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MEMORANDUM

TO: Members of the House of Representatives

FROM: Representative Eugene DePasquale

DATE: March 17, 2011

SUBJECT: Legislation: Registration Requirements and Prohibited Uses of the Internet and Certain Computer Software for Sex Offenders

In the near future, I plan to introduce legislation which would amend Title 18 (Crimes and Offenses) and Title 42 (Judiciary and Judicial Procedures) of the Pennsylvania Consolidated Statutes, to establish additional registration requirements and limit the use of certain types of computer communications and programs for sex offenders.

Under the bill, the amendatory language to Title 18 would establish new penalties under Chapter 76 (Computer Offenses) for registered sex offenders who access the internet or utilize computer scrub software. Specifically, my legislation would establish and grade penalties for the unlawful use of the internet by a registered sex offender as a felony of the third degree, and for the unlawful use of computer scrub software by a registered sex offender, as misdemeanor of the third degree.

The amendatory language to Title 42 aims to bring Pennsylvania into compliance with the provisions in the Sex Offender Registration and Notification Act (SORNA) enacted by Congress in 2006, by amending Chapter 97, Subchapter H (Registration of Sexual Offenders), with the SORNA provisions. SORNA provides a comprehensive set of minimum standards for sex offender registration and notification in the United States. It aims to close potential gaps and loopholes that existed under prior law. Several states including Delaware, New York, and Ohio have enacted similar legislation in order to meet federal standards.

By enacting this important legislation, we will ensure the safety of our children as we move forward in this technological age. In addition, we will be aiding sex offenders in their rehabilitation by monitoring their actions and limiting their abilities to reoffend. Finally, enactment of this legislation will bring Pennsylvania into compliance with federal standards and guarantee our current funding levels.

If you would like to co-sponsor this legislation, please contact Cynthia Clory at 787-7514 or by e-mail at CClory@pahouse.net.