

Pyramid Lake Paiute Tribal Council

Post Office Box 256

Nixon, Nevada 89424

Telephone: (775) 574-1000 / 574-1001 / 574-1002

FAX (775) 574-1008

RESOLUTION NO.: PL 07-14

RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA

WHEREAS, the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C. § 476) and is Federally recognized by the United States Government through the Secretary of the Interior and the Bureau of Indian Affairs; and

WHEREAS, the Pyramid Lake Paiute Tribe pursuant to Article VI, Section 1 (i) and (j) of the Constitution of the Tribe and Article V of the Bylaws of the Tribe, adopted by the Pyramid Lake Tribe's Title III, Law and Order Code; and

WHEREAS, the Tribal Council has established the Law & Order Committee, a standing committee of the Tribe with the responsibility to review the Law & Order Code and recommend changes to the Code to improve its effectiveness and compliance with applicable Federal law; and

WHEREAS, the Law & Order Committee has determined it necessary to amend the Law & Order Code, Title 3, Chapter 11 – Sex Offender Registration & Notification Act to ensure compliance with applicable Federal law, and recommends approval of the amendment, attached hereto and incorporated herein by reference.


NOW, THEREFORE, BE IT RESOLVED THAT the Pyramid Lake Paiute Tribal Council hereby approves the amendment to the Pyramid Lake Paiute Tribe's Law & Order Code, Title 3, Chapter 11- Sex Offender Registration & Notification Act, attached hereto and incorporated herein as recommended by the Law & Order Committee.

BE IT FURTHER RESOLVED THAT this amendment will supersede the previous version of Chapter 11 in its entirety effective this date forth.

BE IT FINALLY RESOLVED THAT the Tribal Chairman or his designee is hereby authorized to effectuate any and all administrative tasks necessary to implement the intent of this Resolution.

CERTIFICATION

It is hereby certified that the forgoing resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members of whom 9, constituting a quorum, were present on the 17 day of January, 2014 was adopted by a vote of 8 for; 0 opposed; 0 abstentions; pursuant to the authority contained in the Constitution and By-Laws of the Pyramid Lake Paiute Tribe.



Gina Wadsworth, Tribal Secretary
Pyramid Lake Paiute Tribal Council

LAW AND ORDER CODE

TITLE 3

CHAPTER 11 – SEX OFFENDER REGISTRATION & NOTIFICATION ACT

§ 11.100. TITLE.

This Chapter shall be known as the Sex Offender Registration and Notification Act.

§ 11.102. Purpose.

The intent of this Chapter is to implement the Federal Sex Offender Registration and Notification Act (SORNA) and shall be interpreted liberally to comply with the terms and conditions of the Act as presently written or hereafter amended.

§ 11.104. Need.

Violent crime in Indian Country is more than twice the national average. On some reservations it is twenty times the national average. An astounding thirty percent of Indian and Alaskan Native women will be raped in their lifetimes. Eighty-six percent of the perpetrators of these crimes are non-Indian. Tribal nations are disproportionately affected by violent crime and sex offenses in particular from both Indian and non-Indian perpetrators, consequently, the conduct and presence of convicted sex offenders in Indian Country threatens the political integrity, economic security, health and welfare of tribal nations even to the point of imperiling the subsistence of tribal communities.

§ 11.106 Creation of Registries.

- A. Sex Offender Registry. There is hereby established a sex offender registry, which the Pyramid Lake Police Department shall maintain and operate pursuant to the provisions of this code, as amended.
- B. Public Sex Offender Registry Website. There is hereby established a public sex offender registry website, which the Pyramid Lake Police Department shall maintain and operate pursuant to the provisions of this code, as amended.

§ 11.200. TERMINOLOGY AND COVERED OFFENSES.

§ 11.202. Definitions.

- A. Convicted. An adult sex offender is "convicted" for the purpose of this Chapter if the sex offender has been subject to penal consequences based on the conviction. This includes convictions of juveniles who are prosecuted as adults, or any juvenile adjudicated delinquent 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.
- B. Employee. The term "employee" as used in this Chapter includes, but is not limited to, an individual who is self-employed or works for any other entity, regardless of compensation including but not limited to volunteers, interns, externs, and apprentices.
- C. Immediate. "Immediate" and "immediately" mean within 3 business days.

