EXHIBIT 6
DATE 1/21/2011
HB 281

Justice Policy INSTITUTE

What will it cost states to comply with the Sex Offender Registration and Notification Act?

The Sex Offender Registration and Notification Act (SORNA)[1], which mandates a national registry of people convicted of sex offenses and expands the type of offenses for which a person must register, applies to both adults and children. By July 2009, all states must comply with SORNA or risk losing 10 percent of the state's allocated Byrne Grant money, which states generally use to enforce drug laws and support law enforcement.

In the last two years, some states have extensively analyzed the financial costs of complying with SORNA. These states have found that implementing SORNA in their state is far more costly than the penalties for not being in compliance. JPI's analysis finds that in all 50 states, the first-year costs of implementing SORNA outweigh the cost of losing 10 percent of the state's Byrne Grant. Most of the resources available to states would be devoted to the administrative maintenance of the registry and notification, rather than targeting known serious offenders. Registries and notification have not been proven to protect communities from sexual offenses, and may even distract from more effective approaches.

Given the enormous fiscal costs of implementing SORNA, coupled with the lack of evidence that registries and notification make communities safer, states should think carefully before committing to comply with SORNA.

Ohio determined that the cost of implementing new software to create a registry would approach a half million dollars in the first year.[2] The total estimated cost for complying with SORNA exceeds the Byrne funds Ohio would lose if it did not comply.

- Installing and implementing software alone would cost $475,000 in the first year. The software would then cost $85,000 annually thereafter for maintenance.
- Certification of treatment programs based on new standards and providing a description of a person on the registry to the state's Bureau of Criminal Identification and Investigation would cost another $100,000 annually.
- Ohio also lists other factors that would increase the cost of implementing SORNA, including salaries and benefits for new personnel, new court and administration costs, and costs to counties and municipalities. These costs are in addition to the $475,000 needed for software, but have not yet been quantified by the state.
- If Ohio chose not to implement SORNA, the state would lose approximately $622,000 annually from its Byrne funds. However, the total estimated cost of software, certification of treatment programs, salaries, and benefits for new personnel would exceed the lost Byrne funds.

Virginia determined that the first year of compliance with the registry aspect of SORNA would cost more than $12 million.[3]

- The first year of implementing SORNA would cost the Commonwealth of Virginia $12,497,000.
- The yearly annual cost of SORNA would be $8,887,000. Adjusted with a 3.5 percent yearly inflation rate,[4] Virginia would be paying more than $10 million by 2014.
- If Virginia chose to comply with SORNA, the state would spend $12,097,000 more than it would if it chose not to implement SORNA and forfeit 10 percent of its yearly Byrne grant, a loss totaling approximately $400,000.[5]

As evidenced by these summaries, states can expect to incur significant costs as they attempt to comply with SORNA. States should consider all possible areas in which increased expenditures will occur.

- New personnel
- Software, including installation and maintenance
- Additional jail and prison space
- Court and administrative costs
- Law enforcement costs
- Legislative costs related to adopting, and crafting state law

---

[1] SORNA is Title 1 of the Adam Walsh Act.
[2] Ohio Legislative Service Commission Fiscal Note & Local Impact Statement (Columbus, OH: Ohio Legislative Service Commission, 2007) http://www.lsc.state.oh.us
[3] Virginia Department of Planning and Budget *2008 Fiscal Impact Statement* (Richmond, VA: Department of Planning and Budget, 2008).
[4] Oregon State University, "Yearly Inflation or Deflation Rate (CPI-U) 1915 -2005, in Percent." April 24, 2008. http://oregonstate.edu/cla/polisci/faculty-research/sahr/pc1915ff.htm
[5] Office of Justice Programs, "JAG State Allocations," April 23, 2008. http://www.ojp.usdoj.gov/BJA/grant/07JAGstateallocations.pdf

In every state, the first-year cost of implementing the Sex Offender Registration and Notification Act outweighs the cost of losing 10 percent of the state's Byrne money.[6]

