

Recommendations to the Advisory Committee to Study laws Concerning Sex Offender Registration

December 13, 2013

Recommendations to the committee to amend statute in respect to juvenile sex offender notification and registration requirements.

1. Nevada continues to substantially implement the Sex Offender Registration and Notification Act (SORNA), Title I of the Adam Walsh Child Protection and Safety Act of 2006. (confirmation letter to Governor Brian Sandoval dated September 19, 2013) We continue to work with the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART Office) to ensure compliance with substantial implementation policies and procedures.
2. Recent decisions in the 9th Circuit Court of Appeals and The Nevada Supreme Court have cleared the way for full implementation of the Adam Walsh Act requirements pertaining to juvenile sex offenders.
3. These juvenile specific recommendations to the Advisory Committee meet substantial implementation requirements of SORNA.
4. Juvenile justice administrators North, South and Rural, and Juvenile Sex Offender Task Force members have reviewed these recommendations submitted to the advisory committee.

Recommendations:

1. All juveniles adjudicated for a sexual offense as defined in NRS 62F 200 are subject to community notification defined in NRS 62F 210 to 62F260.
2. The district attorney may request hearing with the juvenile court after adjudication for a sexual offense as defined in 62F 100 in certain circumstance to determine whether the unlawful act requires state/federal registration.
3. The district attorney may request a hearing with the juvenile court after adjudication and disposition during the probation of the sex offending juvenile to determine whether the juvenile is in compliance with sex offender reporting, treatment, and behavior requirements defined in the court order. The district attorney may request of the court that the juvenile be subject to registration based on the circumstances and outcome of the review.
4. Juveniles required to register on a state a federal basis will be subject to registration requirements defined in 179D.

Scott J. Shick

Chief Juvenile Probation Officer

Douglas County