- D. 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 a local or tribal "jail".
- E. Jurisdiction. The term "Jurisdiction" as used in this code refers to the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, the United States Virgin Islands, and any Indian tribe, including the Pyramid Lake Paiute Tribe.
- F. Minor. The term "minor" means an individual who has not attained the age of 18 years.
- G. 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. This includes sex offenders who visit the reservation for a period of 24 hours or more.
- H. Sex Offense. The term "sex offense" as used in this Code is limited to those offenses contained in Section § 111(5) of SORNA.
- I. Sex Offender. A person convicted of a sex offense is a "sex offender".
- J. Sexual Act. The term "sexual act" has the same meaning as the definition for "sexual act" contained in 18 U.S.C. §2246.
- K. Sexual Contact. The term "sexual contact" has the same meaning as the definition for "sexual contact" contained in 18 U.S.C. §2246.
- L. Student. A "student" is a person who enrolls in or attends either a private or public education institution, including a secondary school, trade or professional school, or an institution of higher education.
- M. SORNA. "SORNA" means Title I of the Adam Walsh Child Protection and Safety Act of 2006 (PL 109-248), the Sex Offender Registration and Notification Act.
- N. 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.
- O. Sex Offender Registry. The term "sex offender registry" means the registry of sex offenders, and a notification program, maintained by the Pyramid Lake Police Department
- P. National Sex Offender Registry (NSOR). The national database maintained by the Attorney General of the United States pursuant to 42 U.S.C. §16919.
- Q. SMART Office. The Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking, which was established within the United States Department of Justice under the general authority of the Attorney General of the United States pursuant to 42 U.S.C. §16945.
- R. Dru Sjodin National Sex Offender Public Website (NSOPW). The public website maintained by the Attorney General of the United States pursuant to 42 U.S.C. §16920.
- S. "Tier 1 Sex Offender". A "tier 1 sex offender", or a "sex offender" designated as "tier 1", is one that has been convicted of a "tier 1" sex offense as defined in § 11.302.
- T. "Tier 2 Sex Offender". A "tier 2 sex offender", or a "sex offender" designated as "tier 2", is one that has been either convicted of a "tier 2" sex offense as defined in §11.304, or who is subject to the recidivist provisions of §11.304(A).

- U. "Tier 3 Sex Offender". A "tier 3 sex offender", or a "sex offender" designated as "tier 3", is one that has been either convicted of a "tier 3" sex offense as defined in §11.306, or who is subject to the recidivist provisions of §11.306(A).

§ 11.204. Covered Offenses.

Offenders who reside, are employed, or attend school within the exterior boundaries of the reservation or on property owned by the Tribe in fee or in trust regardless of location, or offenders who visit the reservation for a period of 24 hours or more that have been convicted of the following offenses, or convicted of an attempt or conspiracy to commit any of the following offenses, are subject to the requirements of this Chapter:

- A. Pyramid Lake Paiute Tribe Offenses. A conviction for any of the following offenses:

1. 3.04.202 (Abduction, when the victim is a minor)
2. 3.04.206 (Battery, when the 'harmful or offensive contact' involves sexual conduct or a sexual act as defined in §11.202)

- C. Federal Offenses. A conviction for any of the following, and any offenses prosecuted under the Assimilative Crime Act (18 U.S.C. § 1152 or § 1153), and any other offense hereafter included within SORNA:

1. 18 U.S.C. § 1591 (sex trafficking of children);
2. 18 U.S.C. § 2241 (aggravated sexual abuse);
3. 18 U.S.C. § 2242 (sexual abuse);
4. 18 U.S.C. § 2243 (sexual abuse of a minor or ward);
5. 18 U.S.C. § 2244 (abusive sexual contact);
6. 18 U.S.C. § 2245 (offenses resulting in death);
7. 18 U.S.C. § 2251 (sexual exploitation of children);
8. 18 U.S.C. § 2251A (selling or buying of children);
9. 18 U.S.C. § 2252 (material involving the sexual exploitation of a minor);
10. 18 U.S.C. § 2252A (material containing child pornography);
11. 18 U.S.C. § 2252B (misleading domain names on the internet);
12. 18 U.S.C. § 2252C (misleading words or digital images on the internet);
13. 18 U.S.C. § 2260 (production of sexually explicit depictions of a minor for import into the United States);
14. 18 U.S.C. § 2421 (transportation of a minor for illegal sexual activity);
15. 18 U.S.C. § 2242 (coercion and enticement of a minor for illegal sexual activity);
16. 18 U.S.C. § 2423 (transportation of minors for illegal sexual activity, etc.);

