

**POKAGON BAND SEX OFFENDER REGISTRATION CODE
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CHAPTER 1 GENERAL MATTERS

SECTION 1.01 TITLE. This Code shall be known as the Pokagon Band Sex Offender Registration Code.

SECTION 1.02 PURPOSE. The intent of this Code is to implement the federal Sex Offender Registration and Notification Act and shall be interpreted liberally to comply with the terms and conditions of SORNA as presently written or hereafter amended.

SECTION 1.03 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 Alaska Native women will be raped in their lifetimes. 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.

SECTION 1.04 CREATION OF REGISTRIES.

- A. Sex Offender Registry. There is hereby established a Sex Offender Registry, which shall be maintained and operated pursuant to the provisions of this Code by the Pokagon Band Police Department or their designee(s).
- B. Public Sex Offender Registry Website. There is hereby established a Public Sex Offender Registry Website, which shall be maintained and operated pursuant to the provisions of this Code by the Pokagon Band or their designee(s).

CHAPTER 2 TERMINOLOGY AND REGISTERABLE OFFENSES

SECTION 2.01 Definitions. The following terms, whenever used or referred to in this Code, shall have the respective meanings stated below, which shall apply regardless of whether such terms are used in their singular or plural form:

- A. “Band” or “Pokagon Band” means the Pokagon Band of Potawatomi Indians.
- B. “BIA” means the Bureau of Indian Affairs.
- C. “Code” means this Pokagon Band Sex Offender Registration Code.
- D. “Convicted” or “Conviction”. An adult Sex Offender is Convicted or has a Conviction for the purposes of this Code if the Sex Offender has been subjected to penal consequences based on the conviction, however the conviction may be styled.

A juvenile offender is Convicted for purposes of this Code if the juvenile offender is either:

1. Prosecuted and found guilty as an adult for a Sex Offense; or
2. 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.

- E. “Dru Sjodin National Sex Offender Public Website” means the public website maintained by the Attorney General of the United States pursuant to 42 U.S.C. §16920.
- F. “Employed” means an individual who is self-employed or works for any other entity, whether full-time or part-time, and regardless of whether or not the individual receives compensation. Volunteers of an entity are included within the definition of Employed.
- G. “Foreign Convictions” means one obtained outside of the United States.
- H. “Immediate” or “Immediately” shall mean within 3 business days.
- I. “Imprisonment” means incarceration pursuant to a conviction, regardless of the nature of the institution in which the offender serves the sentence. The term “Imprisonment” is to be interpreted broadly to include, for example, confinement in a state prison as well as in a federal, military, foreign, BIA, private or contract 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 this Code during their period of house arrest.
- J. “Indian” - means a person who is enrolled in a federally recognized Indian tribe or who is recognized as a Canadian Indian.
- K. “Jurisdiction” refers to the 50 states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, and any Indian Tribe that elected to function as a SORNA registration and notification jurisdiction.
- L. “Minor” means an individual who has not attained the age of 18 years.
- M. “National Sex Offender Registry” or “NSOR” means the national database maintained by the Federal Bureau of Investigation pursuant to 42 U.S.C. §16919.
- N. “Pokagon Band Police Department” or “PBPD” means the Police Department of the Pokagon Band of Potawatomi Indians, provided, however, that responsibilities of the PBPD in this Code may be designated, including to the State Police of Michigan, the State Police of Indiana, and the US Department of Justice, the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking, pursuant to an agreement or memorandum of understanding approved by the Pokagon Band.
- O. “Public Sex Offender Registry Website” means the website established pursuant to Section 1.04(B) of this Code.
- P. “Reservation” means, under 25 U.S.C. § 1300j-5 or other applicable federal law, (1) all lands, the title to which is held in trust by the United States for the benefit of the Pokagon Band of Potawatomi Indians; and (2) all lands proclaimed by the Secretary of the Interior to be part of the Band’s Reservation. The term Reservation includes any rights-of-way running through the Reservation.

- Q. “Reside” or “Resides” means, with respect to an individual, the location of the individual's Residence.
- R. “Residence” or “Residency” means a place where a person is living or temporarily staying for more than seven days, such as a shelter or structure that can be located by a street address, including, but not limited to, houses, apartment buildings, motels, hotels, homeless shelters, and recreational and other vehicles.
- S. “School”, includes but is not limited to a building, facility, or room in a building or facility designated as a place for instruction, education, teaching, learning, or academics and is a public or private daycare, childcare facility, preschool, elementary school, secondary school, trade school, professional school, or institute of higher learning where teaching, training, supervision, recreation, and or medical services for children of any age, for the disabled, or for the elderly, or anytime care given to preschool children or to school children after school or during vacation, as at a day care center, or to the elderly, as at a social agency.
- T. “Sexual Act” means:
1. 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;
 2. Contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;
 3. 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
 4. The intentional touching, not through the 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.
- U. “Sexual Contact” means 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 any person.
- V. “Sex Offender” means a person Convicted of a Sex Offense.
- W. “Sex Offender Registration and Notification Act” or “SORNA” means Title I of Public Law 109-248 and codified at 42 USC 16911 et seq.
- X. “Sex Offender Registry” means the registry of Sex Offenders, and a notification program, maintained by the Pokagon Band, whether such is maintained solely by the Pokagon Band or with any designee of the Pokagon Band.
- Y. “Sex Offense.” Except as limited by subparagraph U(6) or U(7) below, the term “Sex Offense” means:
1. A criminal offense that has an element involving a Sexual Act or Sexual Contact with another;
 2. A criminal offense that is a “specified offense against a minor”. The term “specified offense against a minor” means an offense against a Minor that involves any of the following:

