES <ul style="list-style-type: none"> • "Under the radar" • "Slipping through cracks" • "Jurisdiction shopping" 		

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BS6 Duplicate slide. remove?
Blazucki, Sarah, 7/9/2019




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