17. 18 U.S.C. § 2424 (failure to file factual statement about an alien individual); and
 18. 18 U.S.C. § 2425 (transmitting information about a minor to further criminal sexual conduct).
- C. Foreign Offenses. Any conviction for a sex offense involving any conduct listed in § 11.204 (F) 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 general (or vigorously) enforced the right to a fair trial in that country during the year in which the conviction occurred.
- D. Military Offenses. Any military offense specified by the Secretary of Defense under Section 115(a)(8)(C)(i) of PL 105-119 (codified at 10 U.S.C. § 951).
- E. Juvenile Offenses 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.
- F. Jurisdiction Offenses. Any sex offense committed in any jurisdiction, including the Tribe, that involves:
1. Any type or degree of genital, oral, or anal penetration;
 2. Any sexual touching of or contact with a person's body, either directly or through the clothing;
 3. Kidnapping of a minor;
 4. False imprisonment of a minor;
 5. 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;
 6. Use of a minor in a sexual performance;
 7. Solicitation of a minor to practice prostitution;
 8. Video voyeurism of a minor as described in 18 U.S.C. § 1801;
 9. Possession, production, or distribution of child pornography;
 10. 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;
 11. Any conduct that by its nature is a sex offense against a minor; and,
 12. Any offense similar to those outlined in:
 - a. 18 U.S.C. § 1591 (sex trafficking by force, fraud, or coercion);
 - 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. § 2244 (abusive sexual contact);
- f. 18 U.S.C. § 2422(b) (coercing a minor to engage in prostitution); or,
- g. 18 U.S.C. § 2423(a) (transporting a minor to engage in illicit conduct).

§ 11.300. TIERED OFFENSES.

§ 11.302. Tier 1 Offenses.

- A. Sex Offenses. A "Tier 1" offense includes any sex offense for which a person has been convicted by any jurisdiction, local government, or qualifying foreign country pursuant to § 11.204 (C) that involves any sexual act or sexual contact with another person that is not included in § § 11.304 or 11.306.
- B. Offenses Involving Minors. A "Tier 1" offense also includes any offense for which a person has been convicted by a jurisdiction, local government, or qualifying foreign country pursuant to § 11.204 (C) that involves the false imprisonment of a minor, video voyeurism of a minor, or possession or receipt of child pornography.
- C. Certain Federal Offenses. Conviction for any of the following Federal offenses shall be considered "Tier 1" offenses:
 - 1. 18 U.S.C. § 1591 (sex trafficking by force, fraud, or coercion);
 - 2. 18 U.S.C. § 1801 (video voyeurism of a minor);
 - 3. 18 U.S.C. § 2252 (material involving the sexual exploitation of a minor);
 - 4. 18 U.S.C. § 2252A (material containing child pornography);
 - 5. 18 U.S.C. § 2252B (misleading domain names on the internet);
 - 6. 18 U.S.C. § 2252C (misleading words or digital images on the internet);
 - 7. 18 U.S.C. § 2422(a) (coercion to engage in prostitution);
 - 8. 18 U.S.C. § 2423(b) (travel with the intent to engage in illicit conduct);
 - 9. 18 U.S.C. § 2423(c) (engaging in illicit conduct in foreign places);
 - 10. 18 U.S.C. § 2423(d) (arranging, etc., the travel in interstate commerce of an adult for the purpose of engaging in illicit conduct for financial gain);
 - 11. 18 U.S.C. § 2424 (failure to file factual statement about an alien individual); or,
 - 12. 18 U.S.C. § 2425 (transmitting information about a minor to further criminal sexual conduct).
- D. Certain Military Offenses. Any military offense specified by the Secretary of Defense under Section 115(a)(8)(C)(i) of PL 105-119 (codified at 10 U.S.C. § 951) that is similar to those offenses outlined in § 11.302 (A), (B), or (C) shall be considered "Tier 1" offenses.

§ 11.304. Tier 2 Offenses.

- A. Recidivism and Felonies. Unless otherwise covered by § 11.306, any sex offense, which is not the first sex offense for which a person has been convicted, that is punishable by more than one year in jail is considered a "Tier 2" offense. In the case of subsequent convictions from any tribal court, the offense shall be treated as if it is punishable by more than one year in jail if a substantially similar Nevada State or Federal offense is punishable by more than one year.

- B. Offenses Involving Minors. A "Tier 2" offense includes any sex offense for which a person has been convicted by a jurisdiction, local government, or qualifying foreign country pursuant to § 11.204 that involves:
 - 1. The use of minors in prostitution, including solicitations;
 - 2. Enticing a minor to engage in criminal sexual activity;
 - 3. Sexual contact with a minor 13 years of age or older, whether direct or through the clothing, that involves the intimate parts of the body;
 - 4. The use of a minor in a sexual performance; or,
 - 5. The production for distribution of child pornography.