- a. An offense (unless committed by a parent or guardian) involving kidnapping.
 - b. An offense (unless committed by a parent or guardian) involving false imprisonment.
 - c. Solicitation to engage in sexual conduct.
 - d. Use in a sexual performance.
 - e. Solicitation to practice prostitution.
 - f. Video voyeurism as described in 18 U.S.C. §1801.
 - g. Possession, production, or distribution of child pornography.
 - h. Criminal sexual conduct involving a Minor, or the use of the Internet to facilitate or attempt such conduct.
 - i. Any conduct that by its nature is a sex offense against a Minor;
3. A Federal offense (including an offense prosecuted under section 1152 or 1153 of Title 18 of the United States Code) under section 1591, or chapter 109A, 110 (other than section 2257, 2257A, or 2258), or 117, of Title 18 of the United States Code;
4. A military offense specified by the Secretary of Defense under section 115(a)(8)(C)(i) of Public Law 105-119 (10 U.S.C. 951 note);
5. An attempt or conspiracy to commit an offense described in clauses (1) through (4);
6. Offenses involving Consensual Sexual Conduct. An offense involving consensual sexual conduct is not a Sex Offense for the purposes of this Code if the victim was an adult, unless the adult was under the custodial authority of the offender at the time of the offense, or if the victim was at least thirteen (13) years old and the offender was not more than four (4) years older than the victim; or
7. Foreign Offenses. A Foreign Conviction is not a Sex Offense for the purposes of this Code unless it was either:
- a. obtained under the laws of Canada, the United Kingdom, Australia, New Zealand, or
 - b. under the laws of any foreign country when 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.
- Z. “Student” means any 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 and includes interns, externs, and apprentices.
- AA. “Tier I Sex Offender” or a “Sex Offender” designated as “Tier I” is a person that has been Convicted of a “Tier I” Sex Offense as defined in Section 3.01 of this Code.
- BB. “Tier II Sex Offender” or a “Sex Offender” designated as “Tier II”, is a person that has been either Convicted of a Tier II Sex Offense as defined in Subsections 3.02(B), (C), and (D) of this Code, or who is subject to the recidivist provisions of 3.02(A) of this Code.

CC. “Tier III Sex Offender” or a “Sex Offender” designated as “Tier III” is a Sex Offender is a person that has been either Convicted of a Tier III Sex Offense as defined in Subsections 3.03(B), (C), and (D) of this Code, or who is subject to the recidivist provisions of 3.03(A).

SECTION 2.02 COVERED AND REGISTERABLE OFFENSES

Any person who Resides on or within the Reservation, is Employed on or within the Reservation, or attends School on or within the Reservation , that has been Convicted of any of the following offenses, or Convicted of an attempt or conspiracy to commit any of the following offenses, is subject to the requirements of this Code:

A. Tribal Offenses. A conviction for, or a conviction for an attempt, or conspiracy to commit any of the following:

1. Criminal Sexual Conduct in the 1st Degree (Subsection 6A of PBCrimO),
2. Criminal Sexual Conduct in the 2nd Degree (Subsection 6B of PBCrimO),
3. Sexual Abuse of Children in the 1st Degree (Subsection 6C of PBCrimO),
4. Sexual Abuse of Children in the 2nd Degree (Subsection 6D of PBCrimO),
5. Incest (Subsection 6F(2) of PBCrimO),
6. Aggravated Promotion of Prostitution (Subsection 7B(1)(b) of PBCrimO)
7. Promoting Obscene Acts or Materials (Subsection 11A of PBCrimO),
8. Public Display or Dissemination of Obscene Materials to Minors (Subsection 11B of PBCrimO),
9. Contributing to the Delinquency of an Underage Person as provided in Subsection 7E(1)(c)(3) of PBCrimO,
10. Kidnapping (Subsection 5P of PBCrimO), or
11. Aggravated Kidnapping (Subsection 5Q of PBCrimO).

B. Federal Offenses. A conviction for, or a conviction for an attempt, or conspiracy to commit any of the following, and any other offense hereafter included in the definition of “sex offense” at 42 U.S.C. §16911(5): Including any offenses prosecuted under the Assimilative Crimes Act (18 USC §1152 or § 1153).

