



**Pennsylvania
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on
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**Mark H. Bergstrom
Executive Director**

TESTIMONY

House Judiciary Committee

Public Hearing on HB 77

**Pennsylvania State Capitol Complex
Room 60 East Wing
Harrisburg, PA**

September 12, 2023

**Mark H. Bergstrom
Executive Director**



Pennsylvania Commission on Sentencing
House Judiciary Committee
Public Hearing on HB 77

Good afternoon, Chairman Briggs, Chairman Kauffman, and members of the House Judiciary Committee. I am Mark Bergstrom, Executive Director of the Pennsylvania Commission on Sentencing. Thank you for providing this opportunity to offer testimony regarding House Bill 77, which would amend the subchapter relating to Continued Registration of Sexual Offenders (Title 42, Subchapter I), by adding section 9799.5 to exclude a sexually violent predator from residing within 2,500 feet of a public school, private school, parochial school, or day-care center for the duration for the required period of registration. Subchapter I applies to individuals convicted of a sexually violent offense on or after April 22, 1996 but before December 20, 2012. As provided in section 9799.55 (relating to registration), individuals determined to be a sexually violent predators shall be subject to lifetime registration.

The focus of my brief testimony is the coverage area of the proposed exclusion zones. In 2009, the Commission published a study of mandatory minimum sentences as part of a mandate authorized by HR 12 of 2007. One aspect of the study focused on the impact of a provision related to drug trafficking to minors, for which the Commission prepared a map of a municipality in each county, designating a 1,000-foot buffer from each public, private, or parochial school. The Commission then determined the percentage of the municipality in the school zone coverage area. While the statewide average of the municipalities mapped was 18.7%, the lowest coverage area was in Elk County (city of St. Marys) at 0.5%, and the highest in Wyoming County (Tunkhannock Borough) at 39.4%; coverage in the city and county of Philadelphia was 29.5%, and coverage in the city of Pittsburgh in Allegheny County was 22.8%. These original maps are provided in the attachment to my testimony at the top of each page (blue highlights), with a text box containing information on the coverage area in the municipality.

HB 77 proposes an exclusion area much larger than the drug mandatory school zone. A 1,000-foot buffer zone around a school building covers a little more than one-tenth of a square mile (0.1127 square miles); however, a 2,500-foot buffer zone covers nearly three-quarters of a square mile (0.7043 square miles). While the Commission was not able to recalculate the coverage area of each municipality based on 2,500 feet, staff were able to update the buffer zones to reflect the larger exclusion zones. These maps are found at the bottom of each page of the attachment (red highlights). Neither sets of maps include day-care centers, and the identification and location of school buildings are based on data



obtained from the Pennsylvania Department of Education in 2009, so these maps may be viewed as an under-estimate of the exclusion areas.

To provide a more tangible example of a school zone, the HR 12 report measured 1,000 feet from Harrisburg Catholic Elementary School, located on the 200 block of North Street directly behind St. Patrick's Cathedral. The school zone extended past the back of the Main Capitol Building at one end and well into the Susquehanna River at the other end. As illustrated in the Harrisburg map provided, a 2,500-foot housing exclusion zone would cover most of the city of Harrisburg.

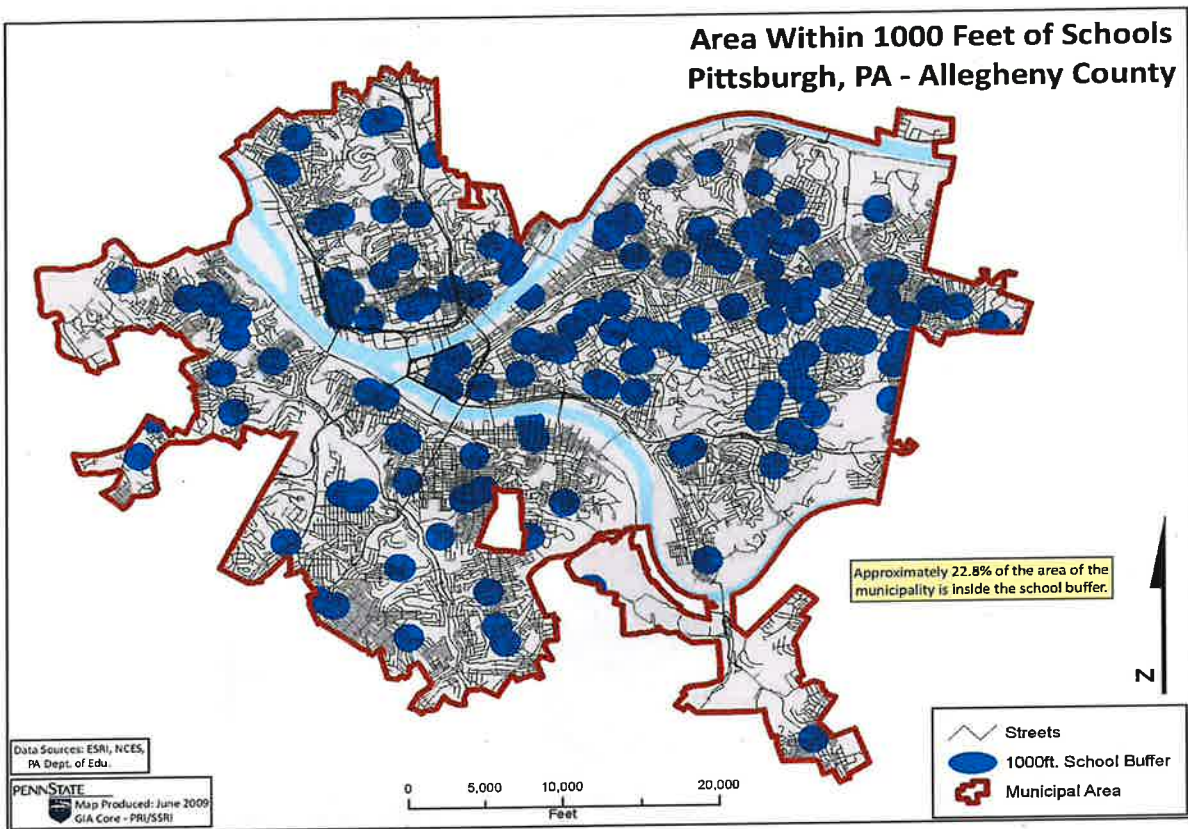
According to the Pennsylvania State Police Megan's Law Public Report, there are currently 1,789 pre-SORNA SVP active offenders (09-10-2023). Each sexually violent predator has a duty to register with the Pennsylvania State Police and provide verification of residence. For transients, this includes information on the location of a temporary habitat or other temporary place of abode or dwelling, including a homeless shelter or park, where the individual is lodged, as well as information on places the individual eats, frequents, and engaged in leisure activities, and places the where the individual receives mail (42 Pa.C.S. §9799.57).

