

BOIS FORTE SEX OFFENDER REGISTRATION AND NOTIFICATION CODE
SUMMARY OF TIERED OFFENSES

The Bois Forte Sex Offender Registration and Notification Code requires convicted sex offenders to register with the designated Bois Forte SORNA Compliance Officer. Registration at Bois Forte is required if: (1) the offender is convicted in the Bois Forte Tribal Court; (2) the offender is incarcerated within the Band's territorial jurisdiction; (3) the offender resides within the Band' territorial jurisdiction; (4) the offender is employed within the Band's territorial jurisdiction or employed by the Band; or (5) the offender attends school within the Band's territorial jurisdiction.

Registration with the SORNA Compliance Officer requires the sex offender to disclose certain pertinent information identifying and describing the offender, such as residence, place of employment, criminal history, fingerprints, DNA sample, picture, phone numbers, physical description, etc. This information is uploaded to the Bois Forte Sex Offender Registry, which is available online at <https://boisforte.nsopw.gov>. The online registry contains information that is permitted to be disclosed to the public.

Additionally, a sex offender must inform the SORNA Compliance Officer of any changes in name, residency, employment, school attendance, vehicle information, temporary lodging, email addresses, phone numbers, or other internet designations used for online communications.

The length of time for which a sex offender must register and the frequency with which the offender must meet with the SORNA Compliance Officer depends on the severity of the convicted sex offense. Sex offenses are categorized from Tier 1 through Tier 3 based on severity of the offence, with Tier 3 representing the most severe sex offenses. Tier 1 offenders are required to meet with the SORNA Compliance Officer once every year for 15 years. Tier 2 offenders are required to meet with the SORNA Compliance Officer once every 180 days for 25 years. Tier 3 offenders are required to meet with the SORNA Compliance Officer once every 90 days for the rest of their lives.

Presented below is a summary of the conduct and offenses that constitute each sex offense tier of the Bois Forte Sex Offender Registration and Notification Code.

Tier 1 Offenses

Tier 1 offenses include all other sex offenses that do not fall within Tier 2 or Tier 3 classifications. In other words, Tier 1 offenses are the least severe category of sex offenses for registration and notification purposes.

- General Tier 1 Offenses: Conviction of any sex offense involving a sexual act or sexual contact that is *not* a Tier 2 or Tier 3 offense.
- Bois Forte Offenses: Conviction of any Bois Forte sex offense that is punishable by less than 1 year in jail (*i.e.*, a misdemeanor tribal sex offense).
- Offenses Against Minors: Conviction of the following:
 - False Imprisonment of a Minor;
 - Video Voyeurism of a Minor; or
 - Possession or Receipt of Child Pornography.
- Certain Federal Offenses: Conviction of the following federal offenses:
 - Video Voyeurism of a Minor;
 - Material Involving the Sexual Exploitation of a Minor;
 - Material Containing Child Pornography;
 - Misleading Domain Names on the Internet;

- Misleading Words or Digital Images on the Internet;
 - Coercion to Engage in Prostitution;
 - Travel with the Intent to Engage in Illicit Conduct;
 - Engaging in Illicit Conduct in Foreign Places;
 - Arranging, Inducing, Procuring, or Facilitating the Travel in Interstate Commerce of an Adult for the Purpose of Engaging in Illicit Conduct for a Financial Gain;
 - Failure to File Factual Statement about an Alien Individual; or
 - Transmitting Information about a Minor to Further Criminal Sexual Conduct.
- Certain Military Offenses: Any military offense that is similar to the above-described Tier 1 offenses.

Tier 2 Offenses

Tier 2 offenses include certain serious misdemeanor and felony sex offenses. Specifically, Tier 2 offenses include the following:

- Bois Forte Offenses with Use of Force or 3 Year Age Differential with Minor Victim: Conviction of any of the below listed Bois Forte offenses wherein *either* (i) force or violence was used or (ii) the victim is less than 15 years old, and the offender is at least 3 years older than victim:
 - Abduction with Minor Victim;
 - Criminal Sexual Conduct;
 - Solicitation of Children to Engage in Sexual Conduct;
 - Prostitution; or
 - Incest.
- Recidivism and Felony Offenses: Any sex offense that is punishable by more than 1 year in jail (*i.e.*, a felony sex offense) and the offender has 1 prior conviction for any type of sex offense (including an attempt or conspiracy to commit a sex offense).
- Offenses Against Minors: Conviction (including a conviction for attempt or conspiracy to commit) any sex offense involving a minor in the following ways:
 - Use of minors in prostitution;
 - Enticing a minor to engage in criminal sexual activity;
 - Sexual contact with a minor 13 years of age or older;
 - Use of a minor in a sexual performance; or
 - Production or distribution of child pornography.
- Certain Federal Offenses: Conviction of the following federal offenses:
 - Sex Trafficking by Force, Fraud, or Coercion;
 - Abusive Sexual Contact;
 - Sexual Exploitation of Children;
 - Selling or Buying of Children;
 - Material Involving the Sexual Exploitation of a Minor;
 - Material Containing Child Pornography;
 - Production of Sexually explicit Depictions of a Minor for Import into U.S.;
 - Transportation of a Minor for Illegal Sexual Activity;
 - Coercing a Minor to Engage in Prostitution;
 - Transporting a Minor to Engage in Illicit Conduct; or
 - Arranging, Inducing, Procuring, or Facilitating the Travel in Interstate Commerce of a Minor for the Purpose of Engaging in Illicit Conduct for a Financial Gain.
- Certain Military Offenses: Any military offense that is similar to the above-described Tier 2 offenses.

Tier 3 Offenses

Tier 3 offenses include the most severe category of sex offenses. Specifically, Tier 3 offenses include the following:

- General Tier 3 Offenses: Any sex offense that involves any of the following conduct:
 - Non-parental kidnapping of a minor;
 - Use of force or threat;
 - A sex act performed on an unconscious, involuntarily drugged, or otherwise incapacitated victim;
or
 - A sexual contact with a minor 12 years of age or younger.
- Recidivism and Felony Offenses: Any sex offense that is punishable by more than 1 year in jail (*i.e.*, a felony sex offense) and the offender has 1 prior conviction for a Tier 2 sex offense.
- Certain Federal Offenses: Conviction of the following federal offenses:
 - Aggravated Sexual Abuse;
 - Sexual Abuse;
 - Sexual Abuse of a Minor or Ward; or
 - Abusive Sexual Contact Where Victim is 12 Years Old or Younger.
- Certain Military Offenses: Any military offense that is similar to the above-described Tier 3 offenses.