1. 18 U.S.C. §1591 (sex trafficking of children),
2. 18 U.S.C. §1801 (video voyeurism of a minor),
3. 18 U.S.C. §2241 (aggravated sexual abuse),
4. 18 U.S.C. §2242 (sexual abuse),

5. 18 U.S.C. §2243 (sexual abuse of a minor or ward),
 6. 18 U.S.C. §2244 (abusive sexual contact),
 7. 18 U.S.C. §2245 (offenses resulting in death),
 8. 18 U.S.C. §2251 (sexual exploitation of children),
 9. 18 U.S.C. §2251A (selling or buying of children),
 10. 18 U.S.C. §2252 (material involving the sexual exploitation of a minor),
 11. 18 U.S.C. §2252A (material containing child pornography),
 12. 18 U.S.C. §2252B (misleading domain names on the internet),
 13. 18 U.S.C. §2252C (misleading words or digital images on the internet),
 14. 18 U.S.C. §2260 (production of sexually explicit depictions of a minor for import into the U.S.),
 15. 18 U.S.C. §2421 (transportation of a minor for illegal sexual activity),
 16. 18 U.S.C. §2422 (coercion and enticement of a minor for illegal sexual activity),
 17. 18 U.S.C. §2423 Transportation of Minors for Illegal Sexual Activity, Travel With the Intent to Engage in Illicit Sexual Conduct with a Minor, Engaging in Illicit Sexual Conduct in Foreign Places (Mann Act),
 18. 18 U.S.C. §2424 (failure to file factual statement about an alien individual),or
 19. 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 this Section that was obtained under the laws of Canada, the United Kingdom, Australia, New Zealand, or under the laws of any foreign country when 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.
- D. 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 note).
- 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(a) and (b)) 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.
- F. Jurisdiction Offenses. Any Sex Offense committed in any Jurisdiction, that involves:
1. Any conduct that by its nature is a sex offense against a Minor,

2. Any type or degree of genital, oral, or anal penetration,
3. Any sexual touching of or Sexual Contact with a person's body, either directly or through the clothing,
4. 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,
5. False imprisonment of a Minor,
6. Kidnapping of a Minor,
7. Possession, production, or distribution of child pornography,
8. Solicitation of a Minor to practice prostitution,
9. 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,
10. Use of a Minor in a sexual performance, or
11. 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).

CHAPTER 3 TIERING OF OFFENSES

SECTION 3.01 TIER I OFFENSES

- A. 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 that is not a "Tier II" or "Tier III" offense.
- B. Offenses Involving Minors. A "Tier I" offense also includes any offense for which a person has been Convicted by any Jurisdiction, local government, or qualifying foreign country pursuant to

Section 2.02(C) that involves the false imprisonment of a Minor, video voyeurism of a Minor, or possession or receipt of child pornography.

C. Tribal Offenses. Any offense that requires registration as a Sex Offender but does not specify the registration period under this Code or any other applicable Pokagon Band law, shall be a “Tier I” offense for registration purposes. The Conviction for any of the following shall be a “Tier I” offense:

1. The first Conviction for Criminal Sexual Conduct in the 1st Degree (Subsection 6A of PBCrimO),
2. The first Conviction for Criminal Sexual Conduct in the 2nd Degree (Subsection 6B of PBCrimO),
3. The first Conviction for Sexual Abuse of Children in the 1st Degree (Subsection 6C of PBCrimO),
4. The first Conviction for Sexual Abuse of Children in the 2nd Degree (Subsection 6D of PBCrimO),
5. The first Conviction for Incest (Subsection 6F(2) of PBCrimO),
6. The first Conviction for Aggravated Promotion of Prostitution (Subsection 7B(1)(b) of PBCrimO),
7. The first Conviction for Promoting Obscene Acts or Materials (Subsection 11A of PBCrimO),
8. The first Conviction for Public Display or Dissemination of Obscene Materials to Minors (Subsection 11B of PBCrimO),
9. The first Conviction for Contributing to the Delinquency of an Underage Person as provided in Subsection 7E(1)(c)(3) of PBCrimO,
10. The first Conviction for Kidnapping (Subsection 5P of PBCrimO), or
11. The first Conviction for Aggravated Kidnapping (Subsection 5Q of PBCrimO).

D. Certain Federal Offenses. Conviction for any of the following federal offenses or an attempt or conspiracy to commit such an offense shall be considered a Conviction for a “Tier I” offense:

1. 18 U.S.C. §1801 (video voyeurism of a minor),
2. 18 U.S.C. §2252 (receipt or possession of child pornography),
3. 18 U.S.C. §2252A (receipt or possession of child pornography),
4. 18 U.S.C. §2252B (misleading domain names on the internet),

5. 18 U.S.C. §2252C (misleading words or digital images on the internet),
 6. 18 U.S.C. §2422(a) (coercion to engage in prostitution),
 7. 18 U.S.C. §2423(b) (travel with the intent to engage in illicit conduct),
 8. 18 U.S.C. §2423(c) (engaging in illicit conduct in foreign places),
 9. 18 U.S.C. §2423(d) (arranging, inducing procuring or facilitating the travel in interstate commerce of an adult for the purpose of engaging in illicit conduct for financial gain),
 10. 18 U.S.C. §2424 (failure to file factual statement about an alien individual), or
 11. 18 U.S.C. §2425 (transmitting information about a minor to further criminal sexual conduct).
- E. Certain 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 note) that is similar to those offenses outlined in Sections 3.01(A),(B), or (C) of this Code shall be considered a “Tier I” offense.