One concern about creating large exclusion zones, especially in urban settings, is an increase in the number of transient sexually violent predators. Jurisdictions that have enacted housing exclusion zones for sex offenders have experienced difficulties in supervising and enforcing conditions for those on probation or parole, and in managing the registration, community notification, and access to information about these individuals.

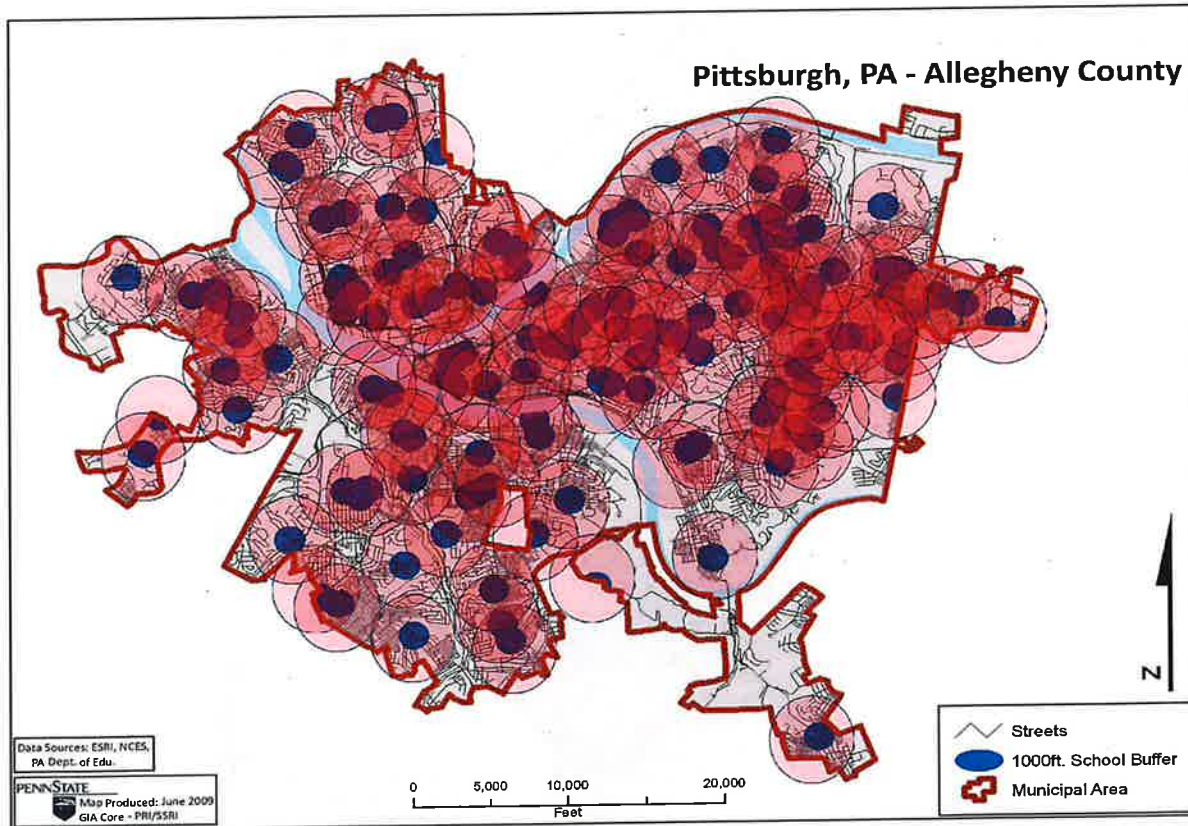
Thank you again for providing this opportunity to testify.

Attachment

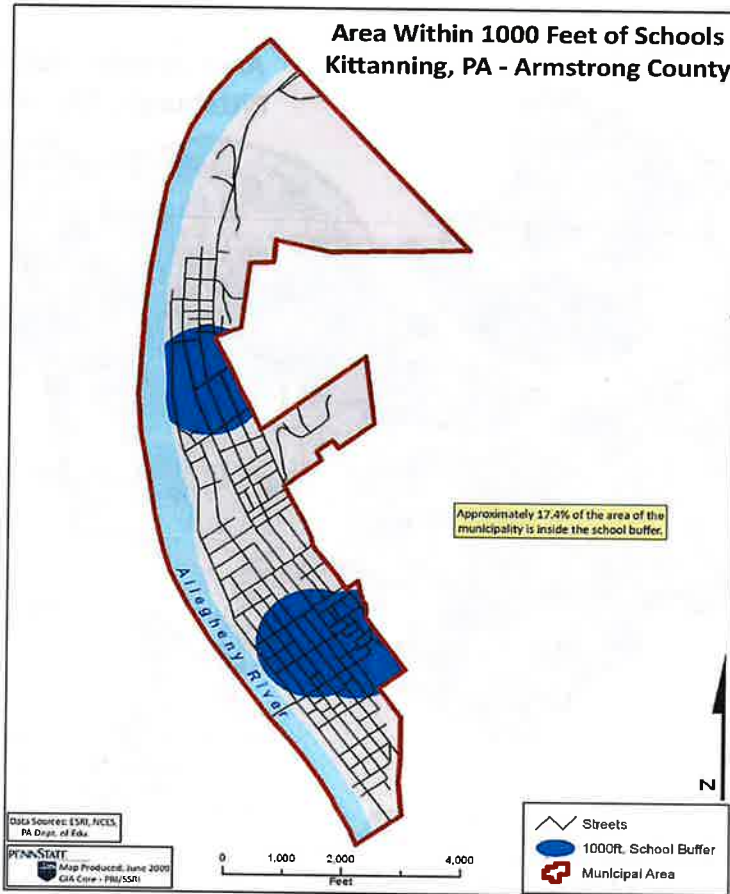
(Maps of selected Pennsylvania municipalities with shading of 1,000-foot and 2,500-foot school zones)



