

Highlights of [GAO-13-211](#), a report to the Subcommittee on Crime, Terrorism, and Homeland Security, Committee on the Judiciary, House of Representatives

Why GAO Did This Study

Studies estimate that about 1 in every 5 girls and 1 in every 7 to 10 boys are sexually abused. In 2006, Congress passed SORNA, which introduced new sex offender registration standards for all 50 states, 5 U.S. territories (American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands), the District of Columbia, and certain Indian tribes. SORNA established the SMART Office to determine if these jurisdictions have “substantially implemented” the law, and to assist them in doing so. The deadline to implement SORNA was July 2009; given that none of the jurisdictions met this deadline, DOJ authorized two 1-year extensions. This report addresses: (1) To what extent has the SMART Office determined that jurisdictions have substantially implemented SORNA, and what challenges, if any, have jurisdictions faced? (2) For jurisdictions that have substantially implemented SORNA, what are the reported effects that the act has had on public safety, criminal justice stakeholders, and registered sex offenders?

GAO analyzed SMART Office implementation status reports from September 2009 through September 2012. To identify any challenges, GAO surveyed officials in the 50 states, 5 U.S. territories, and the District of Columbia; GAO received responses from 93 percent (52 of 56) of them. The survey results can be viewed at [GAO-13-234SP](#). GAO visited or interviewed criminal justice officials in five jurisdictions that have substantially implemented SORNA, chosen to represent a range in the number of registered sex offenders per 100,000 residents. Their perspectives are not generalizable, but provided insights.

View [GAO-13-211](#). For more information, contact Eileen R. Larence at (202) 512-8777 or larencee@gao.gov.

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SEX OFFENDER REGISTRATION AND NOTIFICATION ACT

Jurisdictions Face Challenges to Implementing the Act, and Stakeholders Report Positive and Negative Effects

What GAO Found

The Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART Office) within the Department of Justice (DOJ) has determined that 19 of the 37 jurisdictions that have submitted packages for review have substantially implemented the Sex Offender Registration and Notification Act (SORNA). Although the SMART Office has determined that 17 of the jurisdictions that submitted packages have not yet substantially implemented SORNA, the office concluded that 15 of these 17 jurisdictions have implemented at least half of the SORNA requirements; the office has not yet made a determination for 1 jurisdiction that submitted a package. A majority of nonimplemented jurisdictions reported that generating the political will to incorporate the necessary changes to their state laws and related policies or reconciling legal conflicts are among the greatest challenges to implementation. For example, officials from 27 nonimplemented jurisdictions reported reconciling conflicts between SORNA and state laws—such as which offenses should require registration—as a challenge to implementing SORNA. Officials from 5 of 18 jurisdictions that responded to a survey question asking how DOJ could help address these challenges reported that the SMART Office could provide greater flexibilities; however, SMART Office officials said they have offered as many flexibilities as possible and further changes would take legislative action.

A few studies have been conducted on the effects of certain SORNA requirements on jurisdictions and registered sex offenders, but GAO did not find any that evaluated the effects on public safety following SORNA implementation; stakeholders reported both positive and negative effects as a result of implementing the law. Officials from 4 of 12 implementing jurisdictions who responded to the survey reported that one benefit was improved monitoring of registered sex offenders. Stakeholders also reported that SORNA resulted in enhanced information sharing on registered sex offenders between criminal justice components, in part through the use of certain databases that enable jurisdictions to share information with one another. Stakeholders and survey respondents also identified negative or unintended consequences of implementing SORNA. For example, officials from three of five state agencies and all eight of the local law enforcement agencies GAO interviewed stated that their workload has increased, in part because of the increased frequency at which sex offenders must update their registration information as a result of the act. Officials from a majority of the public defender and probation offices also said that SORNA implementation has made it more difficult for registered sex offenders to obtain housing and employment, which can negatively affect their ability to reintegrate into their communities. The National Institute of Justice (NIJ) is statutorily required to study SORNA’s effectiveness in increasing compliance with requirements and the effect of these requirements on increasing public safety. As of December 2012, DOJ had not requested the funding to conduct this study and the funding had not been appropriated. NIJ officials stated that NIJ does not proactively request funding for specific studies, but waits for Congress to decide when to appropriate the funding. Neither DOJ nor the Administrative Office of the United States Courts provided written comments on this report.