

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

This pamphlet describes the Tier system, information collected, items appearing on the public web site, 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.

The list of underlying offenses and related Tiers can be found at 42 Pa.C.S. §9799.14.

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
Philadelphia, PA 19107
215.564.6005 www.prisonssociety.org**

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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 the
Pennsylvania Prison Society
245 N. Broad Street, Suite 300
Philadelphia, PA 19107**

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.

**Information Appearing On The
Public Internet Website And
Required For In-Person Registration**

(1) **Name and aliases** appear on the web site. 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 30 consecutive days or more during a calendar year. 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 an individual enrolled in an education institution exclusively through the internet or via correspondence courses."*

(5) **Employer.** Street address, municipality, county, state and zip code of a fixed location where an individual is employed, or the general areas of work if the individual is not employed at a fixed address, appear on the web site.

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.

**Additional Items Appearing
On The Public Website**

(1) **Offense** for which the individual is registered and all other sexually violent offenses for which the individual was convicted.

(2) **Compliance.** A statement whether the individual is in compliance with registration.

(3) **Minor Victim.** A statement if the victim is a minor.

(4) **Registration Date.** Date on which the individual is made active within the registry and date when the individual most recently updated registration information.

(5) **Classification.** Indication as to whether the individual is a sexually violent predator, sexually violent delinquent child, or convicted of a Tier I, Tier II or Tier III sexual offense.

(6) **Other.** If applicable, indication that an individual is incarcerated or committed or is a transient.

**Additional Items Required
For In-Person Registration**

(1) **Internet Identifiers.** Designations used by the individual for purposes of routing or self-identification in internet communications or postings.

(2) **Telephone Numbers,** including cell phone numbers, and any other designations used by the individual for purposes of routing or self-identification in telephonic communications.

(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.

**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.**

**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.