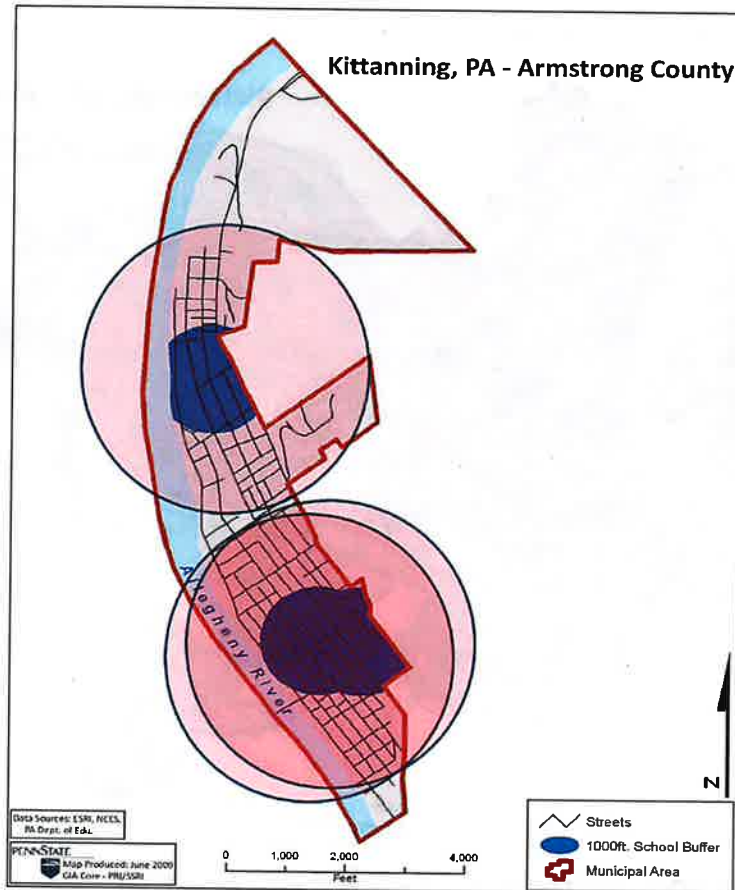
Area Within 1,000 Feet of Schools



Area Within 2,500 Feet of Schools

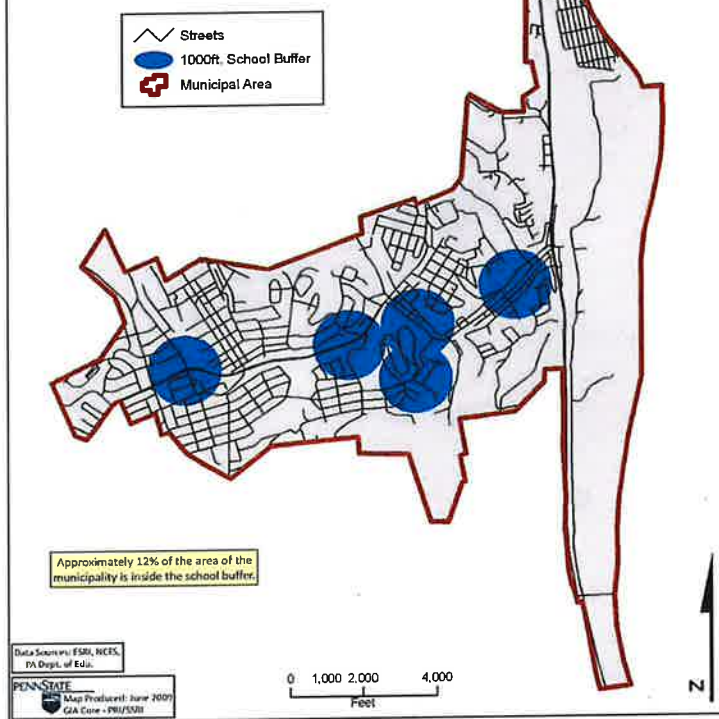


Area Within 1,000 Feet of Schools



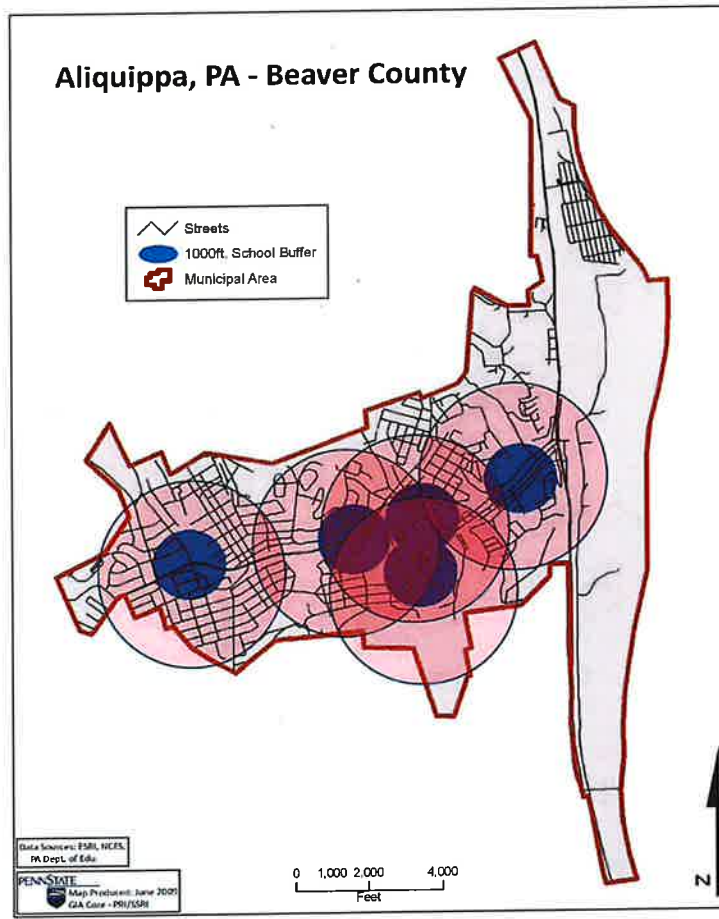
Area Within 2,500 Feet of Schools