SECTION 3.02 TIER II OFFENSES

- A. **Recidivism and Felonies**. Unless otherwise covered by Section 3.03 of this Code, any sex offense that is not the first sex offense for which a person has been Convicted or an attempt or conspiracy to commit such an offense and that is punishable by more than one year in jail is considered a “Tier II” offense.
- B. Subsection 3.02(A) notwithstanding, the following offenses shall be considered Tier II offenses:
1. The second Conviction for Criminal Sexual Conduct in the 1st Degree (Subsection 6A of PBCrimO),
 2. The second Conviction for Criminal Sexual Conduct in the 2nd Degree (Subsection 6B of PBCrimO),
 3. The second Conviction for Sexual Abuse of Children in the 1st Degree (Subsection 6C of PBCrimO),
 4. The second Conviction for Sexual Abuse of Children in the 2nd Degree (Subsection 6D of PBCrimO),
 5. The second Conviction for Incest (Subsection 6F(2) of PBCrimO),
 6. The second Conviction for Aggravated Promotion of Prostitution (Subsection 7B(1)(b) of PBCrimO),
 7. The second Conviction for Promoting Obscene Acts or Materials (Subsection 11A of PBCrimO),
 8. The second Conviction for Public Display or Dissemination of Obscene Materials to Minors (Subsection 11B of PBCrimO),

9. The second Conviction for Contributing to the Delinquency of an Underage Person as provided in Subsection 7E(1)(c)(3) of PBCrimO,
 10. The second Conviction for Kidnapping (Subsection 5P of PBCrimO), or
 11. The second Conviction for Aggravated Kidnapping (Subsection 5Q of PBCrimO).
- C. Offenses Involving Minors. A “Tier II” offense includes any Sex Offense against a Minor for which a person has been Convicted, or an attempt or conspiracy to commit such an offense that involves:
1. The use of Minors in prostitution, including solicitations,
 2. Enticing a Minor to engage in criminal sexual activity,
 3. A non-forcible Sexual Act with a minor 16 or 17 years old,
 4. Sexual Contact with a minor 13 years of age or older, whether directly or indirectly through the clothing, that involves the intimate parts of the body,
 5. The use of a Minor in a sexual performance, or
 6. The production or distribution of child pornography.
- D. Certain Federal Offenses. Conviction for any of the following federal offenses or an attempt or conspiracy to commit such an offense shall be considered a Conviction for a “Tier II” offense:
1. 18 U.S.C. §1591 (sex trafficking by force, fraud, or coercion),
 2. 18 U.S.C. §2423(d) (arranging, inducing procuring or facilitating the travel in interstate commerce of a minor for the purpose of engaging in illicit conduct for financial gain),
 3. 18 U.S.C. §2244 (Abusive sexual contact, where the victim is 13 years of age or older),
 4. 18 U.S.C. §2251 (sexual exploitation of children),
 5. 18 U.S.C. §2251A (selling or buying of children),
 6. 18 U.S.C. §2252 (material involving the sexual exploitation of a minor),
 7. 18 U.S.C. §2252A (production or distribution of material containing child pornography),
 8. 18 U.S.C. §2260 (production of sexually explicit depictions of a minor for import into the United States),
 9. 18 U.S.C. §2421 (transportation of a minor for illegal sexual activity),
 10. 18 U.S.C. §2422(b) (coercing a minor to engage in prostitution),

11. 18 U.S.C. §2423(a) (transporting a minor to engage in illicit conduct).

E. Certain 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 note) that is similar to those offenses outlined in Sections 3.02(A),(B), or (C) of this Code shall be considered a “Tier II” offense.

SECTION 3.03 TIER III 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 or an attempt or conspiracy to commit such an offense for a Tier II sex offense, or has previously become a Tier II Sex Offender, is a “Tier III” offense.

B. Subsection 3.03(A) notwithstanding, the following offenses shall be considered Tier III offenses:

1. The third or subsequent Conviction for Criminal Sexual Conduct in the 1st Degree (Subsection 6A of PBCrimO),
2. The third or subsequent Conviction for Criminal Sexual Conduct in the 2nd Degree (Subsection 6B of PBCrimO),
3. The third or subsequent Conviction for Sexual Abuse of Children in the 1st Degree (Subsection 6C of PBCrimO),or
4. The third or subsequent Conviction for Sexual Abuse of Children in the 2nd Degree (Subsection 6D of PBCrimO),
5. The third or subsequent Conviction for Incest (Subsection 6F(2) of PBCrimO),
6. The third or subsequent Conviction for Aggravated Promotion of Prostitution (Subsection 7B(1)(b) of PBCrimO),
7. The third or subsequent Conviction for Promoting Obscene Acts or Materials (Subsection 11A of PBCrimO),
8. The third or subsequent Conviction for Public Display or Dissemination of Obscene Materials to Minors (Subsection 11B of PBCrimO),
9. The third or subsequent Conviction for Contributing to the Delinquency of an Underage Person as provided in Subsection 7E(1)(c)(3) of PBCrimO,
10. The third or subsequent Conviction for Kidnapping (Subsection 5P of PBCrimO), or
11. The third or subsequent Conviction for Aggravated Kidnapping (Subsection 5Q of PBCrimO).

