



# PUEBLO OF ISLETA

P.O. BOX 1290  
ISLETA, NM 87022

## **PUEBLO OF ISLETA Resolution No. 2011-037**

### **Amending the Pueblo of Isleta Sex Offender Registry and Notification Manual**

**WHEREAS**, the Pueblo of Isleta is a federally recognized Indian tribe with a written Constitution adopted pursuant to the Indian Reorganization Act;

**WHEREAS**, pursuant to authority granted by the Pueblo of Isleta Constitution, the Tribal Council chose to have the Pueblo of Isleta create and maintain a sex offender registry described in the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248 (hereinafter “Adam Walsh Act”), as more particularly described in Tribal Council Resolution No. 2007-080 (May 18, 2007);

**WHEREAS**, Article V, Section 2(e), of the Pueblo of Isleta Constitution authorizes the Tribal Council to enact ordinances to protect the peace, safety, property, health, and general welfare of the members of the Pueblo of Isleta;

**WHEREAS**, in order to create and maintain a sex offender registry and to comply with the Adam Walsh Act, the Pueblo of Isleta enacted a sex offender registry through Pueblo of Isleta law, known as the Pueblo of Isleta Sex Offender Registration and Notification Ordinance (“SORN Ordinance”) and a Pueblo of Isleta Sex Offender Registration Manual (“Manual”) to implement the SORN Ordinance;

**WHEREAS**, on June 3, 2011, the U.S. Department of Justice Sentencing, Monitoring, Apprehending, Registering, and Tracking Office (“SMART Office”) reviewed the Pueblo’s SORN Ordinance and Manual for compliance with the Adam Walsh Act; and

**WHEREAS**, the SMART Office proposed certain revisions to the SORN Manual based on guidance issued by the U.S. Department of Justice subsequent to Pueblo’s enactment of the SORN Manual; and

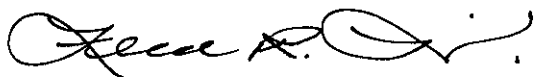
**WHEREAS**, the Tribal Council finds that it is in the best interest of the Pueblo of Isleta to amend the SORN Manual to comply with the SMART Office review.

**NOW THEREFORE BE IT RESOLVED** that the Tribal Council hereby amends the Manual as attached.

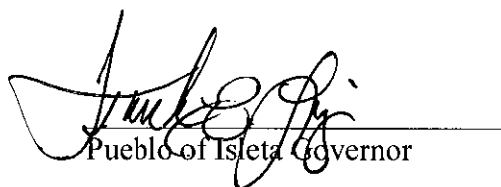
**BE IT FURTHER RESOLVED** that the Tribal Council authorizes the Governor to do all that is necessary to effectuate the intent of this Resolution.

**CERTIFICATION**

We, the undersigned officials of the Pueblo of Isleta, hereby certify that the foregoing Resolution was duly adopted by the Pueblo of Isleta Tribal Council at a regular meeting held on the 23<sup>rd</sup> day of June, 2011, with a quorum present, with -12- voting for, -0- opposing, and -0- abstaining.

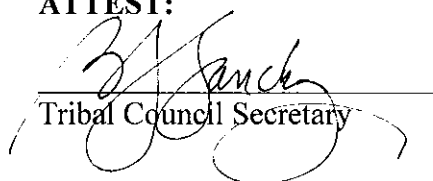


Tribal Council President



Pueblo of Isleta Governor

**ATTEST:**



Tribal Council Secretary



**SEX OFFENDER REGISTRATION  
POLICIES AND PROCEDURES MANUAL**

**PUEBLO OF ISLETA  
SEX OFFENDER REGISTRATION PROGRAM**

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## **INTRODUCTION**

### **CHAPTER 1**

In 1994 the United States Congress passed the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. This act established guidelines for states to track sex offenders by requiring them to confirm a sex offender's place of residence annually for ten years after release, or quarterly for the rest of their lives, if the sex offense was a violent sex crime.

In 1996 the Jacob Wetterling Act was amended by what is commonly known as Megan's Law. This amendment provided for the public disclosure and dissemination of certain information from sex offender registries. As a result, state and local law enforcement were required to make certain information about offenders public.

In 2003 the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today (PROTECT) Act was passed, which, in part, required the Department of Justice to maintain a sex offender web site with links to each state sex offender web site. That web site is known as The Dru Sjodin Nation Sex Offender Public Web Site.

Finally, in 2006 the Adam Walsh Child Protection and Safety Act was passed. Between the passage of the Jacob Wetterling Act in 1994 and the Adam Walsh Act in 2006, tribes came up on the national sex offender registry radar. Certain courts in Public Law 280 states had found that state sex offender registry and notification laws were essentially civil regulatory in nature. Due to the nature of federal Indian law, this meant that states had no jurisdiction to impose their sex offender laws on tribal lands, thereby creating a gap in the national registry system. Consequently, Title I of the Adam Walsh Act sought to close that gap by requiring tribes to either opt in to the national registry system or have their jurisdiction over such matters transferred to states. Title I is what is known as the Sex Offender Registration and Notification Act (SORNA).

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. As of 2007, One-hundred and ninety-eight Tribes, Pueblos, & Native Nations opted to do their own SORNA Requirements. 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 time crunch prompted the development of model tribal codes, Memorandums of Understanding, and policies and procedures. This policy and procedures manual is one of those models and is a critical component of this tribes' implementation of SORNA.

In furtherance of implementing the requirements of SORNA, the Pueblo of Isleta enacted the Sex Offender Registration and Notification Ordinance (SORNO) on May 11, 2010. Pursuant to SORNO, any qualifying sex offender (Indian and non-Indian) must register with the Pueblo of Isleta. This Policy and Procedures Manual provides the Sex Offender Registration Program with guidelines on how to implement SORNO, along with accompanying forms. The procedures in this manual must be strictly followed in every qualifying sex offense case. Any questions about implementation of SORNO or the meaning of any provision in this manual should be addressed with the *SORNIC Representative from the Isleta Police Department*.

## **TERMINOLOGY AND COVERED OFFENSES**

### **CHAPTER 2**

The Sex Offender Registration Program must first review SORNO and any regulations promulgated by the Committee before making a determination as to who must register. It is the responsibility of all personnel assigned to the Sex Offender Registration Program to remain current on the law, policies and procedures to assure compliance with the requirements of SORNA, SORNO and any regulations.

Registration under SORNO applies to Indians and non-Indians that were convicted within any qualifying jurisdictions, including but not limited to: federal, military, state, foreign, and tribal courts.

An accurate determination will require that the Sex Offender Registration Program have a copy of the offender's conviction and sentence, and possibly the underlying police reports or allegations that establish the offense for which the individual was convicted. If you have any questions about whether a particular individual is required to register with the Sex Offender Registration Program, consult the advice of the Tribal SORNIC Representative from the Isleta Police Department.

#### **SECTION 2.01 TERMINOLOGY/DEFINITIONS**

The Sex Offender Program shall use and refer to the terminology, jurisdictional restrictions, and included offenses as contained in the following sections of SORNO:

In SORNO and any regulations passed thereunder, the following definitions (terminology) shall apply:

- (1) *Committee*. "Committee" means the Law and Order Committee of the Pueblo of Isleta Tribal Council.

- (2) *Convicted.* An adult Sex Offender is “convicted” for the purposes of SORNO and SORNA if the Sex Offender has been subject to penal consequences based on the conviction, however the conviction may be styled.

A juvenile offender is “convicted” for purposes of SORNO if the juvenile offender is either: (a) Prosecuted and convicted as an adults for a sex offense; or (b) Is adjudicated delinquent as a juvenile for a sex offense, but only if the offender is 14 years of age or older at the time of the offense and the offense adjudicated was comparable to or more severe than aggravated sexual abuse (as described in either (a) or (b) of section 2241 of title 18, United States Code), or was an attempt or conspiracy to commit such an offense.

- (3) *Employee.* The term “employee” includes, but is not limited to, an individual who is self-employed or works for any other entity, whether compensated or not. Volunteers of a tribal agency or organization are included within the definition of employee for registration.
- (4) *Foreign Conviction.* A “foreign conviction” is one obtained outside of the United States of America.
- (5) *Immediate.* “Immediate” and “immediately” mean within three (3) business days.
- (6) *Imprisonment.* The term “imprisonment” refers to incarceration pursuant to a conviction, regardless of the nature of the institution in which the offender serves the sentence. The term is to be interpreted broadly to include, for example, confinement in a state “prison” as well as in federal, military, foreign, BIA, private or contracted facility, or a local or tribal “jail”. Persons under “house arrest” following conviction of a covered sex offense are required to register pursuant to the provisions of SORNO during their period of “house arrest”.



- (7) *Jurisdiction.* The term “jurisdiction” refers to the fifty (50) States of the United States of America, the District of Columbia, the five (5) principal United States Territories, including: the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, the United States Virgin Islands; and any Indian tribe that has asserted jurisdiction pursuant to Section 127 of SORNA, including the Pueblo of Isleta.
- (8) *Minor.* The term “minor” means an individual who has not attained the age of eighteen (18) years.
- (9) *Regulation.* “Regulation” means any regulation passed by the Committee pursuant to SORNO.
- (10) *Resides.* The term “reside” or “resides” means, with respect to an individual, the location of the individual's home or other place where the individual habitually lives or sleeps.
- (11) *Sex Offense.* The term “sex offense” is limited to those offenses contained in Section 111(5) of SORNA (42 U.S.C. §16911(5)) or as otherwise expanded by any other federal law, SORNO, or regulation. An offense involving consensual sexual conduct is not a sex offense for the purposes of SORNO if the victim was an adult unless the adult was under custodial authority of the offender at the time of the offense, or if the victim was at least thirteen (13) years of age and the offender was not more than four (4) years older than the victim.
- (12) *Sex Offender.* A person convicted of a sex offense is a “Sex Offender”.
- (13) *Sexual Act.* The term “sexual act” means: (a) contact between the penis and the vulva or the penis and the anus, and for purposes of this definition contact involving the penis occurs upon penetration, however slight; (b) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; (c) the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an

intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or (d) the intentional touching, not through clothing, of the genitalia of another person that has not attained the age of 18 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

(14) *Sexual Contact*. The intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desires of another person.

