



NATIONAL CONFERENCE *of* STATE LEGISLATURES

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Summary of the Supplemental Guidelines for Juvenile Registration Under the Sex Offender Registration and Notification Act (SORNA)

Effective on August 1, 2016, the [Supplemental Guidelines for Juvenile Registration Under the Sex Offender Registration and Notification Act](#) provide for greater flexibility of jurisdictions in how they choose to substantially implement the juvenile registration requirement of the [Sex Offender Registration and Notification Act \(SORNA\)](#). The proposed guidelines were published in the Federal Register in mid-April to allow for a period for public comments that could highlight changes that individuals and organizations viewed as necessary before the publishing of the final version.

These guidelines provide for greater flexibility for jurisdictions in how they choose to substantially implement the juvenile registration requirement of SORNA. Juveniles who are at least 14 years of age at the age of their offense and adjudicated delinquent for serious sex offenses (offenses amounting to rape or its equivalent, or an attempt or conspiracy to commit such an offense) must be registered as sex offenders. Though the information does not need to be made public, it still must be made available to national databases, law enforcement agencies, and registration authorities.

Jurisdictions that do not conform exactly to SORNA's requirements may now be considered to have substantially implemented the registration requirement after relevant policies and practices have been assessed, including prosecution of juveniles as adults; registration of juveniles as sex offenders after an adjudication of delinquency for a serious sex offense; the identification, tracking, monitoring, or management of juveniles adjudicated delinquent who are in the community; and availability of information as needed for public safety purposes. Jurisdictions that seek to rely on the above factors are required to explain why their departure from requirements should not be considered a failure to substantially implement them. Finally, the guidelines state that substantial implementation will occur only when the above factors, along with other policies and practices of the jurisdiction, have resulted or will result in registration, identification, monitoring, or management of juveniles who commit serious sex offenses and in the availability of identities and offenses of those juveniles for public safety purposes in a manner that does not substantially disserve the objectives of SORNA.