C. General Offenses. A “Tier III” offense includes any sex offense, for which a person has been Convicted, or an attempt or conspiracy to commit such an offense 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.
- D. Certain Federal Offenses. Conviction for any of the following federal offenses shall be considered conviction for a “Tier III” offense:
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),
 4. Where the victim is 12 years of age or younger, 18 U.S.C. §2244 (abusive sexual contact).
- E. Certain 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 note) that is similar to those offenses outlined in Sections 3.03(A),(B), or (C) of this Code shall be considered a “Tier III” offense.

CHAPTER 4 REQUIRED INFORMATION

SECTION 4.01 GENERAL REQUIREMENTS

- A. Duties. A Sex Offender who is required to register pursuant to Chapter 5 of this Code shall provide all of the information detailed in this Chapter 4 to the PBPD. The PBPD shall obtain all of the information detailed in this Chapter 4 from Sex Offenders who are required to register with the Band in accordance with this Code and shall implement any relevant policies and procedures.
- B. Digitization. All information obtained under this Code shall be, at a minimum, maintained by the PBPD or its designee in a digitized format.
- C. Electronic Database. A Sex Offender Registry shall be maintained in an electronic database by the PBPD or its designee and shall be in a form capable of electronic transmission.

SECTION 4.02 CRIMINAL HISTORY

- A. Criminal History. The PBPD shall obtain, and a covered Sex Offender shall provide, the following information related to the Sex Offender’s criminal history:
 1. The date of all arrests,
 2. The date and place 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.

SECTION 4.03 DATE OF BIRTH

- A. Date of Birth. The PBPD 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.

SECTION 4.04 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 PBPD or designee a sample of his DNA.
- B. CODIS. Any DNA sample obtained from the Sex Offender shall be submitted to a lab for analysis and entry of the resulting DNA profile into CODIS.

SECTION 4.05 DRIVER'S LICENSES, IDENTIFICATION CARDS, PASSPORTS, AND IMMIGRATION DOCUMENTS

- A. Driver's License. A covered Sex Offender shall provide all of the Sex Offender's valid driver's licenses issued by any Jurisdiction and the PBPD shall make a photocopy of any such licenses.
- B. Identification Cards. A covered Sex Offender shall provide all of the Sex Offender's identification cards, including any tribal enrollment card issued by any Jurisdiction. The PBPD shall make a photocopy of any such identification cards.
- C. Passports. A covered Sex Offender shall provide any passports used by the Sex Offender, and the PBPD shall make a photocopy of any such passports.
- D. Immigration Documents. A covered Sex Offender shall provide any and all immigration documents used by the Sex Offender, and the PBPD shall make a photocopy of any such documents.

SECTION 4.06 EMPLOYMENT INFORMATION

- A. Employment. The PBPD 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 or will be Employed in 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.

SECTION 4.07 FINGER AND PALM PRINTS. The PBPD shall obtain, and a covered Sex Offender shall provide, both finger prints and palm prints. The PBPD or its designee shall ensure that all such finger prints are submitted to the Federal Bureau of Investigation's Integrated Automated Fingerprint Identification System and all palm prints are submitted to the FBI's Next Generation Identification Program.

SECTION 4.08 INTERNET IDENTIFIERS

A. Internet Names. The PBPD 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.

SECTION 4.09 NAME

A. Name. The PBPD shall obtain, and a covered Sex Offender shall provide, the following information related to the Sex Offender's name:

1. The Sex Offender's full primary given name,
2. Any and all nicknames, aliases, and pseudonyms regardless of the context in which it is used, and
3. 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.

SECTION 4.10 PHONE NUMBERS

A. Phone Numbers. The PBPD shall obtain, and a covered Sex Offender shall provide, any and all telephone numbers and any other designations used by Sex Offenders for purposes of routing or self-identification in telephonic communications including but not limited to:

1. Any and all cellular telephone numbers,
2. Any and all land line telephone numbers, and
3. Any and all Voice over Internet Protocol telephone numbers

SECTION 4.11 PICTURE

A. Photograph. A covered Sex Offender shall permit his photograph to be taken by the PBPD.

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 III Sex Offenders,
2. Every 180 days for Tier II Sex Offenders, and
3. Every year for Tier I Sex Offenders.

SECTION 4.12 PHYSICAL DESCRIPTION

A. Physical Description. The PBPD 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.

SECTION 4.13 PROFESSIONAL LICENSING INFORMATION. The PBPD 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.

SECTION 4.14 RESIDENCE ADDRESS

A. Address. The PBPD 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.

SECTION 4.15 SCHOOL. The PBPD shall obtain, and a covered Sex Offender shall provide, the name and address of each School where the Sex Offender is or will be attending.

SECTION 4.16 SOCIAL SECURITY NUMBER

A. Social Security. The PBPD 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.

SECTION 4.17 TEMPORARY LODGING

A. Lodging Information. The PBPD shall obtain, and a covered Sex Offender shall provide, the following information when the Sex Offender will be absent from his or her Residence for seven (7) days or more:

1. Identifying information of the temporary lodging locations including addresses and names, and
2. The dates the Sex Offender will be staying at each temporary lodging location.
3. The registered Sex Offender shall provide the information required in Subsection 4.17 (A) of this Code in person and not later than three (3) business days before his or her scheduled travel.