Area Within 1000 Feet of Schools Aliquippa, PA - Beaver County



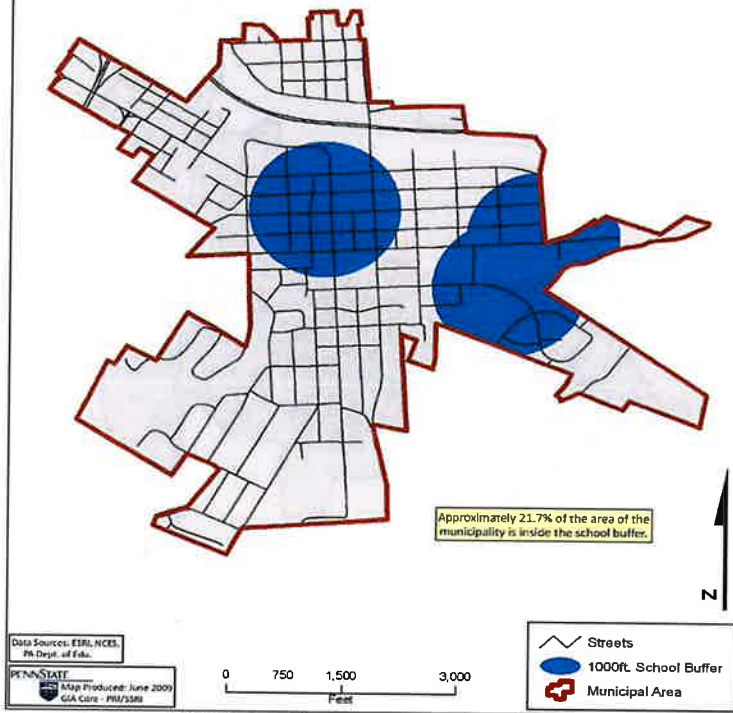
Area Within 1,000 Feet of Schools

Aliquippa, PA - Beaver County



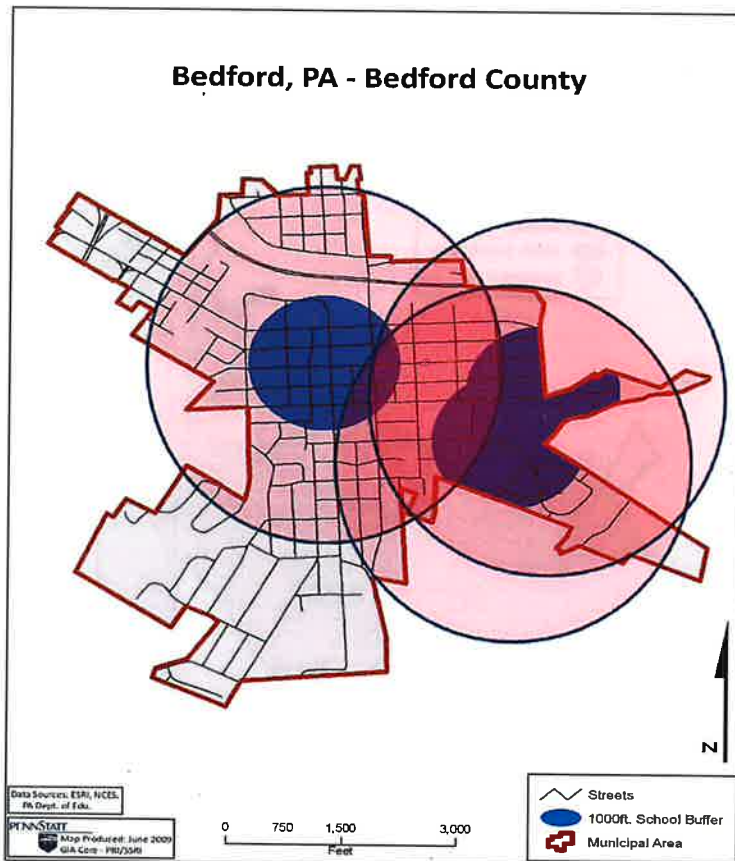
Area Within 2,500 Feet of Schools