(15) *Student*. A “student” is an individual who enrolls in or attends either a private and/or public education institution, including a secondary school, trade or professional school, and/or an institution of higher education.

(16) *SORNA*. The Sex Offender Registration and Notification Act (Title I of the Adam Walsh Child Protection and Safety Act of 2006 P.L. 109-248, 42 U.S.C. §16911 *et seq.*, as amended).

(17) *SORNO*. The Sex Offender Registration and Notification Ordinance (adopted by Pueblo of Isleta Tribal Council on May 11, 2010, Resolution No. 2010-66).

[Annotation: Enacted by Resolution No. 2010-067]

## **Chapter 2.02 JURISDICTION AND OFFENSES INCLUDED IN THE REGISTRY**

### **A. ISLETA RESERVATION**

SORNO applies to all Sex Offenders and other offenders that are found, reside, employed, and/or attend an educational institution within the exterior boundaries of the Isleta Reservation that are subject to registration under SORNO.

[Annotation: Enacted by Resolution No. 2010-067]

### **B. EXTRATERRITORIAL JURISDICTION**

The Pueblo of Isleta assumes and retains jurisdiction over all lands, waters, and airspaces not within the exterior boundaries of the Isleta Reservation as permitted by any law, treaty, convention, charter, compact, and/or any other agreement. SORNO applies to all persons engaging in any act within said assumed and retained jurisdiction.

[Annotation: Enacted by Resolution No. 2010-067]

### **C. PREEMPTION OF STATE JURISDICTION**

SORNO preempts any state jurisdiction, and it is no defense that an activity is lawful under state law.

[Annotation: Enacted by Resolution No. 2010-067]

### **D. TRIBAL COURTS**

The Pueblo of Isleta Tribal Courts shall have concurrent jurisdiction over all violations of SORNO.

[Annotation: Enacted by Resolution No. 2010-067]

### **E. RIGHTS RESERVED**

Nothing in SORNO shall diminish the rights reserved to the Pueblo of Isleta and its members, or deprive the Pueblo of Isleta Tribal Council of the right to modify, amend or repeal SORNO.

[ANNOTATION: ENACTED BY RESOLUTION NO. 2010-067]

## **SECTION 2.03 OFFENSES INCLUDED IN THE REGISTRY**

Sex Offenders and offenders subject to the jurisdiction of the Pueblo of Isleta that have been convicted of the following offenses are subject to the requirements of SORNO:

- (1) *Attempts and Conspiracies.* Any attempt or conspiracy to commit any sex offenses.
- (2) *Federal Offenses.* A conviction for any of the following offenses, and any

other offense here after included within SORNA, SORNO, and/or any regulation:

- (a) 18 U.S.C. §1591 Sex Trafficking of Children;
  - (b) 18 U.S.C. §1801 Video Voyeurism of a Minor;
  - (c) 18 U.S.C. §2241 Aggravated Sexual Abuse;
  - (d) 18 U.S.C. §2242 Sexual Abuse;
  - (e) 18 U.S.C. §2243 Sexual Abuse of a Minor or Ward;
  - (f) 18 U.S.C. §2244 Abusive Sexual Contact;
  - (g) 18 U.S.C. §2245 Offenses Resulting in Death;
  - (h) 18 U.S.C. §2251 Sexual Exploitation of Children;
  - (i) 18 U.S.C. §2251A Selling or Buying of Children;
  - (j) 18 U.S.C. §2252 Material involving the Sexual Exploitation of a Minor;
  - (k) 18 U.S.C. §2252A Material Containing Child Pornography;
  - (l) 18 U.S.C. §2252B Misleading Domain Names on the Internet;
  - (m) 18 U.S.C. §2252C Misleading Words or Digital Images on the Internet;
  - (n) 18 U.S.C. §2260 Production of Sexually Explicit Depictions of a Minor for Import into the United States;
  - (o) 18 U.S.C. §2421 Transportation of a Minor for Illegal Sexual Activity;
  - (p) 18 U.S.C. §2422 Coercion and Enticement of a Minor for Illegal Sexual Activity;
  - (q) 18 U.S.C. §2423 Mann Act;
  - (r) 18 U.S.C. §2424 Failure to File Factual Statement about an Alien Individual; and
  - (s) 18 U.S.C. §2425 Transmitting Information about a Minor to further Criminal Sexual Conduct.
- (3) *Foreign Offenses.* Any conviction for a sex offense and/or equivalent offense to one contained within SORNA, SORNO, and/or any regulation and which was obtained under the laws of Canada, the United Kingdom,

Australia, New Zealand, and any foreign country where the United States State Department, in its Country Reports on Human Rights Practices, has concluded that an independent judiciary generally (or vigorously) enforced the right to a fair trial in that country during the year in which the conviction occurred.

- (4) *Military Offenses.* Any military offense specified by the Secretary of Defense under section 115(a) (8) (C) (i) of Public Law 105-119 (codified at 10 U.S.C. 951).
- (5) *Juvenile Offense and/or Adjudications.* Any sex offense, or attempt or conspiracy to commit a sex offense, that is comparable to or more severe than the federal crime of aggravated sexual abuse (as codified in 18 U.S.C. §2241) and committed by a minor who is 14 years of age or older at the time of the offense. This includes engaging in a sexual act with another by force or the threat of serious violence; or engaging in a sexual act with another by rendering unconscious or involuntarily drugging the victim.
- (6) *Jurisdiction Offenses (State, Local, and Tribal Offenses).* Any sex offense committed in any jurisdiction, including this the Pueblo of Isleta, that involves:
  - (a) Any type of degree of genital, oral, or anal penetration;
  - (b) Any sexual touching of or contact with a person's body, either directly or through the clothing;
  - (c) Kidnapping of a minor;
  - (d) False imprisonment of a minor;
  - (e) Solicitation to engage a minor in sexual conduct understood broadly to include any direction, request, enticement, persuasion, or encouragement of a minor to engage in sexual conduct;
  - (f) Use of a minor in a sexual performance;
  - (g) Solicitation of a minor to practice prostitution;
  - (h) Possession, production, or distribution of child pornography;
  - (i) Criminal sexual conduct that involves physical contact with a minor

or the use of the internet to facilitate or attempt such conduct. This includes offenses whose elements involve the use of other persons in prostitution, such as pandering, procuring, or pimping in cases where the victim was a minor at the time of the offense;

- (j) Any conduct that by its nature is a sex offense against a minor; and
- (k) Any offense similar to those outlined in:
  - (i.) 18 U.S.C. §1591 Sex Trafficking by Force, Fraud, or Coercion;
  - (ii.) 18 U.S.C. §1801 Video Voyeurism of a Minor;
  - (iii.) 18 U.S.C. §2241 Aggravated Sexual Abuse;
  - (iv.) 18 U.S.C. §2242 Sexual Abuse;
  - (v.) 18 U.S.C. §2244 Abusive Sexual Contact;
  - (vi.) 18 U.S.C. §2422(b) Coercing a Minor to Engage in Prostitution;
  - (vii.) 18 U.S.C. §2423(a) Transporting a Minor to Engage in Illicit Conduct.

[Annotation: Enacted by Resolution No. 2010-067]

### **TIERED OFFENSES**

#### **CHAPTER 3**

Pursuant to SORNO an offender will be assigned a particular tier. Each tier is based on the elements of the offense for which the offender was convicted. It is not risk assessment based. As with determining who is required to register, if you have any questions about the appropriate tier to assign to a given individual consult the advice of the Pueblo of Isleta Law Enforcement Representative.

#### **Chapter 3.01 TIER I OFFENSES**

(1) *Sex Offenses.* A “Tier I” offense includes any sex offense for which a person has been convicted, or an attempt or conspiracy to commit such an offense, is neither a “Tier II” pursuant to Chapter 3.02 or “Tier III” pursuant to Chapter 3.03.

(2) *Offenses Involving Minors.* A “Tier I” offense also includes any offense for

which a person has been convicted by any jurisdiction, state or local government, qualifying foreign country pursuant to CHAPTER 2, and/or tribal jurisdiction that involves the false imprisonment of a minor, video voyeurism of a minor, or possession or receipt of child pornography.

a. *Certain Federal Offenses.* Conviction for any of the following federal offenses shall be considered “Tier I” offenses:

- i. 18 U.S.C. §1801 Video Voyeurism of a Minor;
- ii. 18 U.S.C. §2252 Receipt or Possession of Child Pornography;
- iii. 18 U.S.C. §2252A Receipt or Possession of Child Pornography;
- iv. 18 U.S.C. §2252B Misleading Domain Names on the Internet;
- v. 18 U.S.C. §2252C Misleading Words or Digital Images on the Internet;
- vi. 18 U.S.C. §2422(a) Coercion to Engage in Prostitution;
- vii. 18 U.S.C. §2423(b) Travel with the Intent to Engage in Illicit Conduct;
- viii. 18 U.S.C. §2423(c) Engaging in Illicit Conduct in Foreign Places;
- ix. 18 U.S.C. §2424 Failure to File Factual Statement about an Alien Individual; and
- x. 18 U.S.C. §2425 Transmitting Information about a Minor to Further Criminal Sexual Conduct.

b. *Comparable Military Offenses.* Any comparable military offense specified by the

Secretary of Defense under Section 115(a)(8)(C)(i) of Public Law 105-119 (codified at 10 U.S.C. §951) that is similar to those offenses outlined in Section 11.03.01(1), (2), and/or (3) shall be considered “Tier I” offenses.