SECTION 4.18 INTERNATIONAL TRAVEL. If a Sex Offender is traveling outside of the United States, the Sex Offender must inform his or her Residence Jurisdiction twenty-one (21) days in advance. Upon receipt of such information, the PBPD or designee shall Immediately provide such information to the United States Marshals Service and Immediately notify any other Jurisdiction where the Sex Offender is either registered, or is required to register, of that updated information. The PBPD or its designee shall also update National Crime Information Center/ National Sex Offender Registry.

SECTION 4.19 OFFENSE INFORMATION. The Sex Offender shall provide the PBPD will a brief description of the offense for which registration is required. The PBPD shall obtain the text of each provision of law defining the criminal offense(s) for which the Sex Offender is registered.

SECTION 4.20 VEHICLE INFORMATION.

A. Detailed Information. The PBPD shall obtain, and a covered Sex Offender shall provide, the following information related to all vehicles owned or operated by the Sex Offender, including land vehicles, aircraft, and watercraft and regardless of whether such use is for work or personal use:

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

SECTION 4.21 FREQUENCY, DURATION AND REDUCTION

A. Frequency. A Sex Offender who is required to register shall, at a minimum, appear in person at the PBPD for purposes of verification and keeping their registration current in accordance with the following time frames:

1. For “Tier I” offenders, once every year for 15 years from the time 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.

2. For “Tier II” offenders, once every 180 days for 25 years from the time 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.

3. For “Tier III” offenders, once every 90 days for the rest of their lives.

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

1. A Tier I Sex Offender may have his or her period of registration reduced to 10 years if he or she has maintained a clean record for 10 consecutive years.

2. A Tier III Sex Offender may have his or her period of registration reduced to 25 years if he or she was adjudicated delinquent of an offense as a juvenile that required Tier III registration and he or she has maintained a clean record for 25 consecutive years.

C. Clean Record. For purposes of Subsection 4.21(B) of this Code, a person has a clean record if:

1. He or she has not been Convicted of any offense, for which Imprisonment for more than 11 months may be imposed;

2. He or she has not been Convicted of any additional Sex Offense;

3. He or she has successfully completed, without revocation, any period of supervised release, probation, or parole; and

4. He or she has successfully completed an appropriate sex offender treatment program certified by the Band, another Jurisdiction, or by the Attorney General of the United States.

SECTION 4.22 REQUIREMENTS FOR IN PERSON APPEARANCES

A. Photographs. At each in person verification, the Sex Offender shall permit the PBPD to take a photograph of the Sex Offender.

B. Review of Information. At each in person verification the Sex Offender shall review existing information for accuracy.

C. Notification. If any new information or change in information is obtained at an in person verification, the PBPD or its designee shall Immediately all other Jurisdictions in which the Sex Offender is required to register of the information or change in information.

D. Website Update. If any new information or change in information is obtained at an in person verification, the PBPD or its designee shall Immediately update the Public Sex Offender Registry Website, if applicable, and update information in National Crime Information Center/National Sex Offender Registry.

SECTION 4.23 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 by the PBPD or its designee and that the Sex Offender understands the

registration requirement. The form shall be signed and dated by the PBPD or its designee registering the Sex Offender.

- B. The PBPD or its designee shall Immediately upload the acknowledgement form into the Sex Offender Registry.

CHAPTER 5 REGISTRATION

SECTION 5.01 WHERE REGISTRATION IS REQUIRED

- A. Jurisdiction of Conviction. A Sex Offender must initially register with the PBPD if the Sex Offender was Convicted by the Pokagon Band Tribal Court or the Band's Court of Appeals of a covered Sex Offense, regardless of the Sex Offender's actual or intended Residency.
- B. Jurisdiction of Incarceration. A Sex Offender must register with the PBPD if the Sex Offender is incarcerated by the Pokagon Band while completing any sentence for a covered Sex Offense, regardless of whether it is the same Jurisdiction as the Jurisdiction of conviction or Residence.
- C. Jurisdiction of Residence. A Sex Offender must register with the PBPD if the Sex Offender Resides on or within the Reservation.
- D. Jurisdiction of Employment. A Sex Offender must register with the PBPD if he or she is Employed by the Pokagon Band in any capacity or otherwise is Employed on or within the Reservation.
- E. Jurisdiction of School Attendance. A Sex Offender must register with the PBPD if the Sex Offender attends a School on or within the Reservation.

SECTION 5.02 TIMING OF REGISTRATION

- A. Timing. A Sex Offender required to register with the Band under this Code shall do so within the following timeframe:
 - 1. If Convicted by the Pokagon Band Tribal Court or the Band's Court of Appeals for a covered Sex Offense and incarcerated, the Sex Offender must register before being released from incarceration;
 - 2. If Convicted by the Pokagon Band Tribal Court or the Band's Court of Appeals but not incarcerated, within three (3) business days of sentencing for the registration offense; and
 - 3. Within three (3) business days of establishing a Residence, becoming Employed, or attending a School within the Reservation, a Sex Offender must appear in person to register with the PBPD.
- B. Duties of the PBPD. The PBPD shall adopt and maintain policies and procedures in place to ensure the following:
 - 1. That any Sex Offender incarcerated or sentenced by the Pokagon Band for a covered Sex Offense completes their initial registration with the PBPD;

2. Any Sex Offender initially registering with the PBPD is informed of their duties under SORNA and this Code, and that such duties under SORNA and this Code are explained to them;
3. That the Sex Offender reads, or has read to them, and signs an acknowledgement form stating that the duty to register has been explained to them and that the Sex Offender understands the registration requirement;
4. That the Sex Offender is registered and added to the Public Sex Offender Registry Website;
5. That upon entry of the Sex Offender's information in to the public sex offender 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 School status; and
6. That all information is entered and updated in National Crime Information Center/National Sex Offender Registry.

