

PENNSYLVANIA SEX-OFFENDER REGISTRATION AND NOTIFICATION

CONTACT INFORMATION

Pennsylvania State Police
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<http://www.psp2.state.pa.us/SVP/index.htm>

NUMBER OF REGISTERED SEX OFFENDERS

5,377 as of February 6, 2003.

1. WHO IS REQUIRED TO REGISTER?

Persons who are convicted of any of the following offenses are required to register:

- (1) kidnapping when the victim is a minor;
- (2) indecent assault when the offense is a misdemeanor of the first degree;
- (3) incest when the victim is 12 or older but under 18;
- (4) prostitution when the offender promotes the prostitution of a minor;
- (5) offenses relating to obscene and other sexual materials and performances when the victim is a minor;
- (6) sexual abuse of children;
- (7) unlawful contact or communication with a minor;
- (8) sexual exploitation of children;
- (9) rape;
- (10) involuntary deviate sexual intercourse;
- (11) sexual assault;
- (12) aggravated indecent assault;
- (13) incest when the victim is under 12; or
- (14) an attempt to commit an offense listed in (1) through (14) above.

(Pa. Cons. Stat. Ann. § 9795.1)

Sexually violent predators are also required to register.

(Pa. Cons. Stat. Ann. § 9795.1(b)(3))

2. WHO IS A "SEXUALLY VIOLENT PREDATOR"?

A "sexually violent predator" is a person who has been convicted of a sexually violent offense and who is determined to be a sexually violent predator due to a mental abnormality or personality disorder that makes him or her likely to engage in predatory sexually violent offenses.

(Pa. Cons. Stat. Ann. § 9792)

3. WHAT DOES "SEXUALLY VIOLENT OFFENSE" MEAN?

"Sexually violent offense" means any of the following:

- (1) kidnapping when the victim is a minor;
- (2) indecent assault when the offense is a misdemeanor of the first degree;
- (3) incest when the victim is 12 or older but under 18;
- (4) prostitution when the offender promotes the prostitution of a minor;

- (5) offenses relating to obscene and other sexual materials and performances when the victim is a minor;
- (6) sexual abuse of children;
- (7) unlawful contact or communication with a minor;
- (8) sexual exploitation of children;
- (9) rape;
- (10) involuntary deviate sexual intercourse;
- (11) sexual assault;
- (12) aggravated indecent assault;
- (13) incest when the victim is under 12; or
- (14) an attempt to commit an offense listed in (1) through (13) above.

(Pa. Cons. Stat. Ann. § 9792)

4. ARE JUVENILE OFFENDERS REQUIRED TO REGISTER?

Please contact the Pennsylvania State Police or local law enforcement for information on juvenile offenders.

5. WHEN AND WHERE DOES AN OFFENDER REGISTER?

Offenders and sexually violent predators are required to register all current residences or intended residences with the Pennsylvania State Police upon release from incarceration, upon parole from a state or county correctional institution, or upon the commencement of a sentence of intermediate punishment or probation.

(Pa. Cons. Stat. Ann. § 9795.2(a)(1))

6. WHAT INFORMATION MUST AN OFFENDER PROVIDE AT THE TIME OF REGISTRATION?

For purposes of registration, offenders and sexually violent predators must provide the Pennsylvania State Police with all current or intended residences, all information concerning current or intended employment and all information concerning current or intended enrollment as a student.

(Pa. Cons. Stat. Ann. § 9795.2(a)(1))

7. WHAT HAPPENS IF AN OFFENDER CHANGES HIS OR HER ADDRESS OR OTHER REGISTRATION INFORMATION DURING THE REGISTRATION PERIOD?

An offender or sexually violent predator must inform the Pennsylvania State Police within 10 days if he or she changes residence or establishes an additional residence or residences, changes employer or employment location for a period of time that will exceed 14 days or for an aggregate period of time that will exceed 30 days during any calendar year or terminates employment, or changes institution or location at which he or she is enrolled as a student or terminates enrollment.

(Pa. Cons. Stat. Ann. § 9795.2(a); § 9795.3(2))

An offender or sexually violent predator must inform the Pennsylvania State Police within 10 days of becoming employed or enrolled as a student if he or she has not previously provided that information to the Pennsylvania State Police.

(Pa. Cons. Stat. Ann. § 9795.2(a)(2)(iv); § 9795.3(2.1))

A change of residence of an offender or sexually violent predator that is reported to the Pennsylvania State Police must be immediately reported by the State Police to the appropriate law-enforcement agency having jurisdiction of the offender's or the sexually violent predator's new place of residence.

(Pa. Cons. Stat. Ann. § 9796(c))

8. WHAT HAPPENS IF AN OFFENDER MOVES FROM PENNSYLVANIA TO ANOTHER STATE?

An offender or sexually violent predator must inform the Pennsylvania State Police within 10 days of a change of residence. Registration with a new law-enforcement agency must occur no later than 10 days after establishing residence in another state.

(Pa. Cons. Stat. Ann. §§ 9795.2(a)(2), (a)(2.1); § 9795.3(3))

An offender or sexually violent predator must register with the appropriate authorities in any state in which he or she is employed, carries on a vocation, or is a student if the state requires such registration.

(Pa. Cons. Stat. Ann. § 9795.3(5))

If an offender or sexually violent predator changes his or her residence to another state, the Pennsylvania State Police must notify the law-enforcement agency with which the offender or sexually violent predator must register in the new state.

(Pa. Cons. Stat. Ann. § 9796(c))

9. IS AN OFFENDER WHO MOVES FROM ANOTHER STATE TO PENNSYLVANIA REQUIRED TO REGISTER?

Offenders who move to Pennsylvania from another state are required to register. Such offenders must register within 10 days of arriving in Pennsylvania.