	SORNA Implementation Estimate for 2009	Byrne Money Received in 2006[7]	10 Percent of Byrne Money
ALABAMA	$7,506,185	$3,178,628	$317,863
ALASKA	$1,108,573	$565,971	$56,597
ARIZONA	$10,281,201	$3,653,881	$365,388
ARKANSAS	$4,597,925	$2,180,442	$218,044
CALIFORNIA	$59,287,816	$21,876,819	$2,187,682
COLORADO	$7,885,178	$2,725,489	$272,549
CONNECTICUT	$5,680,602	$2,189,001	$218,900
DELAWARE	$1,402,612	$1,248,534	$124,853
DISTRICT OF COLUMBIA	$954,186	$1,804,991	$180,499
FLORIDA	$29,602,768	$12,402,693	$1,240,269
GEORGIA	$15,481,193	$5,594,288	$559,429
HAWAII	$2,081,603	$933,732	$93,373
IDAHO	$2,431,969	$1,170,003	$117,000
ILLINOIS	$20,846,306	$8,501,000	$850,100
INDIANA	$10,291,799	$3,696,033	$369,603
IOWA	$4,846,488	$1,881,623	$188,162
KANSAS	$4,502,553	$2,035,999	$203,600
KENTUCKY	$6,879,497	$2,702,451	$270,245
LOUISIANA	$6,963,401	$3,514,704	$351,470
MAINE	$2,136,456	$1,172,583	$117,258
MARYLAND	$9,112,724	$4,320,568	$432,057
MASSACHUSETTS	$10,461,238	$4,353,201	$435,320
MICHIGAN	$16,336,082	$6,793,169	$679,317
MINNESOTA	$8,430,328	$3,061,831	$306,183
MISSISSIPPI	$4,734,150	$2,065,269	$206,527
MISSOURI	$9,534,548	$4,182,382	$418,238
MONTANA	$1,553,611	$1,076,424	$107,642
NEBRASKA	$2,878,281	$1,288,957	$128,896
NEVADA	$4,160,944	$1,808,095	$180,810
NEW HAMPSHIRE	$2,134,219	$1,192,435	$119,244
NEW JERSEY	$14,088,206	$5,160,709	$516,071
NEW MEXICO	$3,195,121	$1,879,901	$187,990
NEW YORK	$31,300,125	$11,279,841	$1,127,984
NORTH	$14,696,622	$5,460,983	$546,098
NORTH DAKOTA	$1,037,592	$554,556	$55,456
OHIO	$18,598,869	$6,223,825	$622,383
OKLAHOMA	$5,867,138	$2,790,472	$279,047
OREGON	$6,078,218	$2,251,312	$225,131
PENNSYLVANIA	$20,165,479	$7,640,322	$764,032
RHODE ISLAND	$1,715,760	$967,292	$96,729
SOUTH CAROLINA	$7,149,123	$3,610,292	$361,029
SOUTH DAKOTA	$1,291,426	$513,858	$51,386
TENNESSEE	$9,985,946	$4,817,782	$481,778
TEXAS	$38,771,924	$14,045,713	$1,404,571
UTAH	$4,290,617	$1,557,034	$155,703
VERMONT	$1,007,649	$630,419	$63,042
VIRGINIA	$12,508,695	$3,943,036	$394,304
WASHINGTON	$10,491,519	$3,538,816	$353,882
WEST VIRGINIA	$2,939,046	$1,679,108	$167,911
WISCONSIN	$9,085,630	$2,982,833	$298,283
WYOMING	$848,009	$584,036	$58,404

[6] These numbers are calculated by using the Virginia Department of Planning and Budget total ($12,508,694) divided by the predicted number of people in Virginia in 2009 (U.S. Census 2007 multiplied by predicted 1 percent yearly growth). The cost per person ($1.59) was then multiplied by the predicted number of people in all states in 2009. Virginia conducted the most comprehensive analysis of the potential cost of implementing SORNA that was also available to the public.

[7] The U.S. House of Representatives estimates that 2009 federal allocations for Byrne grants will return to 2006 levels, which total approximately $200 million.