

U.S. Department of Justice

Office of Justice Programs

*Office of **Sex** Offender Sentencing, Monitoring, Apprehending, Registering,
and Tracking*

Washington, D.C. 20531

February 24, 2022

This responds to your letter to the Attorney General dated January 13, 2022, regarding federal funding and the Florida sex offender registry. Your letter was forwarded to the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) for response. The SMART Office is authorized by the Adam Walsh Child Protection and Safety Act of 2006 (Adam Walsh Act) to administer the standards for the Sex Offender Registration and Notification Act (SORNA), set forth in Title I, and to provide technical assistance to states and other units of government in their work to protect the public from sexual abuse and exploitation.

All states, U.S. territories, and certain Indian tribes can receive funding to assist with the implementation and ongoing maintenance of SORNA through competitive grant awards under the Adam Walsh Act Implementation Grant Program. Additionally, states and territories that have implemented SORNA receive "bonus" Edward Byrne Memorial Justice Assistance Grant Program (Byrne JAG) funds withheld from penalized jurisdictions that have not

yet implemented SORNA. These are the only two federal grant programs directly associated with SORNA and sex offender registration. Neither of these opportunities considers the number of individuals on a jurisdiction's sex offender registry in funding decisions.

Information about the Adam Walsh Act Implementation Grant Program is available at <https://smart.ojp.gov/programs>. A list of the SMART Office's awards, including awards for the Adam Walsh Act grant program, is at <https://smart.ojp.gov/funding/awards/list>.

In addition to the grant program created under the Adam Walsh Act, the Act established a Byrne JAG funding penalty for states, territories, and the District of Columbia that fail to substantially implement SORNA. The Act further provided that any funds not reallocated back to jurisdictions from which they were withheld will be allocated to jurisdictions that have substantially implemented SORNA. Because Florida has substantially implemented SORNA, it has received an allocation of that "bonus" funding every year since 2011. The amount of funding awarded to each jurisdiction under Byrne JAG is based on a formula that uses the jurisdiction's overall population and violent crime statistics. The formula does not take into account the number of sex offenders in a jurisdiction's registry database or on its public registry website. General information about the Byrne JAG program, including a fact sheet, is available here: <https://bja.ojp.gov/program/jag/overview>.

Answers to frequently asked questions about the Byrne JAG program can be found here:

<https://bja.ojp.gov/program/jag/overview#frequently-asked-questions-faq>

In addition, the registration process in Florida, or in any other state where an offender was convicted or might live, work or attend school, is governed by the state and not the Federal Government. To obtain more information about sex offender registration in Florida, contact the Florida Department of Law Enforcement at P.O. Box 1489, Tallahassee, FL 32302 or at 888-357-7332.

We hope this information
is helpful.

Sincerely

The SMART Office