[Annotation: Enacted by Resolution No. 2010-067]

### **Chapter 3.02 TIER II OFFENSES**

(3) *Recidivism and Felonies.* Unless otherwise covered by “Tier III” pursuant to Chapter 3.02, any sex offense that is not the first sex offense for which a person has been convicted and that is punishable by more than one year in jail is considered a “Tier II” offense. For the purposes of SORNO, all tribal sex offenses shall be tiered as if they were punishable by more than one year in jail.

- a. *Offenses Involving Minors.* A “Tier II” offense includes any sex offense for which a person has been convicted by any jurisdiction, state or local government, qualifying foreign jurisdiction pursuant to Chapter 3, and/or tribal jurisdiction, or an attempt or conspiracy to commit such an offense, that involves:
  - i. The use of minors in prostitution, including solicitations;
  - ii. Enticing a minor to engage in criminal sexual activity;
  - iii. Sexual contact with a minor thirteen (13) years of age to eighteen (18) years of age, whether directly or indirectly through the clothing, that involves the intimate parts of the body;
  - iv. The use of a minor in a sexual



- performance; and/or
- v. The production for distribution of child pornography.
- b. *Certain Federal Offenses.* Conviction for any of the following federal offenses shall be considered “Tier II” offenses:
- i. 18 U.S.C. §1591 Sex Trafficking by Force, Fraud, or Coercion;
  - ii. 18 U.S.C. §2243 Sexual Abuse of a Minor or Ward;
  - iii. 18 U.S.C. §2244 Abusive Sexual Contact, where the Victim is 13 Years of Age or Older;
  - iv. 18 U.S.C. §2251 Sexual Exploitation of Children;
  - v. 18 U.S.C. §2251A Selling or Buying of Children;
  - vi. 18 U.S.C. §2252 Material Involving the Sexual Exploitation of a Minor – Production or Distribution;
  - vii. 18 U.S.C. §2252A Production or Distribution of Material Containing Child Pornography;
  - viii. 18 U.S.C. §2260 Production of Sexually Explicit Depictions of a Minor for Import into the United States;
  - ix. 18 U.S.C. §2421 Transportation of a Minor for Illegal Sexual Activity;
  - x. 18 U.S.C. §2422(b) Coercing a Minor to Engage in Prostitution;
  - xi. 18 U.S.C. §2423(a) Transporting a

Minor to Engage in Illicit Conduct.

- c. *Comparable Military Offenses.* Any comparable military offense specified by the Secretary of Defense under section 115(a)(8)(C)(i) of Public Law 105-119 (codified at 10 U.S.C. §951) that is similar to those offenses outlined in Section 11.03.03(1),(2), and/or (3) shall be considered “Tier II” offenses.

[Annotation: Enacted by Resolution No. 2010-067]

### **Chapter 3.03 TIER III OFFENSES**

(4) *Recidivism and Felonies.* Any sex offense that is punishable by more than one year in jail where the offender has at least one prior conviction for a “Tier II” sex offense as covered by Chapter 3, or has previously become a “Tier II” sex offender, is a “Tier III” offense. For the purposes of SORNO, all tribal sex offenses shall be tiered as if they were punishable by more than one year in jail.

- a. *General Offenses.* A “Tier III” offense includes any sex offense for which a person has been convicted by any jurisdiction, state or local government, qualifying foreign country pursuant to Chapter 3, and/or tribal jurisdiction, or an attempt or conspiracy to commit such an offense, that involves:
- i. Non-parental kidnapping of a minor;
  - ii. A sexual act with another by force or threat;
  - iii. A sexual act with another who has been rendered unconscious or involuntarily drugged, or who is otherwise incapable of appraising the nature of the conduct

- or declining to participate; and/or
- iv. Sexual contact with a minor twelve (12) years of age or younger, including offenses that cover sexual touching of or contact with the intimate parts of the body, either direct or through the clothing.
- b. *Certain Federal Offenses.* Conviction for any of the following federal offenses shall be considered “Tier III” offenses:
- i. 18 U.S.C. §2241 (a) and (b) Aggravated Sexual Abuse;
  - ii. 18 U.S.C. §2242 Sexual Abuse; and/or
  - iii. 18 U.S.C. §2244 Abusive Sexual Contact, Victim Twelve Years of Age or Younger.
- c. *Comparable Military Offenses.* Any comparable military offense specified by the Secretary of Defense under section 115(a)(8)(C)(i) of Public Law 105-119 (codified at 10 U.S.C. §951) that is similar to those offenses outlined in Section 11.03.05(1),(2), and/or (3) shall be considered “Tier III” offenses.
- d. *Pueblo of Isleta Offenses.* Any offense contained within the Revised Law and Order Codes of the Pueblo of Isleta shall be a “Tier III” sex offense.

[Annotation: Enacted by Resolution No. 2010-067]

## **REGISTRATION AND CURRENCY**

### **CHAPTER 4**

When the registering jurisdiction is the Pueblo of Isleta, the following shall be followed:

#### **SECTION 4.01 DUTIES OF REGISTRATION JURISDICTION**

- (1) The Sex Offender Registration Program shall have policies and procedures in place to ensure the following:
  - (a) Any Sex Offender incarcerated or sentenced by the Pueblo of Isleta Tribal Court for a covered sex offense completes their initial registration with the Sex Offender Registration Program in-person;
  - (b) Any Sex Offender registering with the Sex Offender Registration Program is informed of their duties under SORNA and SORNO;
  - (c) The Sex Offender Registration Program explains SORNA and SORNO duties to any Sex Offender registering with the Sex Offender Registration Program;
  - (d) The Sex Offender reads, or has read to them, and signs a form stating that the duty to register has been explained to them and that the Sex Offender acknowledges an understanding of the registration requirements;
  - (e) That the Sex Offender is registered; and
  - (f) That upon entry of the Sex Offender's information on to the registry, that the Sex Offender Registration Program immediately forwarded the registration information to all other jurisdictions in which the Sex Offender is required to register due to the Sex Offender's residency, employment, or student status.

[Annotation: Enacted by Resolution No. 2010-067]

#### **SECTION 4.02 GENERAL REQUIREMENTS**

- (1) *Duties.* A Sex Offender covered by SORNO who is required to register with the Pueblo of Isleta through the Sex Offender Registration Program shall provide all of the information detailed in Chapter 4 of SORNO and any other Chapter of SORNO to the Sex Offender Registration Program. The Sex Offender Registration Program shall obtain all of the information

detailed in Chapter 4 of SORNO from covered Sex Offenders who are required to register with the Pueblo of Isleta through the Sex Offender Registration Program in accordance with SORNO, regulations, and implementing policies and procedures.

- e. *Digitization.* All information obtained under SORNO shall be, at a minimum, maintained by the Sex Offender Registration Program in digitized format.
- f. *Electronic Database.* A Sex Offender registry shall be maintained in an electronic database by the Sex Offender Registration Program and shall be in a form capable of electronic transmission, or otherwise electronically accessible by other jurisdictions and entities.

[Annotation: Enacted by Resolution No. 2010-067]

An explanation of the required information to be collected is contained within SORNO on the following pages:

<b><u>CRIMINAL HISTORY.....</u></b>	<b><u>10</u></b>
<b><u>DATE OF BIRTH.....</u></b>	<b><u>11</u></b>
<b><u>DNA SAMPLE.....</u></b>	<b><u>11</u></b>
<b><u>DRIVER'S LICENSES AND IDENTIFICATION CARDS.....</u></b>	<b><u>11</u></b>
<b><u>EMPLOYMENT INFORMATION.....</u></b>	<b><u>11</u></b>
<b><u>FINGER PRINTS.....</u></b>	<b><u>11</u></b>
<b><u>INTERNET IDENTIFIERS.....</u></b>	<b><u>12</u></b>
<b><u>NAME.....</u></b>	<b><u>12</u></b>
<b><u>PALM PRINTS.....</u></b>	<b><u>18</u></b>
<b><u>PASSPORTS AND IMMIGRATION DOCUMENTS.....</u></b>	<b><u>18</u></b>
<b><u>PHONE NUMBERS.....</u></b>	<b><u>12</u></b>
<b><u>PHOTOGRAPH.....</u></b>	<b><u>12</u></b>
<b><u>PHYSICAL DESCRIPTION.....</u></b>	<b><u>12</u></b>
<b><u>PROFESSIONAL LICENSING INFORMATION.....</u></b>	<b><u>13</u></b>

<b><u>RESIDENT ADDRESS. ....</u></b>	<b><u>13</u></b>
<b><u>SCHOOL ADDRESS.....</u></b>	<b><u>13</u></b>
<b><u>SOCIAL SECURITY NUMBER.....</u></b>	<b><u>13</u></b>
<b><u>TEMPORARY LODGING INFORMATION. ....</u></b>	<b><u>13</u></b>
<b><u>OFFENSE INFORMATION. ....</u></b>	<b><u>14</u></b>
<b><u>VEHICLE INFORMATION. ....</u></b>	<b><u>14</u></b>

The Sex Offender Registration Program shall ensure that each registering sex offender appears in person to keep their registration current based on the level at which the person has been tiered. The requirements are contained in SORNO as follows:

#### **SECTION 4.03 FREQUENCY AND DURATION OF IN-PERSON APPEARANCES**

- (1) *Frequency.* A Sex Offender who is or should be registered with the Sex Offender Registration Program shall, at a minimum, appear in-person at the Sex Offender Registration Program for purposes of keeping registration current in accordance with the following time frames:
  - (a) For “Tier I” Offenders, ~~once every year for fifteen (15) years from the date of release from custody for a sex offender who is incarcerated for the registration offense or from the date of sentencing for a sex offender who is not incarcerated for the registration offense~~ once every ninety (90) days for the rest of their lives;
  - (b) For “Tier II” Offenders, ~~once every one hundred eighty (180) days for twenty five (25) years from the date of release from custody for a sex offender who is incarcerated for the registration offense or from the date of sentencing for a sex offender who is not incarcerated for the registration offense~~ once every ninety (90) days for the rest of their lives;
  - (c) For “Tier III” Offenders, once every ninety (90) days for the rest of their lives.