- C. Certain Federal Offenses. Conviction for any of the following federal offenses shall be considered "Tier 2" offenses:
 - 1. 18 U.S.C. § 1591 (sex trafficking by force, fraud, or coercion)
 - 2. 18 U.S.C. § 2244 (abusive sexual contact);
 - 3. 18 U.S.C. § 2251 (sexual exploitation of children);
 - 4. 18 U.S.C. § 2251A (selling or buying of children);
 - 5. 18 U.S.C. § 2252 (material involving the sexual exploitation of a minor);
 - 6. 18 U.S.C. § 2252A (material containing child pornography);
 - 7. 18 U.S.C. § 2260 (production of sexually explicit depictions of a minor for import into the United States);
 - 8. 18 U.S.C. § 2421 (transportation of a minor for illegal sexual activity);
 - 9. 18 U.S.C. § 2422(b) (coercing a minor to engage in prostitution);
 - 10. 18 U.S.C. § 2423 (a) (transporting a minor to engage in illicit conduct);
 - 11. 18 U.S.C. § 2423 (c) (transportation of a minor ancillary offenses); or
 - 12. 18 U.S.C. §2423(d) (arranging, etc., the travel in interstate commerce of an minor for the purpose of engaging in illicit conduct for financial gain)

- D. Certain Military Offenses. Any military offense specified by the Secretary of Defense under Section 115(a)(8)(C)(i) of PL 105-119 (codified at 10 U.S.C. § 951) that is similar to those offenses outlined in § 11.304 (A), (B), or (C) shall be considered "Tier 2" offenses.

§ 11.306. Tier 3 Offenses.

- A. 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 2 sex offense is a "Tier 3" offense. In the case of subsequent convictions from any tribal court, the offense shall be treated as if it is punishable by more than one year in jail if a substantially similar Nevada State or Federal offense is punishable by more than one year.
- B. General Offenses. A "Tier 3" offense includes any sex offense for which a person has been convicted by a jurisdiction, local government, or qualifying foreign country pursuant to § 11.204 (C) that involves:
 - 1. Non-parental kidnapping of a minor;
 - 2. A sexual act with another by force or threat;
 - 3. 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; or,
 - 4. Sexual contact with a minor 12 years of age or younger, including offenses that cover sexual touching of or contact with the intimate parts of the body, either directly or through the clothing.
- C. Certain Federal Offenses. Conviction for any of the following federal offenses shall be considered "Tier 3" offenses:
 - 1. 18 U.S.C. § 2241 (aggravated sexual abuse);
 - 2. 18 U.S.C. § 2242 (sexual abuse);
 - 3. 18 U.S.C. §2243 (sexual abuse of a minor or ward); or,
 - 4. Where the victim is 12 years of age or younger, 18 U.S.C. § 2244 (abusive sexual contact).
- D. Certain Military Offenses. Any military offense specified by the Secretary of Defense under Section 115(a)(8)(C)(i) of PL 105-119 (codified at 10 U.S.C. § 951) that is similar to those offenses outlined in § 11.304 (A), (B), or (C) shall be considered "Tier 3" offenses.

§ 11.400. REQUIRED INFORMATION.

§ 11.402. General Requirements.

A. Duties. A sex offender covered by this Chapter who is required to register with the Tribe pursuant to Chapter 5 shall provide all of the information detailed in this chapter to the Tribal Police Department, and the Tribal Police Department shall obtain all of the information detailed in this chapter from covered sex offenders who are required to register with the Tribe in accordance with this Code.

B. Digitization. All information obtained under this Chapter shall be, at a minimum, maintained by the Police Department in digitized format.

C. Electronic Database. A sex offender registry shall be maintained in an electronic database by the Tribal Police Department and shall be in a form capable of electronic transmission, or otherwise electronically accessible by other jurisdictions.

§ 11.404. Criminal History.

A. Criminal History. The Tribal Police Department shall obtain, and a covered sex offender shall provide, the following information related to the sex offender's sex offense criminal history:

1. The date of the arrest;
2. The date of all convictions;
3. The sex offender's status of parole, probation, or supervised release;
4. The sex offender's registration status; and,
5. Any outstanding arrest warrants.

§ 11.406. Date of Birth.

A. Date of Birth. The Tribal Police Department shall obtain, and a covered sex offender shall provide, the following information related to the sex offender's date of birth:

1. The sex offender's actual date of birth; and,
2. Any other date of birth used by the sex offender.

§ 11.408. DNA Sample.

A. DNA. If the sex offender's DNA is not already contained in the Combined DNA Index System (CODIS), the sex offender shall provide the Tribal Police a sample of his DNA.

B. CODIS. Any DNA sample obtained from a sex offender shall be submitted to an appropriate laboratory for analysis and entry of the resulting DNA profile in to CODIS.

§11.410. Driver's License, Identification Cards, Passports, and Immigration Documents.

A. Driver's License. The Tribal Police Department shall obtain, and a covered sex offender shall provide, a photocopy of all of the sex offender's valid driver's licenses issued by any jurisdiction.