Area Within 1000 Feet of Schools Bedford, PA - Bedford County

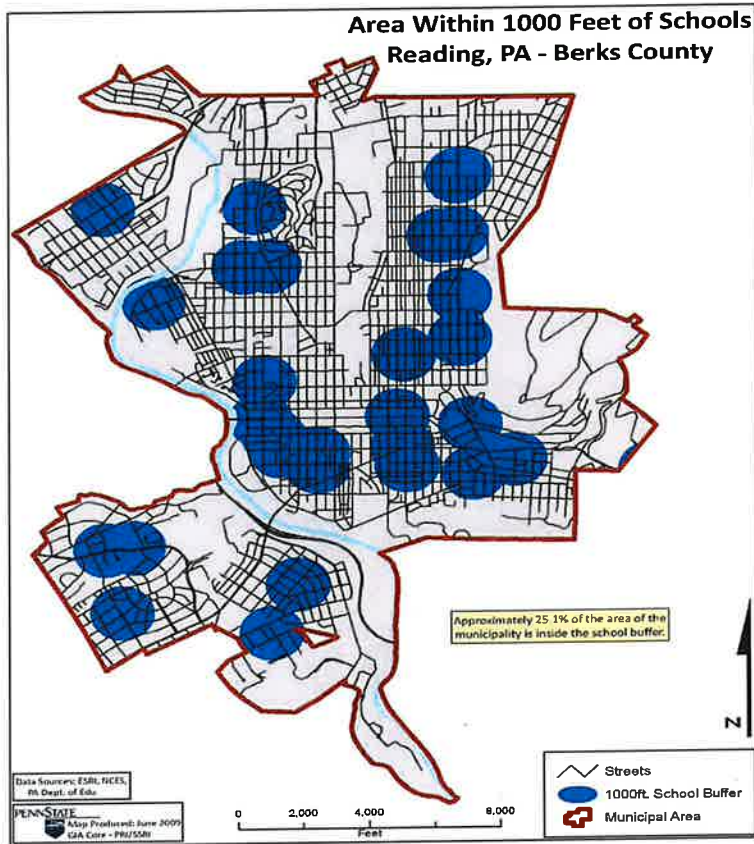


Area Within 1,000 Feet of Schools

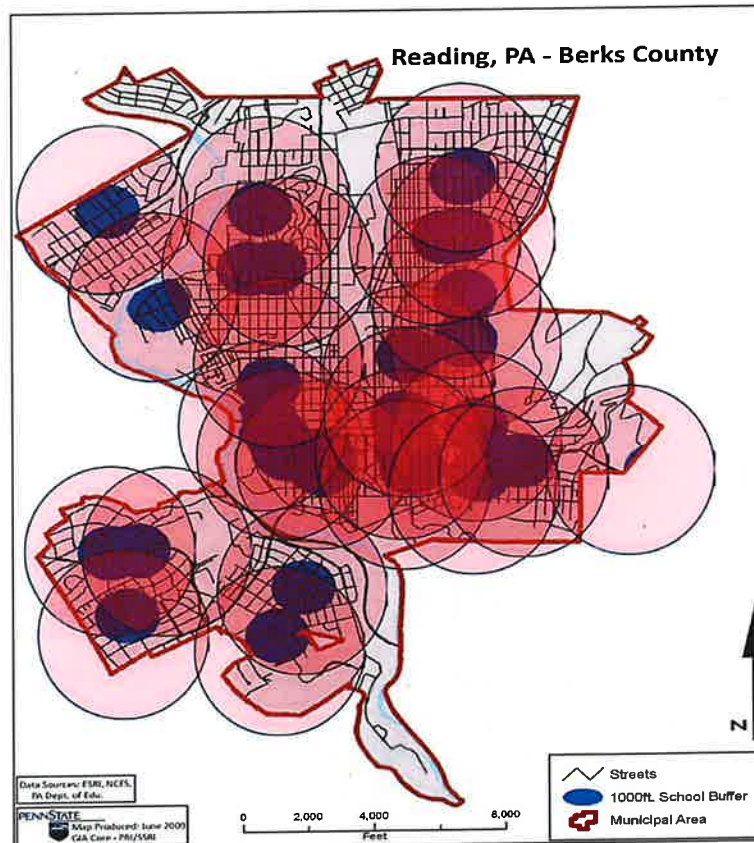
Bedford, PA - Bedford County



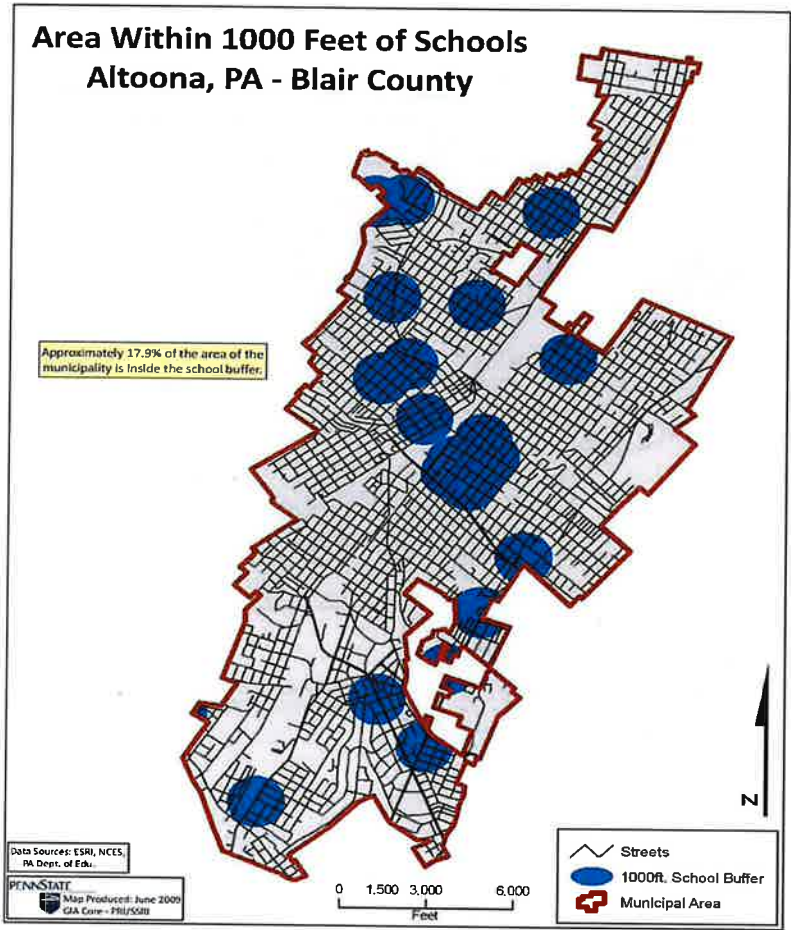
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