(Pa. Cons. Stat. Ann. §§ 9795.2(b)(1)(i), (b)(2))

10. WHAT IF AN OFFENDER LIVES IN ANOTHER STATE BUT WORKS OR GOES TO SCHOOL IN PENNSYLVANIA?

Offenders who live in another state but work or go to school in Pennsylvania are required to register. Such offenders must register within 10 days of arriving in Pennsylvania.

(Pa. Cons. Stat. Ann. §§ 9795.2(b)(1)(ii), (b)(2))

11. IS REGISTRATION A LIFETIME REQUIREMENT?

The following offenders must register with the Pennsylvania State Police for a period of 10 years:

- (1) persons convicted of any of the following offenses:
 - (a) kidnapping when the victim is a minor;
 - (b) indecent assault when the offense is a misdemeanor of the first degree;
 - (c) incest when the victim is 12 or older but under 18;
 - (d) prostitution when the offender promotes the prostitution of a minor;
 - (e) offenses relating to obscene and other sexual materials and performances when the victim is a minor;
 - (f) sexual abuse of children;
 - (g) unlawful contact or communication with a minor; or
 - (h) sexual exploitation of children; or
- (2) persons convicted of an attempt to commit:
 - (a) an offense listed in (1) above; or
 - (b) one of the following offenses:
 - (i) rape;
 - (ii) involuntary deviate sexual intercourse;
 - (iii) sexual assault;
 - (iv) aggravated indecent assault; or
 - (v) incest when the victim is under 12.

(Pa. Cons. Stat. Ann. § 9795.1(a))

The following offenders are subject to lifetime registration:

- (1) a person with two or more convictions of an offense that would require registration for a period of 10 years;
- (2) a person convicted of any of the following offenses:
 - (a) rape;
 - (b) involuntary deviate sexual intercourse;
 - (c) sexual assault;
 - (d) aggravated indecent assault; or
 - (e) incest when the victim is under 12; and
- (3) sexually violent predators.

(Pa. Cons. Stat. Ann. § 9795.1(b))

12. ARE THERE ANY PENALTIES FOR FAILING TO REGISTER OR FOR PROVIDING FALSE INFORMATION?

An offender who is required to register for a period of 10 years and who fails to register with the Pennsylvania State Police commits a felony of the third degree.

(Pa. Cons. Stat. Ann. § 9795.2(d)(1))

An offender who is required to register for life and who fails to register with the Pennsylvania State Police commits a felony of the first degree and will be sentenced to a mandatory minimum sentence of probation for the remainder of his or her lifetime and may be sentenced to a period of incarceration of up to his or her lifetime.

(Pa. Cons. Stat. Ann. § 9795.2(d)(2))

Any offender who is required to register for a period of 10 years and who fails to verify his or her residence or be photographed commits a felony of the third degree.

(Pa. Cons. Stat. Ann. § 9796(e)(1))

Any offender who is required to register for his or her life and who fails to verify his or her residence or be photographed commits a felony of the first degree and will be sentenced to a mandatory minimum sentence of probation for the remainder of his or her lifetime and may be sentenced to a period of incarceration of up to his or her lifetime.

(Pa. Cons. Stat. Ann. § 9796(e)(2))

13. WHAT INFORMATION IS RELEASED TO THE PUBLIC ABOUT REGISTERED OFFENDERS?

When an offender is determined to be a sexually violent predator, the local municipal police department or the Pennsylvania State Police, if no municipal police jurisdiction exists, must give written notice to the sexually violent predator's victim when the sexually violent predator initially registers and when he or she notifies the Pennsylvania State Police of any change of residence. This notice must be given within 72 hours after the sexually violent predator registers or notifies the Pennsylvania State Police of a change of address. The notice must contain the sexually violent predator's name and the address(es) where he or she resides.

(Pa. Cons. Stat. Ann. § 9797(a)(1))

Written notice is also provided to:

- (1) neighbors of a sexually violent predator;
- (2) the director of the county children and youth service agency of the county where a sexually violent predator resides;
- (3) the superintendent of each school district and the equivalent official for private and parochial schools enrolling students up through grade 12 in the municipality where a sexually violent predator resides;

- (4) the superintendent of each school district and the equivalent official for each private and parochial school located within a one-mile radius of where a sexually violent predator resides;
- (5) the licensee of each certified daycare center and licensed preschool program and owner/operator of each registered family daycare home in the municipality where a sexually violent predator resides; and
- (6) the president of each college, university, and community college located within 1,000 feet of a sexually violent predator's residence.

(Pa. Cons. Stat. Ann. § 9798(b))

The chief law-enforcement officer of the full- or part-time police department of the municipality where a sexually violent predator lives is responsible for providing written notice.

(Pa. Cons. Stat. Ann. § 9798(a))

Written notice includes:

- (1) the sexually violent predator's:
 - (a) name;
 - (b) address(es) at which he or she resides; and
 - (c) offense for which he or she was convicted;
- (2) a statement that the sexually violent predator has been determined by court order to be a sexually violent predator, and whether such determination has or has not been terminated as of a certain date; and
- (3) a photograph of the sexually violent predator, if available.

(Pa. Cons. Stat. Ann. § 9798(a))

All information that is provided in a written notice is available, upon request, to the public.

(Pa. Cons. Stat. Ann. § 9798(d))

14. CAN I SEARCH THE INTERNET FOR OFFENDERS IN MY AREA?

The Pennsylvania State Police maintains a web site that includes information on sexually violent predators. The web site, available at <http://www.psp2.state.pa.us/SVP/index.htm>, can be searched by county.

Information available includes:

- (1) the offender's:
 - (a) name;
 - (b) address; and
 - (c) offenses requiring registration; and
- (2) the police department with primary jurisdiction of the offender.