- (2) *Reduction.* Reduction of Registration Periods is provided in Chapter 3, of SORNO.

[Annotation: Enacted by Resolution No. 2010-067]

Under SORNO there is no reduction in the period of registration for any reason, Law and Order Chapter 3. The Sex Offender Registration Program shall comply with the following:

**SECTION 4.04      REGISTRATION CURRENCY**

- (3) *Duty of Offender to Update.* All Sex Offenders, subject to registration as set forth in Chapter 4, are required to immediately appear at the Sex Offender Registration Program in-person and are required to update, including but not limited to changes to their:

- (a) Name;
- (b) Residence (including termination of residency);
- (c) Employment;
- (d) School attendance (when a Sex Offender is a student in any capacity and regardless of location of school);
- (e) Vehicle information
- (f) Temporary lodging information with immediate notification to the jurisdiction in which the Sex Offender will be temporarily staying;
- (g) Email addresses;
- (h) Telephone numbers;
- (i) Instant Messaging addresses; and
- (j) Any other designation used in internet communications, postings, or telephone communications.

g. *Duties of the Sex Offender Registration Program.* With regard to updates and/or changes in a Sex Offender's registration information, the Sex Offender Registration Program shall immediately notify:

- i. All jurisdictions where a Sex Offender

- intends to reside, work, or attend school;
- ii. Any jurisdiction where the Sex Offender is either registered or required to register; and
- iii. Specifically with respect to information relating to a Sex Offender's intent to commence residence, school, or employment outside of the United States, any jurisdiction where the Sex Offender is either registered or required to register, and the U.S. Marshals Service. The Sex Offender Registration Program shall also ensure this information is immediately updated on the Nation Sex Offender Registry (NSOR) or successor thereto; and the Public Sex Offender Registry Website as identified in Chapter 3.

[Annotation: Enacted by Resolution No. 2010-067]

#### **SECTION 4.05      RECAPTURES**

SORNO's requirements are retroactive. Consequently, there may be individuals who are not presently registered or whose registration requirements previously ended, who must now register or re-register. In furtherance of this situation, SORNO also mandates that the Pueblo of Isleta "recapture" those offenders who must either register or re-register. This is the process the registering officer is to follow to ensure offenders are recaptured.

The Sex Offender Registration Program shall ensure that all Tier I offenders are recaptured within one year, that all Tier II offenders are recaptured within 180 days, and



all Tier III offenders are recaptured within 90 days of implementation of SORNO. The implementation date of SORNO was May 11, 2010.

#### **SECTION 4.06      INCARCERATED SEX OFFENDERS**

The Sex Offender Registration Program shall review the jail roster on a daily basis. For each individual incarcerated by the Pueblo of Isleta, the Sex Offender Registration Program shall review their full criminal history including, tribal, state, federal and military to determine if the individual has ever been convicted of a sex offense in any court. If a sex offense is reflected in the criminal history and the individual is not already registered in any jurisdiction the registering officer shall obtain information concerning that offense and determine if the individual is required to be registered under SORNA and SORNO. For those who are required to register or re-register, the registering officer shall ensure the individual is entered into the registry and all necessary information is obtained.

#### **SECTION 4.07      OFFENDERS CURRENTLY ON PROBATION**

In addition to reviewing the jail roster, the Sex Offender Registration Program shall determine if they have prior convictions for sex offenses in any jurisdiction for which they are not presently registered. All tribal, state, and federal criminal records shall be reviewed to make this determination. If a sex offense is reflected in the criminal history and the individual is not already registered in any jurisdiction the Sex Offender Registration Program shall obtain information concerning that offense and determine if the individual is required to be registered under SORNA and SORNO. For those who are required to register or re-register, the registering officer shall ensure the individual is entered into the registry and all necessary information is obtained.

#### **SECTION 4.08      CURRENTLY REGISTERED OFFENDERS**

The Sex Offender Registration Program shall review the record of all individuals currently registered as sex offenders with the Pueblo of Isleta under existing tribal law and determine if additional information must be obtained or adjustments made to their registration status pursuant to the requirements of the SORNO.

#### **SECTION 4.09      OFFENDERS RE-ENTERING THE SYSTEM**

The Sex Offender Registration Program shall review the Tribal Courts of the Pueblo of Isleta's list of individuals set for arraignment. Each listed individual's tribal, state, federal, and military criminal record shall be accessed to determine if they have been convicted of a sex offense. If a sex offense is reflected in the criminal history and the individual is not already registered in any jurisdiction the registering officer shall obtain information concerning that offense and determine if the individual is required to be registered under SORNA and SORNO. For those who are required to register or re-register, the registering officer shall ensure the individual is entered into the registry and all necessary information is obtained.

#### **SECTION 4.10      KNOWN OFFENDERS**

If the Sex Offender Registration Program knows of individuals with prior sex offense convictions that have not otherwise been recaptured, the officer shall review that individual's tribal, state, federal, military criminal history to determine if they are obligated to register with the Sex Offender Registration Program under SORNA and SORNO.

The Sex Offender Registration Program shall also contact the Bernalillo County Sheriff's Office, and Valencia County Sheriff's Office for the State of New Mexico to obtain information to facilitate prompt recapture of individuals with prior sex offense convictions that are currently registered with said Sheriff's Offices.

The Sex Offender Registration Program shall review any public registry maintained by any jurisdiction that overlaps with or is contained within the jurisdiction of the Pueblo of Isleta to facilitate prompt recapture of individuals with prior sex offense convictions that are currently contained on said public registries.

#### **SECTION 4.11      SUPPLEMENTAL TECHNICAL PROTOCOLS**

The Sex Offender Registration Program, (“POI-SX”), shall continue to comply with all of the following:

- (1) CODIS Submissions: POI-SX, in coordination with the U.S. Marshalls Service, shall actively submit DNA samples for testing and entry to the appropriate FBI databases. POI-SX utilizes FBI approved collection methods and submission materials supplied by the FBI.
- (2) Finger and Palm Prints: POI-SX shall utilize the Live Scan system manufactured by CrossMatch which are capable of electronically digitizing finger and palm prints that meet FBI Crime Lab Standards. If finger and palm prints are not on file, POI-SX shall transmit the finger and palm prints to the FBI, other U.S. agencies, and foreign jurisdictions. **Fingerprint cards on tribally convicted sex offenders shall be submitted to the FBI through the U.S. Mail Services utilizing the pre-paid envelopes provided by the FBI. When the capability to electronically submit digitized fingerprint data to the FBI is attained utilizing the Live Scan system, fingerprint data shall then be submitted in that fashion.**
- (3) NCIC: POI-SX has full NCIC access through the Pueblo of Isleta Police Department. NCIC shall be accessed to obtain criminal histories on all sex offenders to assure proper leveling. Fugitive status and other relevant information shall be added to NCIC for use by multiple agencies. NSOR shall be immediately updated. POI-SX’s Enforcement Officer shall work closely with Bernalillo and Valencia County or any other necessary Law Enforcement Agency. Jurisdictions shall be contacted directly when information is lacking.

- (4) ORI: POI-SX's ORI Number is NMDI05700.
- (5) TTSORS: All digitized information shall be immediately uploaded to TTSORS (<http://Isleta.nsopw.gov/>) (also known as the Isleta Tribal Website).
- (6) NSOPR Exchange Portal: POI-SX has access to the NSOPR Exchange Portal. This portal shall be used to exchange information between jurisdictions.
- (7) Website: POI-SX with The Dru Sjodin Nation Sex Offender Public Website to build and host our public access website to provide additional resources to the public and better manage sex offenders. This website shall be maintained.
- (8) Paperless Environment: POI-SX shall maintain paper records, as well as, digitized records. Data shall be shared through a secured and encrypted server hosted within the POI-SX office.
- (9) Other Policies and Procedures Manuals: The Pueblo of Isleta and BIA approved Policies and Procedures Manuals of the Pueblo of Isleta Police Department, are incorporated into the operations of POI-SX.
- (10) Required Information on All Plea Agreements: The Pueblo of Isleta Tribal Court shall incorporate the following provision in the plea agreement form utilized the Tribal Court for every defendant entering into a plea agreement: "I DEFENDANT, understand that entry of this pleas agreement will require me to register as a sex offender under the Sex Offender Registry and Notification Ordinance, if this conviction is a sex offense, and I acknowledge that, if I am represented by an attorney, my attorney has advised me of the requirement to register.

## **SECTION 4.12 GENERAL FORMS**

### **A. REGISTRATION FORM AND REGISTRATION CHECKLIST**

*(Figures 1 and 2)*

The Sex Offender Registration Program which is in charge of registering sex offenders for the Pueblo of Isleta, after having determined an individual is required to register with the Sex Offender Registration Program and the tier to which they are to be assigned, shall ensure that a registration form is fully completed (see Figure 1) and that all required information obtained is entered into the NSOPW within 3 business days. Notice shall also be immediately sent to FBI, law enforcement and supervision agencies, all other registration jurisdictions due to the offender's residency, school attendance, or employment, and National Child Protection Act agencies. In addition to completion of the registration form, a checklist shall be completed in all cases to ensure all required information has been obtained and procedures have been followed (see Figure 2). Both forms shall also be scanned into .pdf format and retained in electronic format on a computer housed with the Pueblo of Isleta in an electronic file folder clearly identifying the individual registrant. A paper file shall also be created for each offender and a hard copy of all forms shall be retained in that file.

When entering information into the NSOPW, the following information shall be included:

- Absconder status. If the offender is in violation of SORNO/SORNA or cannot be located, the website must reflect this fact.
- Criminal history. A complete criminal history of any and all qualifying sex offenses for which the offender has been convicted must be included.
- Current offense. The website must also reflect the offense for which the offender is registered with the tribe.
- Employer Address. The name may also be included, but is not required.
- Name of the Offender. This includes all aliases.
- Photograph. A current photograph of the offender must be maintained on the public website.
- Physical description.
- Residential address. This includes anywhere the offender "habitually lives".
- School address. Again, the name may be included but is not required.
- Vehicle information.