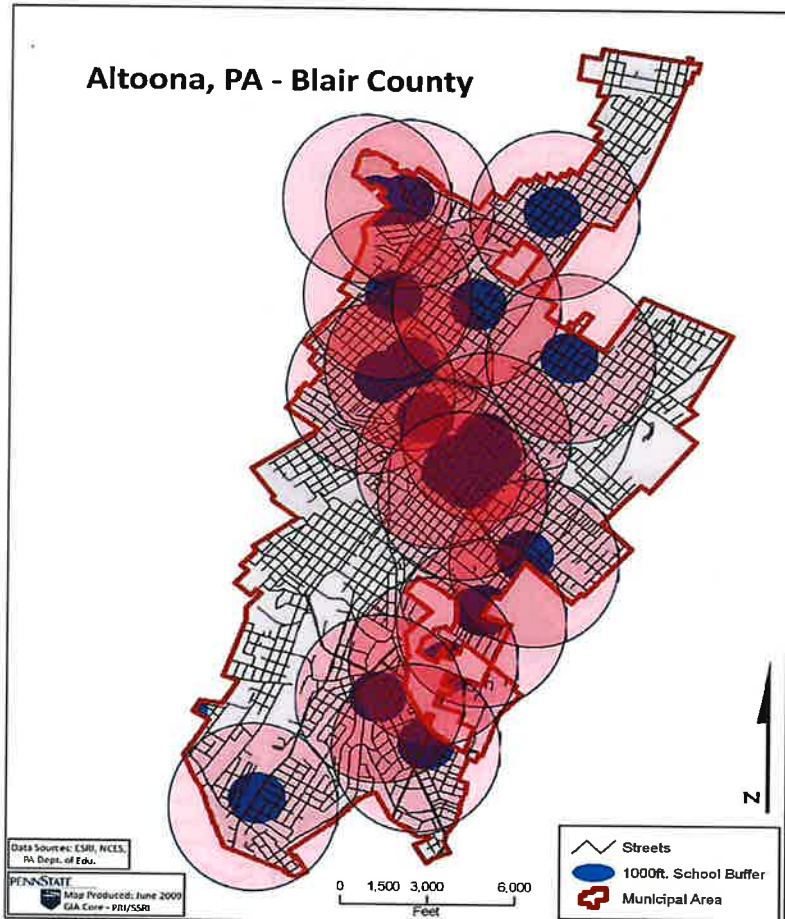
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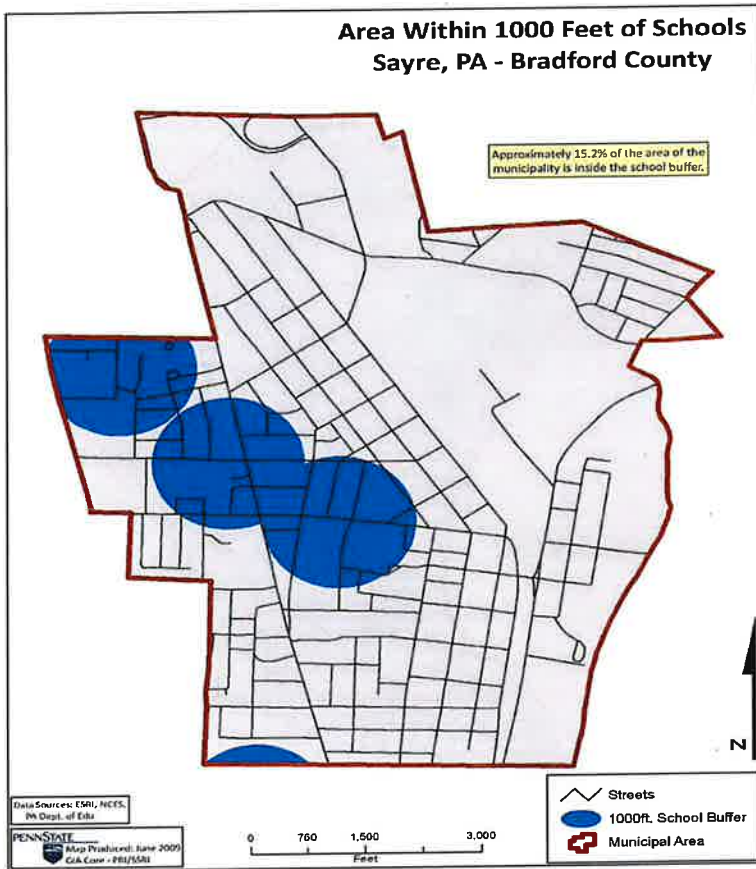
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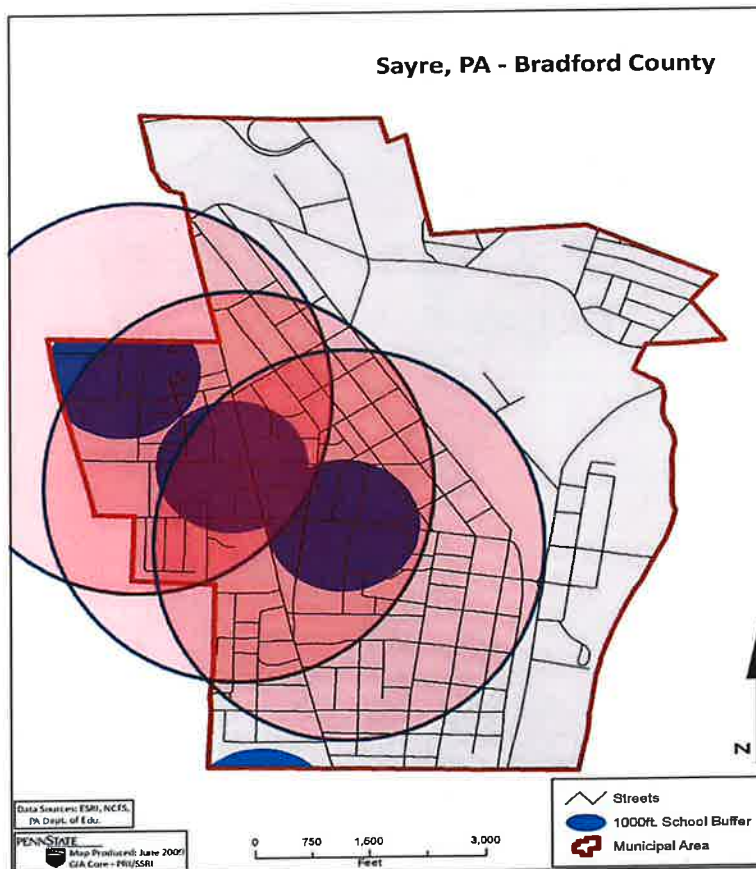
Area Within 1,000 Feet of Schools