SECTION 5.03 RETROACTIVE REGISTRATION

- A. Retroactive Registration. The PBPD shall adopt and maintain policies and procedures to ensure the following three categories of Sex Offenders are subject to the registration and updating requirements of this Code:
 1. Sex Offenders incarcerated or under the supervision of the Pokagon Band, 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 Band's laws, and
 3. Sex Offenders reentering the justice system due to Conviction for any crime.
- B. Timing of Recapture. The PBPD shall ensure recapture of the Sex Offenders mentioned in Subsection 5.03(A) of this Code within the following timeframe to be calculated from the date of enactment of this Code:
 1. For Tier I Sex Offenders, 1 year,
 2. For Tier II Sex Offenders, 180 days, and
 3. For Tier III Sex Offenders, 90 days.

SECTION 5.04 KEEPING REGISTRATION CURRENT

- A. Jurisdiction of Residency.
 1. Sex Offender's Duties. All Sex Offenders required to register due to their Residency in this Jurisdiction shall Immediately appear in person at the PBPD to update any changes to their name, Residence (including termination of Residency), employment, or School attendance. All Sex Offenders required to register in this Jurisdiction shall Immediately inform the PBPD in person of any changes to their permanent or temporary lodging information, vehicle information, internet identifiers, or telephone numbers. In the event of a change in temporary

lodging of over 7 days, the Sex Offender shall Immediately notify the registry official of the Residence Jurisdiction in which the Sex Offender will be temporarily staying and any other Jurisdiction where the Sex Offender is required to register.

2. PBPD Duties. When notified of a change in a registered Sex Offender's Residency, the PBPD or its designee shall Immediately notify the Jurisdiction in which the Sex Offender will be relocating to or temporarily staying and any other Jurisdiction where the Sex Offender is required to register.

B. Jurisdiction of School Attendance.

1. Sex Offender's Duties. Any Sex Offender who attends a School located on or within the Reservation, or otherwise terminates his or her schooling, shall Immediately appear in person at the PBPD to update that information.
2. PBPD Duties. The PBPD or its designee shall ensure that each Jurisdiction in which the Sex Offender is required to register, or was required to register prior to the updated information being given, are Immediately notified of the change.

C. Jurisdiction of Employment.

1. Sex Offender's Duties. Any Sex Offender who is Employed by the Pokagon Band Pokagon Band of Potawatomi Indians or its instrumentalities or subordinate entities in any capacity or otherwise is Employed on or within the Reservation that change or terminate their employment, shall Immediately appear in person at the PBPD to update that information.
2. PBPD Duties. The PBPD or its designee shall ensure that each Jurisdiction in which the Sex Offender is required to register, or was required to register prior to the updated information being given, are Immediately notified of the change.

SECTION 5.05 FAILURE TO APPEAR FOR REGISTRATION AND ABSCONDING

A. Failure to Appear. In the event a Sex Offender fails to register with the PBPD as required by this Code, the PBPD or designee shall Immediately inform the Jurisdiction that provided notification that the Sex Offender was to commence Residency, employment, or School attendance with the Pokagon Band that the Sex Offender failed to appear for registration.

B. Absconded Sex Offenders. If the PBPD receives information that a Sex Offender has absconded the PBPD shall make an effort to determine if the Sex Offender has actually absconded.

1. In the event no determination can be made, the PBPD or its designee shall ensure that any other appropriate law enforcement agency is 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 absconded Sex Offender cannot be located then the PBPD or its designee shall take the following steps:
 - a. Update the Sex Offender Registry and Public Sex Offender Registry Website to reflect the Sex Offender has absconded or is otherwise not capable of being located,
 - b. Notify the United States Marshals Service,
 - c. Seek a warrant for the Sex Offender's arrest. The U.S. Marshals Service or Federal Bureau of Investigation may be contacted in an attempt to obtain a federal warrant for the Sex Offender's arrest,
 - d. Update the National Crime Information Center/National Sex Offender Registry to reflect the Sex Offender's status as an absconder, or is otherwise not capable of being located, and
 - e. Enter the Sex Offender information 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 Residence, Employment or School attendance status fails to do so or otherwise violates a registration requirement of this Code, the PBPD or its designee shall take all appropriate follow-up measures including those outlined in Subsection 5.05(B) of this Code. The PBPD shall first make an effort to determine if the Sex Offender actually Resides, is Employed, or is attending School on or within the Reservation.