Despite the public nature of the registry, the following information is prohibited from being disclosed to the public:

- Non-conviction criminal history.
- Social Security numbers.
- Travel and Immigration document numbers.
- Victim's identity.
- Internet Identifiers ("Kids Act").

**Figure 1**

**SEX OFFENDER REGISTRATION FORM**

All public information (see Chapter 4 – Required Registration Information and Chapter 6 – Registry Website Requirements) shall be entered into the NSOPW within 3 business days. All other information shall be retained in electronic & hardcopy format.

<b>Type or Print (Black or Blue Ink Only)</b>				Sentencing Court:				Registered as: <input type="checkbox"/> Tier I <input type="checkbox"/> Tier II <input type="checkbox"/> Tier III			
Last Name		First Name		Middle Name		AKA/Alias: Last Name		First Name		Middle	
Date of Birth	Race	Sex	Height	Weight	Hair Color	Eye Color	Tribal ID #	Tribe Name			
Scars/Marks/Tattoos											
Drivers License or		State	Social Security #		Passport/Immigration		FBI #	SID #		Professional License (type, number)	
Vehicle: Year	Make		Model		Style		Color		License		State

**Information for All Sex Offenses and Other Offenses Ever Convicted of (attach separate sheet if necessary)**

Date of Arrest	Arresting Agency	Conviction Code	Conviction Offense			Conviction Date
Date of Arrest	Arresting Agency	Conviction Code	Conviction Offense			Conviction Date
Date of Arrest	Arresting Agency	Conviction Code	Conviction Offense			Conviction Date
Probation/Jail Status	Where Incarcerated/Probation		Finger/Palm Print	DNA in CODIS	CODIS #	Photo/Date

**Education Institution (If currently (or will be) attending/employed/volunteering) ☐**

Name of Institution	Location
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**Residential Location (known/anticipated/habitual)**

**Mailing Address**

Street #/Name or General Description (No PO Box)				Street #/Name or General Description			
City	State	Zip	Phone	City	State	Zip	Phone

**Place of Employment (Including information related to transient or day labor employment)**

Street #				Business Name/Employer			
City	State	Zip	Phone	Employment Information			

**Description of Crime Requiring Registration**

Notes							
Victim Age	Victim Race	Victim Gender	Offender Relationship to	Victim Age	Victim Race	Victim Gender	Offender Relationship to

**Internet Identifiers**

Email Address	IM Addresses	Names Used	Other Designations/Identifiers
---------------	--------------	------------	--------------------------------

Name of Official Completing Form	Department	Case Number	Date Completed	Date National Registry
----------------------------------	------------	-------------	----------------	------------------------

*Figure 2*  
**REGISTRATION CHECKLIST**

- ☐ **ALL INFORMATION DIGITIZED** (scanned into a .pdf document and housed in an electronic file)
- ☐ **ALL INFORMATION ENTERED IN TO NSOPW**
- ☐ **NOTICE TO OTHER JURISDICTIONS** (Notice shall also be immediately sent to FBI, law enforcement and supervision agencies, all other registration jurisdictions due to the offender's residency, school attendance, or employment, and National Child Protection Act agencies)
- ☐ **CRIMINAL HISTORY**
  - ☐ Date of all arrests
  - ☐ Date of all convictions
  - ☐ Status of parole, probation, or supervised release
  - ☐ Registration status
  - ☐ Outstanding arrest warrants
- ☐ **DATE OF BIRTH**
  - ☐ Actual date of birth
  - ☐ Purported date of birth
  - ☐ All information digitized
- ☐ **DNA SAMPLE**
  - ☐ Taken from offender
  - ☐ Submitted for entry in to Combined DNA Index System (CODIS)
- ☐ **DRIVER'S LICENSE OR ID CARD**
  - ☐ Photocopy of all driver's licenses and identification cards issued to sex offender by a jurisdiction.
- ☐ **EMPLOYMENT INFORMATION**
  - ☐ Name of Employer
  - ☐ Address of Employer
  - ☐ Any place employed or will be employed, including volunteer or unpaid work
  - ☐ Transient or day labor information collected
- ☐ **FINGER AND PALM PRINTS TAKEN (both must be digitized)**
- ☐ **INTERNET IDENTIFIERS**
  - ☐ Email addresses
  - ☐ Instant Message addresses or identifiers
  - ☐ Any other designation or monikers used for self-identification
  - ☐ All designations used for routing or self-identification on the internet

<input type="checkbox"/>	<b>NAME</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Primary, given name</li> <li><input type="checkbox"/> Nicknames, aliases, pseudonyms generally, regardless of context</li> <li><input type="checkbox"/> Ethnic or Tribal names by which offender is <i>commonly</i> known by.</li> </ul>
<input type="checkbox"/>	<b>PASSPORTS AND IMMIGRATION DOCUMENTS</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Digitized copy of passport obtained</li> <li><input type="checkbox"/> Digitized copy of immigration documents obtained</li> </ul>
<input type="checkbox"/>	<b>PHONE NUMBERS</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Telephone numbers and other designations used for routing or self-identification in telephonic communications.</li> <li><input type="checkbox"/> Land line phone numbers</li> <li><input type="checkbox"/> Cell phone numbers</li> </ul>
<input type="checkbox"/>	<b>PHOTOGRAPH TAKEN</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Updated copy unless appearance has not significantly changed: <ul style="list-style-type: none"> <li><input type="checkbox"/> Tier I: Annually</li> <li><input type="checkbox"/> Tier II: Every 180 days</li> <li><input type="checkbox"/> Tier III: Every 90 days</li> </ul> </li> </ul>
<input type="checkbox"/>	<b>PHYSICAL DESCRIPTION</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Physical description: d.o.b., race, sex, height, weight, hair color, and eye color</li> <li><input type="checkbox"/> Any identifying marks, such as scars, tattoos, etc.</li> </ul>
<input type="checkbox"/>	<b>PROFESSIONAL LICENSING INFORMATION</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Documentation of all licensing of the offender that authorizes the offender to engage in an occupation or carry out a trade or business.</li> </ul>
<input type="checkbox"/>	<b>RESIDENTIAL ADDRESS</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Address if each residence at which the offender resides or will reside</li> <li><input type="checkbox"/> If different, location or description that identifies where the offender "habitually lives"</li> </ul>
<input type="checkbox"/>	<b>SCHOOL ADDRESS/INFORMATION</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Name of School</li> <li><input type="checkbox"/> School Address</li> <li><input type="checkbox"/> Of any place where offender is, or will be, a student</li> <li><input type="checkbox"/> Supplemental information regarding School</li> </ul>
<input type="checkbox"/>	<b>SOCIAL SECURITY NUMBER</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Valid social security number</li> <li><input type="checkbox"/> All purported social security numbers</li> </ul>
<input type="checkbox"/>	<b>TEMPORARY LODGING INFORMATION (when absent from residence for 7 days or more)</b>



<input type="checkbox"/> Identifying information (location) of temporary locations <input type="checkbox"/> Dates of temporary lodging <input type="checkbox"/> If going outside United States, INTERPOL notified
<input type="checkbox"/> <b>TEXT OF REGISTRATION OFFENSE (text of offense for which convicted and registered must be provided to SORNA database, if not already there)</b>
<input type="checkbox"/> <b>VEHICLE INFORMATION</b> <input type="checkbox"/> License plate number <input type="checkbox"/> Registration number <input type="checkbox"/> Color, make, model, and year of the vehicle <input type="checkbox"/> For all vehicles owned or operated by offender whether for work or personal use, including land vehicles, aircraft, and watercraft. <input type="checkbox"/> Where the vehicle is frequently kept

<i>Name of official completing form:</i>	<i>POI-SX:</i>	<i>Date completed:</i>	<i>Date entered into national registry:</i>
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## **B. Sex Offender Acknowledgement Form**

*(Figure 3)*

Upon completion of the registration form and registration checklist, the Sex Offender Registration Program shall have the offender read and sign the Sex Offender Acknowledgment Form (see Figure 3). If it is clear to the Sex Offender Registration Program that a particular individual is having a hard time reading the acknowledgement form or otherwise cannot read it, the Sex Offender Registration Program shall read the form to the individual and clearly note on the form that the officer read it to the offender. A copy of this form shall be given to the offender for their personal records, a copy kept in digitized format in their electronic file, and the original kept in hard copy format and placed in the offender's paper file.

The contents of the Acknowledgement Form (Figure 3) are reincorporated by reference herein. The Sex Offender Registration Program should frequently review the contents of the Acknowledgement Form (Figure 3) to remain educated in the procedures applicable to registration.