B. Identification Cards. The Tribal Police Department shall obtain, and a covered sex offender shall provide, a photocopy of any identification card including the sex offender's tribal enrollment card issued by any jurisdiction.

C. Passports. The Tribal Police Department shall obtain, and a covered sex offender shall provide, a photocopy of any passports issued to or used by the sex offender.

D. Immigration Documents. The Tribal Police Department shall obtain, and a covered sex offender shall provide, a photocopy of any and all immigration documents.

§ 11.412. Employment Information.

A. Employment. The Tribal Police Department shall obtain, and a covered sex offender shall provide, the following information related to the sex offender's employment, to include any and all places where the sex offender is employed by any means including volunteer and unpaid positions:

1. The name of the sex offender's employer;
2. The address of the sex offender's employer; and,
3. Similar information related to any transient or day labor employment.

§ 11.414. Finger and Palm Prints.

A. Finger and Palm Prints. The Tribal Police Department shall obtain, and a covered sex offender shall provide, both finger and palm prints of the sex offender on standardized finger and palm print cards.

§ 11.416. Internet Identifiers.

A. Internet Names. The Tribal Police Department shall obtain, and a covered sex offender shall provide, the following information related to the sex offender's Internet-related activity:

1. Any and all email addresses used by the sex offender;
2. Any and all Instant Message addresses and identifiers;
3. Any and all other designations or monikers used for self-identification in Internet communications or postings; and,
4. Any and all designations used by the sex offender for the purpose of routing or self-identification in Internet communications or postings.

§ 11.418. Name.

A. Name. The Tribal Police Department shall obtain, and a covered sex offender shall provide, the following information related to the sex offender's name:

1. The sex offender's birth name;
2. The sex offender's current legal name used;
3. Any and all nicknames, aliases, and pseudonyms regardless of the context in which it is used; and,
4. Any and all ethnic or tribal names by which the sex offender is commonly known. This does not include any religious or sacred names not otherwise commonly known.

§ 11.420. Telephone Numbers.

A. Telephone Numbers. The Tribal Police Department shall obtain, and a covered sex offender shall provide, the following information related to the sex offender's telephone numbers:

1. Any and all telephone numbers; and,
2. Any and all cellular telephone numbers.

§ 11.422. Picture.

A. Photograph. The Tribal Police Department shall obtain, and a covered sex offender shall provide, a current photograph of the sex offender.

B. Update Requirements. Unless the appearance of a sex offender has not changed significantly, a digitized photograph shall be collected:

1. Every 90 days for Tier 3 sex offender;
2. Every 180 days for Tier 2 sex offenders; and,
3. Every year for Tier 1 sex offenders.

§ 11.424. Physical Description.

A. Physical Description. The Tribal Police Department shall obtain, and a covered sex offender shall provide, an accurate description of the sex offender as follows:

1. A physical description;
2. A general description of the sex offender's physical appearance or characteristics; and,
3. Any identifying marks, such as, but not limited to, scars, moles, birthmarks, or tattoos.

§ 11.426. Professional Licensing Information.

A. Professional Licenses. The Tribal Police Department shall obtain, and a covered sex offender shall provide, all licensing of the sex offender that authorizes the sex offender to engage in an occupation or carry out a trade or business.

§ 11.428. Address.

A. Address. The Tribal Police Department shall obtain, and a covered sex offender shall provide, the following information related to the sex offender's residence:

1. The address of each residence at which the sex offender resides or will reside; and,
2. Any location or description that identifies where the sex offender habitually resides regardless of whether it pertains to a permanent residence or location otherwise identifiable by a street or address.

§ 11.430. School.

A. School Location. The Tribal Police Department shall obtain, and a covered sex offender shall provide, the following information related to the sex offender's school:

1. The address of each school where the sex offender is or will be a student; and,
2. The name of each school the sex offender is or will be a student.

§ 11.432. Social Security Number.

A. Social Security. The Tribal Police Department shall obtain, and a covered sex offender shall provide, the following information:

1. A valid social security number for the sex offender; and,
2. Any social security number the sex offender has used in the past, valid or otherwise.

§ 11.434. Temporary Lodging.

A. Lodging Information. The Tribal Police Department shall obtain, and a covered sex offender shall provide, the following information when the sex offender will be absent from his residence for 3 days or more:

1. Identifying information of the temporary lodging location including addresses and names; and,
2. The dates the sex offender will be staying at each temporary lodging location.

B. Travel Abroad. In the event the sex offender will be traveling abroad for any period of time, the sex offender shall notify the Tribal Police Department of their intent to travel abroad at least 21 days prior to actual departure date. If the sex offender travels abroad frequently, the sex offender may apply through the SMART Office for travel notification. Tribal Police will immediately notify the United States Marshals Service and any other jurisdiction where the sex offender is either registered, or is required to register, of that updated information.