CHAPTER 6 PUBLIC SEX OFFENDER REGISTRY WEBSITE

SECTION 6.01 WEBSITE

- A. Website. The PBPD or its designee shall use and maintain a Public Sex Offender Registry Website.
- B. Links. The Public Sex Offender Registry Website shall include links to sex offender safety and education resources.
- C. Instructions. The Public Sex Offender Registry Website shall include instructions on how a person can seek correction of information that the individual contends is erroneous.
- D. Warnings. The Public Sex Offender 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 Public Sex Offender Registry Website shall have the capability of conducting searches by (1) name; (2) county, city, and/or town; and, (3) zip code and/or geographic radius.

- F. Dru Sjodin National Sex Offender Public Website. The PBPD or its designee shall include in the design of its Public Sex Offender Registry Website all field search capabilities needed for full participation in the Dru Sjodin National Sex Offender Public Website and shall participate in that website as provided by the Attorney General of the United States.

SECTION 6.02 REQUIRED AND PROHIBITED INFORMATION

- A. Required Information. The following information shall be made available to the public on the Public Sex Offender Registry Website:

1. Notice that a Sex Offender is in violation of their registration requirements or cannot be located if the Sex Offender has absconded,
2. All sex offenses 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 Public 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 (as defined in 42 U.S.C. §16911).

- C. Witness Protection. For Sex Offenders who are under a witness protection program, the PBPD may honor the request of the United States Marshals Service or other agency responsible for witness protection by not including the original identity of the Sex Offender on the Public Sex Offender Registry Website.

SECTION 6.03 COMMUNITY NOTIFICATIONS

A. Law Enforcement Notification. Whenever a Sex Offender registers or updates his or her information with the PBPD, the PBPD or its designee shall:

1. Monitor and utilize the SORNA Exchange Portal for inter-Jurisdictional change of Residence, employment, or School status;
2. Immediately update National Crime Information Center/National Sex Offender Registry;
3. Immediately notify any agency, department, or program within the Band that is responsible for criminal investigation, prosecution, child welfare or sex offender supervision functions, including but not limited to, police, whether BIA, tribal, or FBI, tribal prosecutors, and tribal probation;
4. Immediately notify any and all other registration Jurisdictions where the Sex Offender is registered due to the Sex Offender's Residency, School attendance, or employment;
5. 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) when a Sex Offender registers or updates registration; and
6. Enter or update information posted on the Public Sex Offender Registry Website.

B. Community Notification. The PBPD or its designee 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 Band, the Band's Public Sex Offender Registry Website is Immediately updated; and
2. The Band's Sex Offender Registry has a function that enables the general public to request an e-mail notice that will notify them when a Sex Offender commences Residence, employment, or School attendance with the Band, within a specified zip code, or within a certain geographic radius. This email notice shall include the Sex Offender's identity so that the public can access the public registry for the new information.

Chapter 7 IMMUNITY; MISCELLANEOUS

SECTION 7.01 NO WAIVER. Nothing in this Code shall be construed as a waiver of sovereign immunity for the Pokagon Band of Potawatomi Indians, its departments, agencies, employees, officials, or agents.

SECTION 7.02 GOOD FAITH. Any Pokagon Band employee acting in their official capacity and in good faith under this Code shall be immune from suit to the fullest extent permitted by law.

SECTION 7.03 SAVINGS CLAUSE. In the event any provision of this Code shall be found or declared to be invalid by a court of competent jurisdiction, all of the remaining provisions of this Code shall be unaffected and shall remain in full force and effect.

CHAPTER 8 CRIMES AND CIVIL PENALTIES

SECTION 8.01 CRIMINAL PENALTY. Each violation of a provision of this Code by a Sex Offender who is an Indian shall be considered a crime and subject to a period of incarceration of up to 1 year and/or a fine of up to \$5,000.

SECTION 8.02 CIVIL PENALTY. Each violation of a provision of this Code by a Sex Offender who is not an Indian shall be considered a civil violation subject to enforcement by any means not prohibited by Pokagon Band law and federal law, including, but not limited to the issuance of fines, forfeitures, civil contempt. In no event shall such civil prosecution permit incarceration of a non-Indian or permit the imposition of a criminal fine against a non-Indian. Any civil prosecutions shall be conducted in accordance with the applicable rules of civil procedure.

SECTION 8.03 HINDRANCE OF REGISTRATION. A person is guilty of the offense of Hindrance of Sex Offender Registration if he or she:

- A. Knowingly harbors or knowingly attempts to harbor, or knowingly assists another person in harboring or attempting to harbor a Sex Offender who is in violation of this Code, or
- B. Knowingly assists a Sex Offender in eluding a law enforcement agency that is seeking to find the Sex Offender, to question the Sex Offender, about to arrest the Sex Offender for noncompliance with the requirements of this Code, or
- C. Provides information to a law enforcement agency regarding a Sex Offender which the person knows to be false.

LEGISLATIVE HISTORY

The Pokagon Band Sex Offender Registration Code was enacted on July 25, 2011 by Res. No. 11-07-25-04; the Code was amended on February 18, 2013 by Res. No. 13-02-18-03; the Code was amended on October 21, 2013 by Res. No. 13-10-21-03; the Code was amended at Subsections 2.01(N) and (X) on November 29, 2017 by Res. No. 17-11-29-02.