A registering sex offender shall be advised that:

***You are required to register with other jurisdictions where you reside, are employed, or attend school and may be subject to prosecution for failure to do so. It is not a defense to prosecution that you registered solely with the Pueblo of Isleta.***

**Figure 3**

**SEX OFFENDER ACKNOWLEDGEMENT FORM**

1. I have been given a copy of the Sex Offender Registration and Notification Code (SORNO) to review.
2. Individuals who have been convicted of a qualifying sex offense as outlined in the SORNO or the federal Sex Offender Registration and Notification Act must register as a sex offender with the Sex Offender Registration Program if:
  - a. They were convicted by the Pueblo of Isleta of a qualifying offense,
  - b. They were incarcerated by or with the Pueblo of Isleta for a qualifying offense,
  - c. They reside within the exterior boundaries of the Pueblo of Isleta Reservation or otherwise reside on property owned by the Pueblo of Isleta in fee or trust regardless of location,
  - d. They are employed (including volunteer work) by the Pueblo of Isleta in any capacity or otherwise are employed within the exterior boundaries of the Pueblo of Isleta or on property owned by the Pueblo of Isleta in fee or trust regardless of location,
  - e. They are a student, in any capacity, within the exterior boundaries of the Pueblo of Isleta Reservation or on property owned by the Pueblo of Isleta in fee or trust regardless of location,
  - f. They are found, reside, employed, and/or attend an educational institution within the exterior boundaries of the Isleta Reservation are subject to registration under SORNO;
  - g. They engage in any act within any location that the Pueblo of Isleta assumed and retained jurisdiction including over all lands, waters, and airspaces not within the exterior boundaries of the Isleta Reservation as permitted by any law, treaty, convention, charter, compact, and/or any other agreement.
3. Sex offenders required to register with the Sex Offender Registration Program shall complete a sex offender registration form and shall otherwise provide the Sex Offender Registration Program with the following information: criminal history, date of birth, DNA samples, driver's licenses, identification cards, passports, and 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. Pursuant to Pueblo of Isleta and federal laws, anyone who is required to register with the Sex Offender Registration Program shall do so in the following timeframe:
  - a. If incarcerated, before release from imprisonment for the registration offense,
  - b. If not incarcerated, within 3 business days of sentencing for the registration offense, and
  - c. For foreign, federal, and military convictions, a sex offender must appear in person at the Sex Offender Registration Program within 3 business days of establishing a residence on the reservation or tribal property or at any location under the jurisdiction of the Pueblo of Isleta after either release from incarceration or, if not incarcerated, sentencing for purposes of complying with SORNO or the federal Sex Offender Registration and Notification Act.
5. All sex offenders required to register with the Sex Offender Registration Program must immediately appear at Sex Offender Registration Program in person to update any change in their name, residence (including termination of residence), employment, school attendance, vehicle information, temporary lodging, email addresses, telephone numbers, Instant Messaging addresses, and any other designation used in internet communications, posting, or telephone conversations. 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. All sex offenders who are employed by the Pueblo of Isleta in any capacity or otherwise are employed within the exterior boundaries of the Pueblo of Isleta Reservation or on property owned by the Pueblo of Isleta in fee or trust regardless of location or at any other location under the jurisdiction of the Pueblo of Isleta that change or terminate their employment shall immediately appear in person at the Sex Offender Registration Program to update that information.

7. Any sex offender who is a student in any capacity within the exterior boundaries of the Pueblo of Isleta Reservation or on property owned by the Pueblo of Isleta in fee or trust regardless of location or at any other location under the jurisdiction of the Pueblo of Isleta change their school, or otherwise terminate their schooling, shall immediately appear in person at the Sex Offender Registration Program to update that information.

8. A sex offender who is or should be registered with the Pueblo of Isleta shall at a minimum appear in person at the Sex Offender Registration Program for purposes of keeping registration current in accordance with the following time frames:

a. For "Tier I" Offenders, once every year for fifteen (15) years from the date of release from custody for a sex offender who is incarcerated for the registration offense or from the date of sentencing for a sex offender who is not incarcerated for the registration offense,

b. For "Tier II" Offenders, once every one hundred eighty (180) days for twenty-five (25) years from the date of release from custody for a sex offender who is incarcerated for the registration offense or from the date of sentencing for a sex offender who is not incarcerated for the registration offense,

c. For "Tier III" Offenders, once every ninety (90) days for the rest of their lives.

9. At each in person verification a sex offender shall permit the Sex Offender Registration Program to take a current photograph of the offender, and shall review existing information for accuracy.

10. The following information, related to the sex offender, will be maintained on a national sex offender registry website: any registration requirement violations, if absconded, all sex offenses for which convicted, all sex offenses for which 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.

11. Any failure to appear for registration, absconding, or other violation of both the Federal Sex Offender Registration and Notification Act or of SORNO will result in criminal or civil punishment, possibly including exclusion for life, whether pursuant to Pueblo of Isleta or federal enforcement action. The Criminal and Civil Sanctions under SORNO are contained in the Pueblo of Isleta Ordinance for SORNA in Chapter 8. *You are required to register with other jurisdictions where you reside, are employed, or attend school and may be subject to prosecution for failure to do so. It is not a defense to prosecution that you registered solely with the Pueblo of Isleta.*

I have read, or had read to me, and understand the above laws and regulations regarding my registration as a sex offender.

Date: \_\_\_\_\_

\_\_\_\_\_  
Sex Offender Name (Printed)

\_\_\_\_\_  
Sex Offender Name (Signature)

For Official Use Only:

Name of official witnessing form:	POI-SX:	Copy made for Offender: Yes / No	Date scanned & Updated Registry:

### **C. Change of Information Form**

*(Figure 4 and 5)*

From time to time sex offenders will change their status. Whether, residential, employment, school, vehicle, professional licensing, telephone number, email address, IM address, or any other internet identifying related information, they must notify the Sex Offender Registration Program notifying us of the change (with the exception of professional licensing). Such changes shall be noted, documented, and updated on NSOPW.

Any time information changes, it shall be recorded on the form provided. A digitized copy shall be kept in the offender's electronic file. A hard copy shall be kept in the offenders paper file. In addition, the Sex Offender Registration Program shall update NSOPW within 3 business days. Notice shall also be immediately sent to FBI, law enforcement and supervision agencies, all other registration jurisdictions due to the offender's residency, school attendance, or employment, and National Child Protection Act agencies.

In addition, sex offenders are to notify the Sex Offender Registration Program if they plan on finding temporary lodging in another jurisdiction. Upon being informed of such intent, the Sex Offender Registration Program shall notify the jurisdiction where temporary lodging is being sought by voice mail and letter. In the event temporary lodging is being sought outside the exterior boundaries of United States, the Sex Offender Registration Program should immediately contact INTERPOL.

## Figure 4 CHANGE OF INFORMATION FORM

All public information (see Chapter 4 – Required Registration Information and Chapter 6 – Registry Website Requirements) shall be entered into NSOPW within 3 business days. All other information shall be retained in electronic & hardcopy format.

### PRIOR INFORMATION

#### Offender Name

Last Name	First Name	Middle Name	AKA/Alias: Last Name	First Name	Middle Name
-----------	------------	-------------	----------------------	------------	-------------

#### Residential Location (known/anticipated/habitual)

#### Mailing Address

Street #/Name or General Description (No PO Box)				Street #/Name or General Description			
City	State	Zip	Phone	City	State	Zip	Phone

#### Place of Employment (Including information related to transient or day labor employment)

Street #				Business Name/Employer			
City	State	Zip	Phone	Employment Information			

#### Education Institution (If currently (or will be) attending/employed/volunteering) ☐

Name of Institution	Location
---------------------	----------

#### Vehicle and Licensing Information

Vehicle:	Make	Model	Style	Color	License	State
Professional License (type, number)						

#### Internet Identifiers

Email Address	IM Addresses	Names Used	Other Designations/Identifiers
---------------	--------------	------------	--------------------------------

### NEW INFORMATION

#### Residential Location (known/anticipated/habitual)

#### Mailing Address

#### Temporary Lodging (If 3 days or more, Offender must notify jurisdiction where temporarily lodging) ☐

Street #/Name or General Description (No PO Box)				Street #/Name or General Description			
City	State	Zip	Phone	City	State	Zip	Phone

#### Place of Employment (Including information related to transient or day labor employment)

Street #				Business Name/Employer			
City	State	Zip	Phone	Employment Information			

#### Education Institution (If currently (or will be) attending/employed/volunteering) ☐

Name of Institution	Location
---------------------	----------

#### Vehicle and Licensing Information

Vehicle:	Make	Model	Style	Color	License	State
Professional License (type, number)						

#### Internet Identifiers

Email Address	IM Addresses	Names Used	Other Designations/Identifiers
---------------	--------------	------------	--------------------------------

Name of Official Completing Form	Department	Case Number	Date Completed	Date National Registry
----------------------------------	------------	-------------	----------------	------------------------

**Figure 5**

**D. NOTICE OF TRAVEL TO FOREIGN LOCATION**

**TO:** Selina Evans, Program Manager (Department of Justice – INTERPOL)  
Tel: (202) 616-3373 Fax: (202) 616-8400

**DATE:** *Insert Date*

**RE: Notification to INTERPOL**

The following sex offender is registered in our jurisdiction. We understand that the sex offender will be traveling to *Insert Foreign Location* commencing *Insert Date* and returning *Insert Date*. A printout of the sex offender's public registry information is attached hereto and incorporated by reference herein. A summary of the sex offender's information is as follows:

**Identifying Information**

Name: *Insert Data*  
Date of Birth: *Insert Data*  
Race: *Insert Data*  
FBI#: *Insert Data*  
Address: *Insert Data*  
Telephone: *Insert Data*  
Employment Information: *Insert Data*  
School Related Information: *Insert Data*  
Jurisdiction of Conviction(s) and Charge(s): *Insert Data*

For further information feel free to contact us at the following address and phone number:

Sex Offender Registration Program  
Pueblo of Isleta  
PO Box 699  
Isleta NM 87022  
(505) 869-6511(Office)  
(505) 869-2407 (Fax)

## **E. Failure to Appear for Registration and Absconded Offenders**

### ***(Figure 6)***

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

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

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

1. Notify Sex Offender Registration Program and police,
2. Update NSOPW to reflect that the offender has absconded or is otherwise not capable of being located,
3. Update the NSOR or successor thereto 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. Seek a warrant for the Sex Offender's arrest, if the legal requirements for doing so are satisfied,
6. Request a federal warrant for arrest of the offender by issuing the Absconsion Notification Letter (see figure 6), and
7. Notify the U.S. Marshalls Service.



*Figure 6*

**F. ABSCONSION NOTIFICATION LETTER**

**TO:** U.S. Marshals Service  
*Insert address*

**SUBJECT:** *Insert name and identifying info.*

**TO:** F.B.I.  
*Insert address*

**DATE:** *Insert date of letter*

This is to advise you that the above named registered sex offender has moved or otherwise absconded and has not notified the Pueblo of Isleta Sex Offender Registration Program of his or her new address or location. This person may be in violation of the Sex Offender Registration Notification Act and the Title XI (11) – Sex Offender Registration and Notification Code. You may wish to review this matter with Pueblo of Isleta Law Enforcement Representative for SORNA.

