



25TH NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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25th Navajo Nation Council approves amendment to the Sex Offenders Registration and Notification Act in Title 17 of the Navajo Nation Code



Delegate Eugenia Charles-Newton sponsored Legislation No. 0104-23 to amend SORNA allowing civilian employees of the Navajo Nation Police Department to assist in registering of sexual offenders.

Window Rock, Ariz.-On the final day of the 2023 Navajo Nation Council Summer Session, Council Delegate and Chairperson of the Law & Order Committee, Eugenia Charles-Newton (Shiprock) presented Legislation No. 0104-23, an amendment to the Sex Offenders Registration and Notification Act (SORNA) in Title 17 of the Navajo Nation Code.

The purpose of this legislation is to amend the SORNA allowing civilian employees of the Navajo Nation Police Department to assist in timely registering of sexual offenders. The civilian employees will also assist with other administrative related duties.

Currently, SORNA requires a Navajo Police Officer to register sex offenders. However, due to the need for Officers to be active in the field and to respond to emergency situations when on duty, the Navajo Police stations do not always have officers on-site to conduct registration.

Delegate Charles-Newton and Co-Sponsor Council Delegate Amber Kanazbah Crotty (Cove, Toadlena/Two Grey Hills, Red Valley Tse'alnaozt'i'i, Sheepsprings, Beclabito, Gadiahi/To'Koi) introduced the legislation through work groups that were led by the Law & Order Committee and the Chief Prosecutor.

The Navajo Nation Department of Justice reviewed the proposed amendments and deemed them to be legally sufficient. The proposed Title 17 amendments to the criminal statutes went before the 24th Navajo Nation Council, however the Council exhausted time before voting on the amendments.

The 25th Navajo Nation Council determined that the amendments to Title 17 of the Navajo Nation Code Sex Offender Registration and Notification Act are necessary and vital to ensure adequate deterrence and punishment for sexual offenses that threaten the Navajo populace, including Navajo families and Navajo communities.

In May of 2023, the legislation was heard before the Law & Order Committee and passed with four in favor and zero opposed. The Naabik'íyáti'' Committee also voted in support of the bill with 18 in favor and zero opposed.

"Hopefully with this passage of this legislation, it will give time back to the Navajo Nation Police Officers so they are able to have more presence in the field increasing the protection of our relatives," said Delegate Charles-Newton.

Offenders who are convicted are required to register within three business days providing identifier information, including DNA samples, photographs, fingerprints, residential and school addresses, email addresses and social media identifiers, professional licensing, name of employer and additional personal information. Sex offenders are also required to maintain their registration in accordance with the tier level of the sex offense for which the sex offender has been convicted.

Every sex offender convicted of a sex offense that requires registration by another jurisdiction and who has come into the Navajo Nation to reside, work or go to school shall initially register with the Navajo Police Department within three business days of coming into the Nation. A non-Indian convicted sex offender who fails to register or who absconds will be arrested and placed into federal custody for consideration for federal prosecution.

"The Navajo Police Department strongly supports this legislation. As the primary law enforcement program enforcing Title 17 on the Navajo Nation, we are well placed to recognize needed changes as practical circumstances arise in implementation and execution of sections of the criminal code," stated Daryl Noon, Chief of Police for the Navajo Police Department.

Legislation No. 0104-23 passed by simple majority vote with 18 in favor and zero opposed on July 21. Once the resolution is certified and delivered to the Office of the President and Vice President, Navajo Nation President Buu Nygren will have ten calendar days to consider the resolution.

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