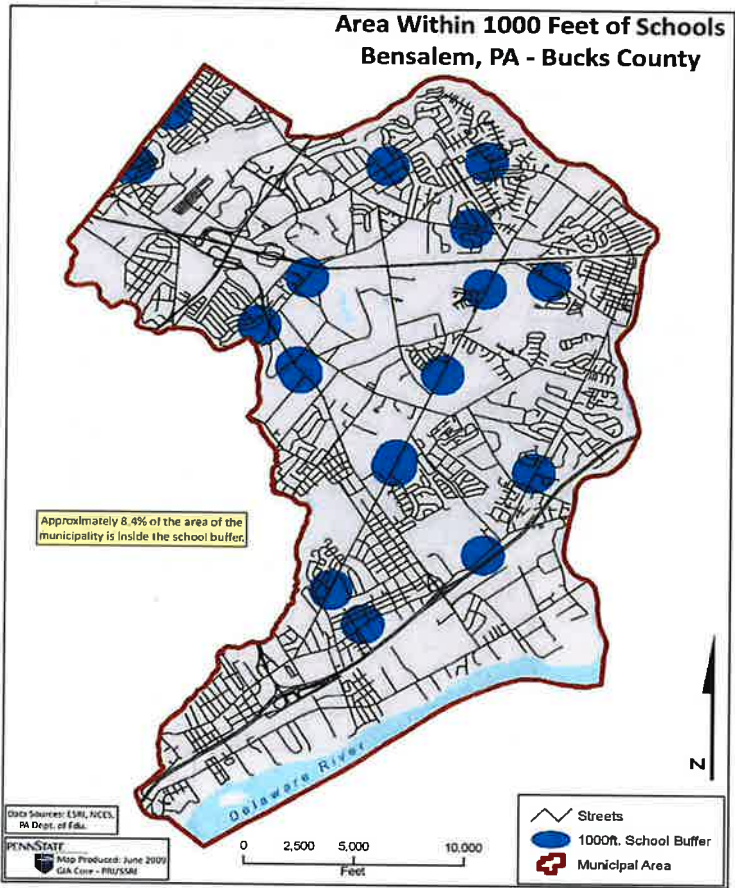
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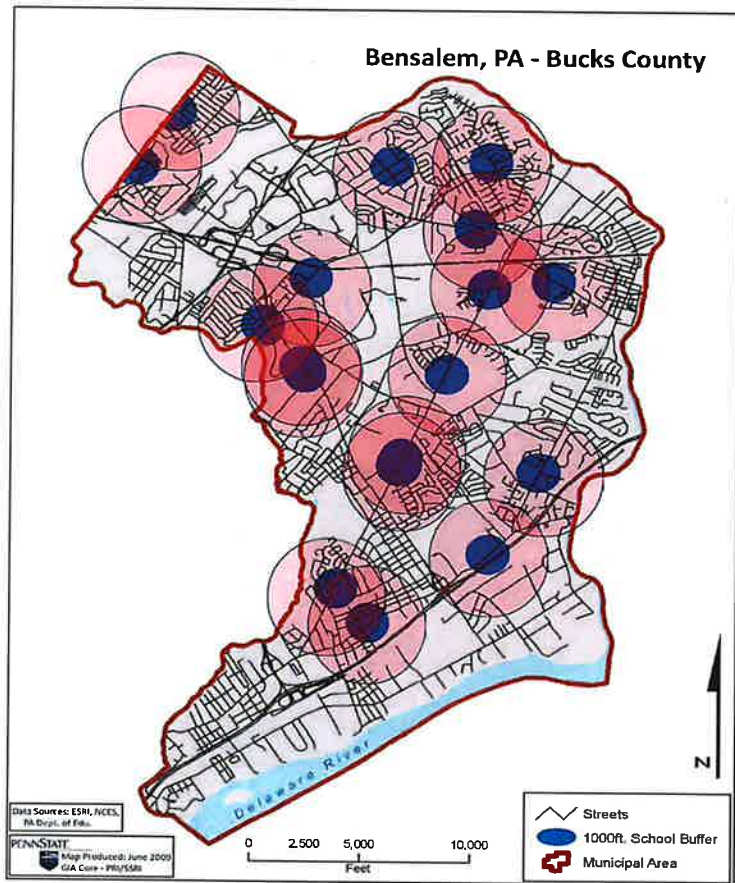
Area Within 1,000 Feet of Schools