After making reasonable attempts, the Pueblo of Isleta Sex Offender Registration Program has been unable to locate the above named subject. For this reason, the Pueblo of Isleta is requesting that a warrant be sought for the sex offender's arrest.

Should you develop information concerning where this sex offender has moved, please contact the Pueblo of Isleta Sex Offender Registration Program immediately at the following address and phone number:

Sex Offender Registration Program  
Pueblo of Isleta  
PO Box 699  
Isleta, NM 87022  
(505) 869-6511 (Office Number)  
(505) 869-2407 (Fax Number)

## **G. Change of Information**

***(Figure 7)***

Any time an offender changes their residential or mailing address, place or status of employment, place or status of schooling, or vehicle they must inform the Sex Offender Registration Program. Any time any of this information is changed, a Notice of Updated Information must be generated (see Figure 7) and immediately sent to all other jurisdictions where the offender is registered. It must also immediately go to all other jurisdictions where the offender will be required to register due to the change in information. All databases, including website and registry, shall be immediately updated.

*Figure 7*

**H. NOTICE OF UPDATED INFORMATION**

**TO:** *New/Other Jurisdiction*  
*Insert address*

**DATE:** *Insert date of letter*

**RE: Notification of Sex Registrant Updated Information**

The following sex offender is registered in our jurisdiction. We understand that they are also either currently registered, or will be required to register, in your jurisdiction based on recent changes in their residence, employment, or schooling. The offender's information has been updated as follows:

**Original Identifying Information**

Name:  
Date of Birth:  
Race:  
FBI#:  
Address:  
Employment Information:  
School Related Information:

**Updated Information (including date of change or anticipated change)**

New Address:  
New Employment Information:  
New School Related Information:

For further information feel free to contact us at the following address and phone number:

Sex Offender Registration Program  
Pueblo of Isleta  
PO Box 699  
Isleta NM 87022  
(505) 869-6511 (Office Number)  
(505) 869-2407 (Fax Number)

**I. SUPPLEMENTAL NOTIFICATION LETTERS**  
***(Figures 8, 9, 10, and 11)***

The Sex Offender Registration Program shall forward the supplemental notification letters to businesses, law enforcement, community members, and sex offenders. Said letters are included (see Figures 8, 9, 10, and 11), and are used to increase community awareness, as well as, increase registration compliance. The electronic archive and registry shall be updated, as necessary to maintain currency.

***Figure 8***

**I. BUSINESS NOTIFICATION LETTER**

Date: Monday, June 27, 2011

(Business Name)

(Address)

(City State Zip)

Dear (Business Contact)

The Sex Offender Registration Program is in charge of the Sex Offender Registration and Notification. As an employer, you may have information that an employee may have been convicted of a sex offense or is a registered sex offender and is required to notify the Sex Offender Registration Program. The term “employee” under the Sex Offender Registration and Notification, (“SORNO”), is broad and includes those who are self-employed or work for any other entity, regardless of compensation. Consequently, volunteers are required to register under SORNO.

Technically as an employer, you are not obligated to report a person as an offender to the Sex Offender Registration Program. However, you **shall** alert your existing and future employees to the fact that they are subject to the requirements of SORNO. In addition, their failure to register with the Sex Offender Registration Program and follow the requirements will result in prosecution. **Please read the COMMUNITY NOTIFICATION posting provided and distributed throughout the Isleta community and provide a copy to any persons employed or seeking employment with your business.**

If you belief you have an offender employed by you and want to verify their reporting status, or you have any questions regarding the SORNO or the registration process you may contact us directly. A current list of registered sex offenders residing, working, or

going to school with the boundaries of the reservation can be viewed on our web site at <http://Isleta.nsopw.gov/>

The Sex Offender Registration Program's hours are Monday-Friday between the hours of 8:00 am to 5:00 pm. The direct phone line is (505) 869-6511(Office) and (505) 764-5760 (Fax).

Sincerely,

Supervisory Law Enforcement Officer  
Pueblo of Isleta Sex Offender Registration Program

*Figure 9*

**J. WANTED PUBLIC LETTER**

# Registered Sex Offender

Last Name			First Name			Middle Name			AKA/Alias: Last Name			First Name			Middle Name		
Date of Birth	Race	Sex	Height	Weight	Hair Color	Eye Color	Scars/Marks/Tattoos										
Vehicle: Year	Make		Model		Style		Color		License		State						
<b>Residential Location</b>									<b>Employment Location</b>								
Street #/Name or General Description									Street #/Name or General Description								
City			State		Zip		Phone		City			State		Zip		Phone	
<b>Conviction</b>																	
Conviction Code		Conviction Offense												Conviction Date			
Conviction Code		Conviction Offense												Conviction Date			
Conviction Code		Conviction Offense												Conviction Date			
<b>Contact</b>																	
Officer				Division/Unit								Phone					

The Pueblo of Isleta requires all qualifying sex offenders who work, go to school, or reside at any location subject to the jurisdiction of the Pueblo of Isleta to register with the Sex Offender Registration Program. Information contained in this document might not reflect current residences, employment, school attendance, or other information regarding such individuals. Consequently, you are forewarned that it is incumbent upon you to verify any and all information. Any person seeking additional information or verification should contact the Sex Offender Registration Program. If you believe information contained in the document is not accurate, you are encouraged to contact the Sex Offender Registration Program at (505) 869-6511. Anyone using information contained in this document to threaten, intimidate, or harass any individual, including registrants or family members, or who otherwise misuse this information will be subject to criminal prosecution or civil liability. The Pueblo of Isleta does not waive their sovereign immunity from suit and use of any information contained in this document is solely at your own risk. Please contact the Sex Offender Registration Program for a copy of SORNO if you have any questions regarding its requirements.

# K. WANTED LETTER

Figure 10

## Wanted for

Last Name			First Name			Middle Name			AKA/Alias: Last Name			First Name			Middle Name		
Date of Birth	Race	Sex	Height	Weight	Hair Color	Eye Color	Tribal ID #	Tribe Name									
Scars/Marks/Tattoos																	
Drivers License or ID		State	FBI #				SID #										
Vehicle: Year		Make		Model		Style		Color		License			State				

### Residential Location

### Employment Location

Street #/Name or General Description				Street #/Name or General Description			
City	State	Zip	Phone	City	State	Zip	Phone

### Conviction

Conviction Code	Conviction Offense	Conviction Date
Conviction Code	Conviction Offense	Conviction Date
Conviction Code	Conviction Offense	Conviction Date

### Notes

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### Contact

Officer	Division/Unit	Phone
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Confidential Information – Restricted to Law Enforcement Use Only

Issue Date:



*Figure 11*

**L. OFFENDER NOTIFICATION LETTER**

Date: Monday, June 27, 2011

(Offender Name)

(Address)

(City State Zip)

Dear (Offender)

The Sex Offender Registration Program has received information regarding your conviction for **(Conviction Code Description)**, Section **(Conviction Code)** on **(Date of Conviction)**.

The Pueblo of Isleta enacted the *Title XI (11) – Sex Offender Registration and Notification Ordinance*, (“SORNO”) requiring sex offenders subject to the jurisdiction of the Pueblo of Isleta to register with the Sex Offender Registration Program. SORNO is retroactive in nature. This means that even if you previously completed your conditions of probation and registration, you may still be required to re-register. Failure to comply with SORNO will result in tribal and/or federal criminal prosecution.

SORNO requires all qualifying sex offenders who reside, are employed, or attend school, at any location subject to the jurisdiction of the Pueblo of Isleta to immediately register with the Sex Offender Registration Program. SORNO deems any conviction for an offense listed in section 111(5) of the Adam Walsh Act a qualifying “sex offense”. Your conviction is a qualifying sex offense mandating registration. See enclosed.

The Sex Offender Registration Program’s hours are Monday-Friday 8:00 am-5:00 pm and direct phone line is (505) 869-6511.

Sincerely,

Supervisory Law Enforcement Officer  
Pueblo of Isleta Sex Offender Registration Program

## **COVERED SEX OFFENSES**

### **CHAPTER 5**

#### **SECTION 5.01          OFFENSES INCLUDED IN THE REGISTRY**

Sex Offenders and offenders subject to the jurisdiction of the Pueblo of Isleta that have been convicted of the following offenses are subject to the requirements of SORNO:

- (1) *Attempts and Conspiracies.* Any attempt or conspiracy to commit any sex offenses.
- (2) *Federal Offenses.* A conviction for any of the following offenses, and any other offense here after included within SORNA, SORNC, and/or any regulation:
  - (a) 18 U.S.C. §1591 (Sex Trafficking of Children);
  - (b) 18 U.S.C. §1801 (Video Voyeurism of a Minor);
  - (c) 18 U.S.C. §2241 (Aggravated Sexual Abuse);
  - (d) 18 U.S.C. §2242 (Sexual Abuse);
  - (e) 18 U.S.C. §2243 (Sexual Abuse of a Minor or Ward);
  - (f) 18 U.S.C. §2244 (Abusive Sexual Contact);
  - (g) 18 U.S.C. §2245 (Offenses Resulting in Death);
  - (h) 18 U.S.C. §2251 (Sexual Exploitation of Children);
  - (i) 18 U.S.C. §2251A (Selling or Buying of Children);
  - (j) 18 U.S.C. §2252 (Material involving the Sexual Exploitation of a Minor);
  - (k) 18 U.S.C. §2252A (Material Containing Child Pornography);
  - (l) 18 U.S.C. §2252B (Misleading Domain Names on the Internet);
  - (m) 18 U.S.C. §2252C (Misleading Words or Digital Images on the Internet);
  - (n) 18 U.S.C. §2260 (Production of Sexually Explicit Depictions of a Minor for Import into the United States);
  - (o) 18 U.S.C. §2421 (Transportation of a Minor for Illegal Sexual Activity);
  - (p) 18 U.S.C. §2422 (Coercion and Enticement of a Minor for Illegal Sexual Activity);

