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MEMORANDUM

**To:** All House Members  
**From:** Representative Scott Conklin  
**Date:** January 5, 2011  
**Re:** Parole of Offenders and Sexually Violent Predators

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In the near future, I plan to re-introduce legislation to close a loophole in Title 42 (Judiciary and Judicial Procedure) regarding the parole and registration of sexual offenders and sexually violent predators.

Currently, Pennsylvania's Megan's Law possesses a loophole regarding registration of homeless sex offenders and sexually violent predators, which was noted in a 2009 Pennsylvania Superior Court case, Commonwealth v. Wilgus. In July 2010, Carlisle had an issue regarding a homeless offender, Leroy Malseed, who had migrated to the area. Mr. Malseed, notified Carlisle police, per the provisions in 42 Pa.C.S. §9795.2 (relating to registration procedures and applicability), that he was residing in Carlisle, but was without a permanent address. As a result, the Carlisle Police Department provided notification to all residents of the town per 42 Pa.C.S. §9798 (relating to other notification) because a specific address was not provided.

My legislation requires sex offenders and sexually violent predators to secure a residence and provide the Pennsylvania State Police with an address. In addition, if the offender is unable to secure a residence, the Pennsylvania Department of Corrections and the Pennsylvania Board of Parole and Probation will be required to provide the individual with reasonable assistance in doing so.

Help me protect our children from sex offenders and sexual violent predators by closing a longstanding loophole in our laws. If you are interested in co-sponsoring this legislation, please contact Patricia McMillan in my district office via email at [pmcmilla@pahouse.net](mailto:pmcmilla@pahouse.net) or at 717-787-9473.