§ 11.436. Offense Information.

A. Offense Information. The Tribal Police Department shall obtain the text of each provision of law defining the criminal offense(s) for which the sex offender is registered.

B. SORNA Database. The text of each provision of law mentioned in § 11.436 (A) shall be cross linked to the SORNA Database containing the text of relevant sex related laws for all jurisdictions.

§ 11.438. Vehicle Information.

A. Detailed Information. The Tribal Police Department shall obtain, and a covered sex offender shall provide, the following information related to all vehicles owned or operated by the sex offender for work or personal use including land vehicles, aircraft, and watercraft:

1. License plate numbers;
2. Registration numbers or identifiers;
3. General description of the vehicle to include color, make, model, and year; and,
4. Any permanent or frequent locations where any covered vehicle is kept.

§11.440 Sex Offender Acknowledgement Form

A. The sex offender shall read, or have read to them, and sign a form stating that the duty to register has been explained to them and that the sex offender understands the registration requirement.

1. The form shall be signed and dated by the Pyramid Lake Paiute Tribal Police personnel registering the sex offender.

B. The Pyramid Lake Paiute Tribal Police shall immediately upload the the acknowledgement form into the Pyramid Lake Paiute Tribal Police sex offender registry.

§ 11.500. REGISTRATION.

§ 11.502. When Registration is Required.

A. Conviction. A sex offender must initially register if convicted of a covered sex offense in Tribal Court regardless of the sex offender's actual or intended residency.

B. Incarceration. A sex offender must register if incarcerated while completing any sentence for a covered sex offense arising out of Tribal Court, regardless of where they were convicted.

C. Residence. A sex offender who resides within the exterior boundaries of the Pyramid Lake Indian Reservation or on any property owned by, or in trust for, the Tribe regardless or location, must register.

D. Employment. A sex offender who is employed within the exterior boundaries of the Pyramid Lake Indian Reservation or with any entity owned by, or considered a branch of the Tribe, regardless of location, must register.

E. School Attendance. A sex offender who is a student at any school within the exterior boundaries of the Pyramid Lake Indian Reservation is required to register with that jurisdiction.

§ 11.504. Initial Registration.

A. Timing. A sex offender required to register with the Tribe under this Chapter shall do so in the following time frame:

1. If incarcerated, before release from imprisonment for the registration offense;
2. If not incarcerated, within 3 business days of sentencing for the registration offense; or,
3. For foreign, federal, and military convictions, a sex offender must appear in person at the Tribal Police Department within 3 business days of establishing a residence on the reservation or tribal property after either release from incarceration or, if not incarcerated, sentencing for purposes of complying with this Chapter.

B. Duties of Tribal Police Department. The Tribal Police Department shall have policies and procedures in place to ensure the following:

1. Any sex offender incarcerated or sentenced by the Tribe for a covered sex offense completes their initial registration with the Tribe;
2. Any sex offender initially registering with the Tribe is informed of their duties under SORNA and this Chapter, and that such duties under SORNA and this Chapter are explained to them;
3. The sex offender reads and signs a form stating that the duty to register has been explained to them and that the sex offender understands the registration requirements;
4. That the sex offender is registered; and,

5. That upon entry of the sex offender's information into the registry, that information is immediately forwarded to all other jurisdictions in which the sex offender is required to register due to the sex offender's residency, employment, or student status.

§ 11.506. Recapture.

A. Recapture. The Tribal Police Department shall have in place policies and procedures to ensure the following three categories of sex offenders are required:

1. Sex offenders incarcerated or under supervision of the Tribe, whether for a covered sex offense or other crime;
2. Sex offenders already registered or subject to a pre-existing sex offender registration requirement under the Tribe's laws; and,
3. Sex offenders reentering the justice system due to a new felony conviction.

B. Timing of Recapture. The Tribal Police Department shall ensure recapture of the sex offenders mentioned in § 11.506 (A) within the following timeframe to be calculated from the date of passage of this Chapter:

1. For Tier 1 sex offenders, 1 year;
2. For Tier 2 sex offenders, 180 days; and,
3. For Tier 3 sex offenders, 90 days.

§ 11.508. Updating Registration Information.

A. Duty of Offender to Update. All sex offenders required to register must immediately appear at the Tribal Police Department in person to update any change in their name, residence (including termination of residency), employment, school attendance, vehicle information, temporary lodging, email addresses, telephone numbers, Instant Messaging addresses, and any other media designation used in Internet communications, postings, or telephone communications. In the event of a change in temporary lodging, the sex offender and the Tribal Police Department shall immediately notify the jurisdiction in which the sex offender will be temporarily staying.

