Background

On December 20, 2012, Pennsylvania’s Megan’s Law will undergo major changes. Individuals who have not completed their period of registration by December 20, 2012 must comply with the new law or face criminal prosecution and lengthy prison sentences.

Under the new law, referred to as SORNA (short for “Sex Offender Registration and Notification Act”), registrants will be placed in one of three “Tiers” based on their underlying offenses.

Implementation

Prior to December 20, 2012, all registrants will be contacted by their supervising authority—typically their parole or probation officer or the Pennsylvania State Police—informing them of their Tier classification and either collecting the new, expanded information required under SORNA or informing them of their duty to appear at an approved registration site to provide this information. Failure to comply is a felony.

This pamphlet describes the Tier system, information collected, items appearing on the public website, and other duties required under the new law. It is intended for individuals who are on the registry prior to December 20, 2012 and are subject to the new law.

If you have any questions, contact your attorney or the Megan’s Law Section of the Pennsylvania State Police at 1-866-771-3170

The Tier System

As of December 20, 2012 individuals subject to registration will be placed in one of three Tiers based on their underlying offenses.

Tier I. Registration is for 15 years. In-person appearance at an approved registration site to provide or verify the required information and to be photographed is Annual. There is a mandatory minimum two year prison sentence for the first failure to report and a three year prison sentence for the first failure to provide accurate information.

Tier II. Registration is for 25 years. In-person appearance at an approved registration site to provide or verify the required information and to be photographed is Semiannual (every six months). There is a mandatory minimum three year prison sentence for the first failure to report and a five year prison sentence for the first failure to provide accurate information.

Tier III. Registration is for the Lifetime of the individual. In-person appearance at an approved registration site to provide or verify the required information and to be photographed is Quarterly (every three months). There is a mandatory minimum three year prison sentence for the first failure to report and a five year prison sentence for the first failure to provide accurate information.

Transients

Individuals who do not maintain a residence for thirty consecutive days must appear Each Month at an approved registration site and indicate where they receive mail, including a post office box, and any planned destinations, including those outside Pennsylvania. Information transients must provide that will appear on the public internet website include their temporary habitat or other place of abode or dwelling (including, but not limited to, a homeless shelter or park), and a list of places where they eat, frequent and engage in leisure activities.

Sexually Violent Predators

Tier III requirements and penalties apply to individuals designated as Sexually Violent Predators. In addition, they must attend at least monthly counseling sessions by a provider approved by the Pennsylvania Sexual Offender Assessment Board. Failure to attend these counseling sessions is a misdemeanor of the first degree.

Juveniles

Individuals must register as a “Juvenile Offender” if they were at least fourteen years old at the time of the offense and were adjudicated delinquent for committing (or conspiracy, solicitation, or attempt to commit), rape, involuntary deviate sexual intercourse or aggravated indecent assault. While these individuals are not included on the public internet website, individuals designated as a “Sexually Violent Delinquent Child” are included on the public website. Tier III requirements and penalties apply to registered juveniles. For further information on juvenile offenders, contact the Juvenile Defender Association of Pennsylvania at http://www.pajuvdefenders.org.

Prepared by the Pennsylvania Prison Society
245 N. Broad Street, Suite 300
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Pennsylvania’s New Sex Offender Registration and Notification Law

What you need to know if you are on the registry as of December 20, 2012

Prepared by

Founded in 1787, the Pennsylvania Prison Society is a social justice organization advocating on behalf of prisoners, their families, and formerly incarcerated individuals. Headquartered in Philadelphia, the Prison Society offers direct services and official prison visitation through a network of statewide chapters.
At registration the individual must also provide the name of the employer.

(6) Photographs. The last eight facial photographs taken of the individual, and the date each photograph was entered into the registry, appear on the website.

(7) Physical description of the individual appears on the website.

(8) Vehicles. License plate number and description of all vehicles owned or operated by the individual, including watercraft and aircraft, appear on the website. At registration the individual must also provide the address of the place where the vehicle is stored as well as provide the license to operate the motor vehicle or other identification card issued by the Commonwealth, another jurisdiction or a foreign country.

At registration the individual must also provide the name of the employer.

(1) Name and aliases appear on the website. At registration the individual must also provide his or her primary or given name, including any alias used by the individual, nickname, pseudonym, ethnic or tribal name, and any designation or monikers used for self-identification in internet communications or postings.

(2) Year of birth appears on the website. At registration the individual must also provide the actual date of birth and purported date of birth.

(3) Residence. Street address, municipality, county, state and zip code of residences and intended residences appear on the website. At registration the individual must also provide the location at which the individual receives mail, including a post office box. A residence is defined as “A location where an individual resides or is domiciled or intends to be domiciled for a period of more than 90 consecutive days.” The term includes a residence which is mobile, including a houseboat, mobile home, trailer or recreational vehicle.

(4) School. Street address, municipality, county, state and zip code of any location at which an individual is enrolled as a student appear on the website. A student is defined as “an individual who is enrolled in or attends a public or private educational institution within this Commonwealth on a full-time or part-time basis, including a secondary school, trade or professional institution of higher education. The term does not include a student employed, or the general areas of work if the individual is not employed at a fixed address, appear on the web site.

Information contained herein is believed to be accurate as of the publication date. However, laws can change. If you have questions, consult your attorney or the Megan’s Law Section of the Pennsylvania State Police 1800 Elmerton Avenue, Harrisburg, PA 17110 1-866-771-3170 toll free.

(3) Valid Social Security Number issued by the federal government or purported Social Security number.

(4) Temporary Lodging. The specific length of time and the dates during which the individual will be temporarily lodged. Temporary lodging is defined as “The specific location, including street address, where a sexual offender is staying when away from the sexual offender’s residence for seven or more days.”

(5) Passport and Documents establishing immigration status, which will be copied in a digitized format for inclusion in the registry.

(6) Licenses. Information relating to occupational and professional licensing, including type of license held and the license number.

(7) Form signed by the individual acknowledging the individual’s obligations.

Registrants Must Appear In Person At An Approved Registration Site Within Three Business Days To Report Any Of The Following

(1) Name. A change in name, including an alias.

(2) Residence. A commencement of, change in, termination of, or failure to maintain a residence, thus making the individual a transient.

(3) Employer. Commencement of employment, change in the location or entity in which the individual is employed or termination of employment.

(4) School. Initial enrollment as, change in enrollment as, or termination as a student.

(5) Phone Number. An addition, change in, or termination of a telephone number, including a cell phone number.

(6) Vehicles. An addition, change in, or termination of a motor vehicle owned or operated, including watercraft or aircraft. The individual must provide license plate numbers, registration numbers and other identifiers and any addition to or change in the address of the place the vehicle is stored.

(7) Lodging. A commencement of, change in, or termination of temporary lodging. The individual must provide the specific length of time and the dates during which the individual will be temporarily lodged.

(8) Internet Identifiers. An addition, change in or termination of e-mail address, instant message address or any other designations used in internet communications or postings.

(9) Licenses. An addition, change in or termination of information related to occupational and professional licensing, including types of license held and license number.