- (q) 18 U.S.C. §2423 (Mann Act);
  - (r) 18 U.S.C. §2424 (Failure to File Factual Statement about an Alien Individual); and
  - (s) 18 U.S.C. §2425 (Transmitting Information about a Minor to further Criminal Sexual Conduct).
- (3) *Foreign Offenses.* Any conviction for a sex offense and/or equivalent offense to one contained within SORNA, SORNC, and/or any regulation and which was obtained under the laws of Canada, the United Kingdom, Australia, New Zealand, and any foreign country where the United States State Department, in its Country Reports on Human Rights Practices, has concluded that an independent judiciary generally (or vigorously) enforced the right to a fair trial in that country during the year in which the conviction occurred.
  - (4) *Military Offenses.* Any military offense specified by the Secretary of Defense under section 115(a)(8)(C)(i) of Public Law 105-119 (codified at 10 U.S.C. 951).
  - (5) *Juvenile Offense and/or Adjudications.* Any sex offense, or attempt or conspiracy to commit a sex offense, that is comparable to or more severe than the federal crime of aggravated sexual abuse (as codified in 18 U.S.C. §2241) and committed by a minor who is 14 years of age or older at the time of the offense. This includes engaging in a sexual act with another by force or the threat of serious violence; or engaging in a sexual act with another by rendering unconscious or involuntarily drugging the victim.
  - (6) *Jurisdiction Offenses (State, Local, and Tribal Offenses).* Any sex offense committed in any jurisdiction, including this the Confederated Tribes and Bands of the Pueblo of Isleta, that involves:
    - (a) Any type of degree of genital, oral, or anal penetration;
    - (b) Any sexual touching of or contact with a person's body, either directly or through the clothing;
    - (c) Kidnapping of a minor;
    - (d) False imprisonment of a minor;

- (e) Solicitation to engage a minor in sexual conduct understood broadly to include any direction, request, enticement, persuasion, or encouragement of a minor to engage in sexual conduct;
- (f) Use of a minor in a sexual performance;
- (g) Solicitation of a minor to practice prostitution;
- (h) Possession, production, or distribution of child pornography;
- (i) Criminal sexual conduct that involves physical contact with a minor or the use of the internet to facilitate or attempt such conduct. This includes offenses whose elements involve the use of other persons in prostitution, such as pandering, procuring, or pimping in cases where the victim was a minor at the time of the offense;
- (j) Any conduct that by its nature is a sex offense against a minor; and
- (k) Any offense similar to those outlined in:
  - (i.) 18 U.S.C. §1591 (Sex Trafficking by Force, Fraud, or Coercion);
  - (ii.) 18 U.S.C. §1801 (Video Voyeurism of a Minor);
  - (iii.) 18 U.S.C. §2241 (Aggravated Sexual Abuse);
  - (iv.) 18 U.S.C. §2242 (Sexual Abuse);
  - (v.) 18 U.S.C. §2244 (Abusive Sexual Contact);
  - (vi.) 18 U.S.C. §2422(b) (Coercing a Minor to Engage in Prostitution);
  - (vii.) 18 U.S.C. §2423(a) (Transporting a Minor to Engage in Illicit Conduct).

## **CHARGING DOCUMENTS**

### **CHAPTER 6**

#### **SECTION 6.01 CHARGING ADULT DOCUMENT**

##### **A. FIGURE 12**

#### **SECTION 6.02 CHARGING JUVENILE DOCUMENT**

##### **B. FIGURE 13**

The use of the following charging documents shall be used in accordance with the Pueblo of Isleta Sex Offender Registration Program's Policies and Procedures. Databases shall be updated upon the charging of any sex offender for violations of SORNO.

**Figure 12**

**ADULT CHARGING**

**IN THE ISLETA TRIBAL COURT IN THE PUEBLO OF ISLETA**

PUEBLO OF ISLETA,	Tribal Cause No.: 09-____
Plaintiff,	Warrant No.: _____
vs.	YNP Report No.: _____
,	<b>CRIMINAL COMPLAINT AND</b>
DOB:        /        /	<b>WARRANT</b>
Defendant.	

BEFORE THE COURT this day, the *Pueblo of Isleta Law Enforcement Representative*, \_\_\_\_\_  
\_\_\_\_\_ avers that the above-named defendant, on the \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_ on or about \_\_\_\_\_ AM, at \_\_\_\_\_ which is ☐ within the exterior boundaries of the Pueblo of Isleta  
Reservation or ☐ on other lands under the jurisdiction of the Pueblo of Isleta for purposes set forth in the  
Treaty of June 9, 1855 (12 Stat. 951), did violate:

- ☐ Section 11.05.01, "Jurisdiction of Conviction"
- ☐ Section 11.05.03, "Jurisdiction of Incarceration"
- ☐ Section 11.05.05, "Jurisdiction of Residence"
- ☐ Section 11.05.07, "Jurisdiction of Employment"
- ☐ Section 11.05.09, "Jurisdiction of School Attendance"
- ☐ Section 11.04.01(1), "Required Registration Information"

And Section 11.13.01 of the Revised Law and Order Codes of the Pueblo of Isleta against the peace and  
dignity of the Pueblo of Isleta, by violating the registration provisions of the Sex Offender Registration and  
Notification Code ("SORNO") and/or any regulation adopted thereunder. The attached report is  
incorporated by reference herein.

The Law Enforcement Representative prays that the above-named defendant be arrested and dealt  
with accordingly with bail being set at **\$1000.00 (CASH ONLY)**.

RESPECTFULLY SUBMITTED on this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_.

\_\_\_\_\_  
Pueblo of Isleta Law Enforcement Representative

SO AUTHORIZED by this Court on this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_.

\_\_\_\_\_  
Judge, Isleta Tribal Court

**RETURN OF SERVICE**

I hereby swear that I have served the above "Criminal Complaint and Warrant" on the above-named defendant on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

The above-named defendant shall appear in Court on:

☐ Monday at 10:00 AM

☐ Wednesday at 10:00 AM

☐ Friday at 10:00 AM

\_\_\_\_\_  
LAW ENFORCEMENT OFFICER – BADGE NO.

OFFICER(S):

VICTIM(S):

WITNESS (ES):

*Figure 13*

**JUVENILE CHARGING**

**IN THE CHILDREN'S COURT  
IN THE PUEBLO OF ISLETA**

PUEBLO OF ISLETA,	Tribal Cause No.: _____
Plaintiff,	Warrant No.: _____
vs.	YNP Report No.: _____
,	<b>PETITION WITH SUPPORTING COMPLAINT AND WARRANT</b>
DOB:        /        /	
Defendant.	

BEFORE THE COURT this day and pursuant to Chapter 80, RYC § 05.02, the Pueblo of Isleta Pueblo of Isleta Law Enforcement Representative, avers that the above-named defendant is delinquent as defined by Chapter 80, RYC § 02.09 (4)(A), "**DELINQUENT CHILD**" based on the following facts: on the        day of \_\_\_\_\_, \_\_\_\_\_, on or about        AM, at        which is ☐ within the exterior boundaries of the Pueblo of Isleta Reservation or ☐ on other lands under the jurisdiction of the Pueblo of Isleta for purposes set forth in the Treaty of June 9, 1855 (12 Stat. 951), did violate:

- ☐ Section 11.05.01, "Jurisdiction of Conviction"
- ☐ Section 11.05.03, "Jurisdiction of Incarceration"
- ☐ Section 11.05.05, "Jurisdiction of Residence"
- ☐ Section 11.05.07, "Jurisdiction of Employment"
- ☐ Section 11.05.09, "Jurisdiction of School Attendance"
- ☐ Section 11.04.01(1), "Required Registration Information"

And Section 11.13.01 of the Revised Law and Order Codes of the Pueblo of Isleta against the peace and dignity of the Pueblo of Isleta, by violating the registration provisions of the Sex Offender Registration and Notification Code ("SORNO") and/or any regulation adopted thereunder.



The attached Affidavit(s)/Declaration(s)/Document(s) and Pueblo of Isleta Tribal Police Report(s) is/are incorporated by reference herein as the Supporting Complaint.

Pueblo of Isleta Law Enforcement Representative prays that the above-named defendant be immediately taken into custody and dealt with accordingly with bail being set at \$ \_\_\_\_\_.

RESPECTFULLY SUBMITTED on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Pueblo of Isleta Law Enforcement Representative

SO AUTHORIZED by this Court on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Judge, Isleta Tribal Court

**RETURN OF SERVICE**

I hereby swear that I have served the above "Criminal Complaint and Warrant" on the above-named defendant on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

The above-named defendant shall appear in Court on:

☐ Tuesday at 9:30 AM      ☐ Thursday at 9:30 AM      ☐ \_\_\_\_\_ at \_\_\_\_\_

OFFICER(S):  
VICTIM(S):  
WITNESS (ES):

\_\_\_\_\_  
LAW ENFORCEMENT OFFICER – BADGE NO.



Sex Offender Registration Program  
Pueblo of Isleta  
Contact Personnel

P.O. Box 699  
Isleta, NM 87022  
Office Contact – (505) 869-6511  
Fax Contact – (505) 869-2407

Captain Kevin Mariano	<a href="mailto:poi06004@isletapueblo.com">poi06004@isletapueblo.com</a>
Detective/ SGT. Darin Mallon	<a href="mailto:poi06006@isletapueblo.com">poi06006@isletapueblo.com</a>
Detective Olivia F. Cavallero	<a href="mailto:poi06008@isletapueblo.com">poi06008@isletapueblo.com</a>
Therese Jiron, Records Technician	<a href="mailto:poi06051@isletapueblo.com">poi06051@isletapueblo.com</a>
Eulalia J. Lucero, Probation officer	<a href="mailto:poi09007@isletapueblo.com">poi09007@isletapueblo.com</a>