B. Duties of Tribal Police Department. With regard to changes in a sex offender's registration information, the Tribal Police Department shall immediately notify:

1. All jurisdictions where a sex offender intends to reside, work, or attend school;
2. Any jurisdiction where the sex offender is either registered or required to register; and,
3. 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. Marshal's Service. The Tribal Police Department shall also ensure this information is immediately updated on National Sex Offender Registry (NSOR).

§ 11.510. Failure to Appear For Registration and Absconding.

A. Failure to Appear. In the event a sex offender fails to register with the Tribe as required by this Chapter, the Tribal Police Department shall immediately inform the jurisdiction that provided notification that the sex offender was to commence residency, employment, or school attendance with the Tribe that the sex offender failed to appear for registration.

B. Absconding Sex Offenders. If the Tribal Police Department receives information that a sex offender has absconded, the Tribal Police Department shall make an effort to determine if the sex offender has actually absconded.

1. In the event no determination can be made, the Tribal Police Department shall ensure other appropriate law enforcement agencies are notified.
2. If the information indicating the possible absconding came through notice from another jurisdiction or Federal authorities, they shall be informed that the sex offender has failed to appear and register.
3. If an absconding sex offender cannot be located, then the Tribal Police Department shall take the following steps:
 - a. Update the registry to reflect the sex offender has absconded or is otherwise not capable of being located;
 - b. Seek a warrant for the sex offender's arrest, and in the case of a non-Indian, the U.S. Marshal's Service or the FBI shall be contacted in an attempt to obtain a Federal warrant for the sex offender's arrest;
 - c. Notify the U.S. Marshal's Service;
 - d. Update NSOR to reflect the sex offender's status as an absconder, or is otherwise not capable of being located; and,
 - e. Enter the sex offender into the National Crime Information Center Wanted Person File.

C. Failure to Register. In the event a sex offender who is required to register due to their employment or school attendance status fails to do so or otherwise violates a registration requirement of this Chapter, the Tribal Police Department shall take all appropriate follow-up measures including those outlined in § 11.510 (B). The Tribal Police Department shall first make an effort to determine if the sex offender is actually employed or attending school within the exterior boundaries of the reservation or on a property owned by the Tribe in fee or trust regardless of location.

§ 11.600. VERIFICATION AND APPEARANCE REQUIREMENTS.

§ 11.602. Frequency.

A. Frequency. A sex offender who is required to register with the Tribe shall, at a minimum, appear in person at the Tribal Police Department for purposes of keeping registration current in accordance with the following time frames:

1. For "Tier 1" offenders, once every year for 15 years from the date of conviction;
2. For "Tier 2" offenders, once every 180 days for 25 years from the date of conviction; and,

3. For "Tier 3" offenders, once every 90 days for the rest of their life.

B. Reduction of Registration Periods. A sex offender may have their period of registration reduced as follows:

1. A Tier 1 offender may have their period of registration and verification reduced by 5 years if they have maintained a clean record for 10 consecutive years.
2. A Tier 3 offender may have their periods of registration and verification reduced to 25 years if they were adjudicated delinquent of an offense as a juvenile which required Tier 3 registration and they have maintained a clean record for 25 consecutive years.

C. Clean Record. For purposes of Section § 11.602 (B) a person has a clean record if:

1. They have not been convicted of any offense for which imprisonment for more than 1 year may be imposed; in cases of subsequent convictions from any tribal court, the offense shall be treated as if it is punishable by more than one year in jail if a substantially similar Nevada State or Federal offense is punishable by more than one year;
2. They have not been convicted of any sex offense;
3. They have successfully completed, without revocation, any period of supervised release, probation, or parole; and,
4. They have successfully completed an appropriate sex offender treatment program certified by a jurisdiction or by the United States Attorney General.

§ 11.604. Requirements For in Person Appearances.

A. Photographs. At each in person verification, the sex offender shall permit the Tribal Police Department to take a photograph of the offender.

B. Review of Information. At each in person verification, the sex offender shall review existing information for accuracy.

C. Notification. If any information or change in information is obtained during an in person verification, the Tribal Police Department shall immediately notify all other registration jurisdictions of the information or change in information.

§ 11.700. PUBLIC SEX OFFENDER REGISTRY WEBSITE.

§ 11.702. Website.

A. Website. The Tribal Police Department shall use and maintain a public sex offender registry website. Any Tribal-specific national website provided or approved by the SMART Office shall qualify as a public sex offender registry website under this Chapter.

B. Links. The registry website shall include links to sex offender safety and education resources.

C. Instructions. The registry website shall include instructions on how a person can seek correction of information that the individual contends is erroneous.

D. Warnings. The registry website shall include a warning that the information contained on the website should not be used to unlawfully injure, harass, or commit a crime against any individual named in the registry or residing or working at any reported addresses and that any such action could result in civil or criminal penalties.

E. Search Capabilities. The registry website shall have the capability of conducting searches by name, county, city, zip code, and geographic radius.

§ 11.704. Required Prohibited Information.

A. Required Information. The following information shall be made available to the public on the sex offender registry website:

1. Notice that an offender is in violation of their registration requirements or cannot be located if the sex offender has absconded;
2. All sex offense(s) for which the sex offender has been convicted;
3. The sex offense(s) for which the sex offender is currently registered;
4. The address of the sex offender's employer(s);
5. The name of the sex offender including all aliases;
6. A current photograph of the sex offender;
7. A physical description of the sex offender;
8. The residential address and, if relevant, a description of a habitual residence of the sex offender;
9. All addresses of schools attended by the sex offender; and,
10. The sex offender's vehicle license plate number along with a description of the vehicle.

B. Prohibited Information. The following information shall not be available to the public on the sex offender registry website:

1. Any arrest that did not result in conviction;
2. The sex offender's social security number;
3. Any travel and immigration documents;
4. The identity of the victim; and,
5. Internet Identifiers.

C. Witness Protection. For sex offenders who are under a Witness Protection Program, the Tribal Police Department will honor the request of the U.S. Marshal's Service or other agency responsible for witness protection by not including the original identity of the offender of the publicly accessible sex offender registry website.

§ 11.706. Community Notification.

A. Law Enforcement Community Notification. Whenever a sex offender registers or updates their information with the Tribe, the Tribal Police Department shall:

1. Immediately notify the FBI and ensure the information is updated on NSOR;
2. Immediately notify any agency, department, or program within the Tribe that is responsible for criminal investigation, prosecution, child welfare, or sex offender supervision functions, including but not limited to Police, whether BIA, Tribal, FBI, Tribal prosecutors, and Tribal probation;
3. Immediately notify any and all other registration jurisdictions due to the sex offender's residency, school attendance, or employment; and,
4. Immediately notify national Child Protection Act agencies, which includes any agency responsible for conducting employment-related background checks under section 3 of the National Child Protection Act of 1993 (42 U.S.C. § 5119a).

B. Community Notifications. The Tribal Police Department shall ensure there is an automated community notification process in place that ensures the following:

1. Upon a sex offender's registration or update of information with the Tribe, the public registry website is immediately updated;
2. Email notice is available to the general public to notify them when a sex offender commences residence, employment, or school attendance with the Tribe, within a specified zip code, or within a certain geographic radius; this email notice shall include the sex offender's identity;
3. Community notifications may also be made through public meetings that may be held in a community affected by the sex offender's residence, employment, or attendance in school; and,
4. Any minors adjudicated of any sex offenses under the SORNA requirements shall not have their identity or personal information made public.

§ 11.800. SANCTIONS.

§ 11.802 Sanctions.

A. Crime. Any violation of a provision of this Chapter, including the provision of false or misleading information, by a sex offender shall be considered a crime and subject to a penalty of up to 1 year in jail or \$5,000.

B. Civil Penalty. Any violation of a provision of this Chapter by a sex offender shall also be considered a civil violation subject to enforcement by any means not prohibited by federal law, including, but not limited to the issuance of fines, forfeitures, civil contempt, and exclusion.

§ 11.804. Non-Sex Offender Related Crimes.

A. Harboring. A person is guilty of a crime punishable up to 1 year in jail or a \$5,000 fine if they do any of the following:

1. Knowingly harbor, attempt to harbor, or assist another in harboring or attempting to harbor a sex offender who is in violation of this Chapter;

2. Knowingly assist a sex offender in eluding a law enforcement agency that is seeking to find the sex offender to question them about, or to arrest them for, noncompliance with the requirements of this Chapter; or,
3. Knowingly provide false information to a law enforcement agency regarding a sex offender.

B. Misuse of Registration Information. A person is guilty of a crime punishable by up to 365 days in jail or a \$5,000 fine if they do any of the following:

1. Willfully misuse or alter public record information relating to a sex offender or sexual predator, or a person residing or working at an address reported by a sex offender, including information displayed by law enforcement agencies on web sites; or,
2. Sell or exchange sex offender information for profit.

§ 11.900. IMMUNITY.

§ 11.902. No Waiver of Immunity.

A. No Waiver. Nothing in this Chapter shall be construed as a waiver of sovereign immunity for the Pyramid Lake Paiute Tribe, its departments, agencies, employees, or agents.

§ 11.904. Good Faith.

A. Good Faith Immunity. Any person acting in good faith under the terms of this Chapter shall be immune from any civil liability arising out of such actions.