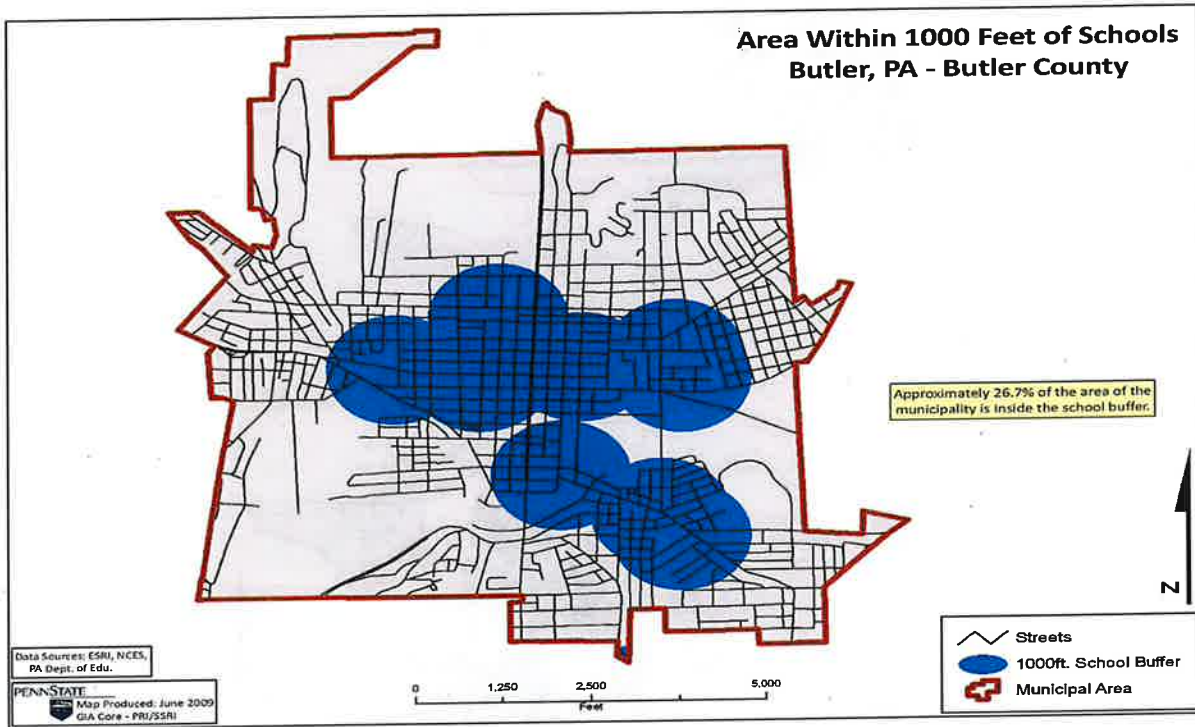
Area Within 2,500 Feet of Schools



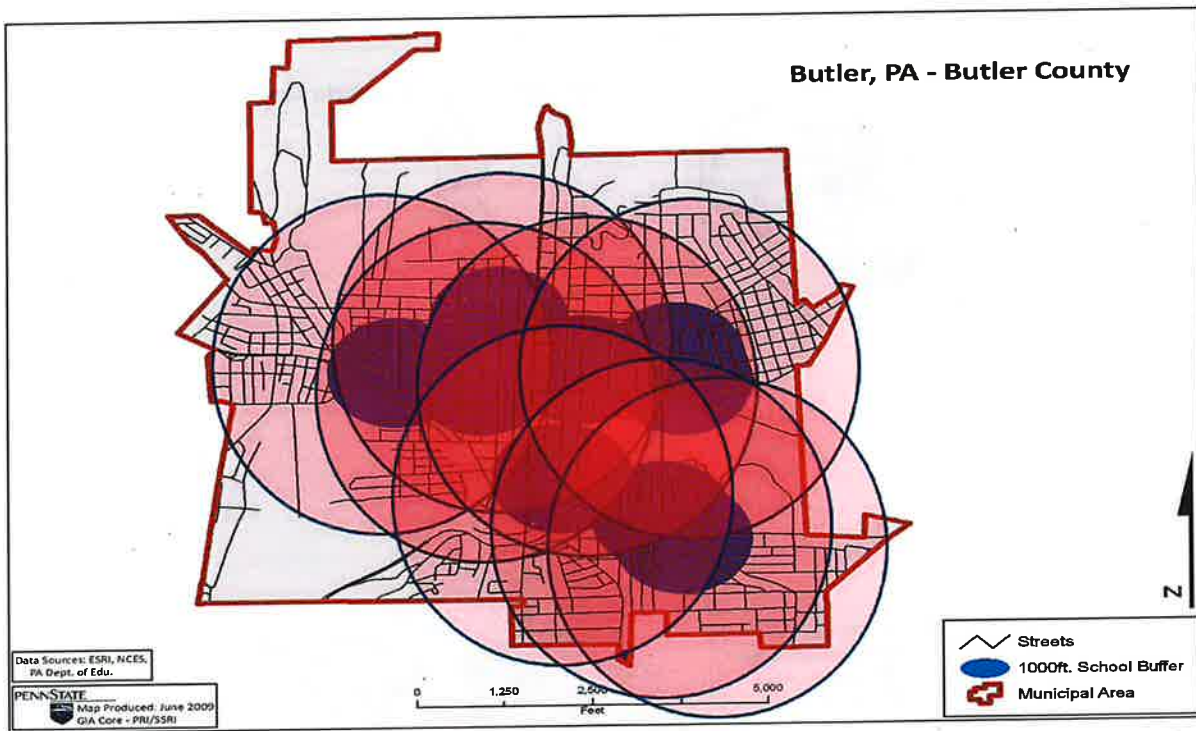
Area Within 1,000 Feet of Schools



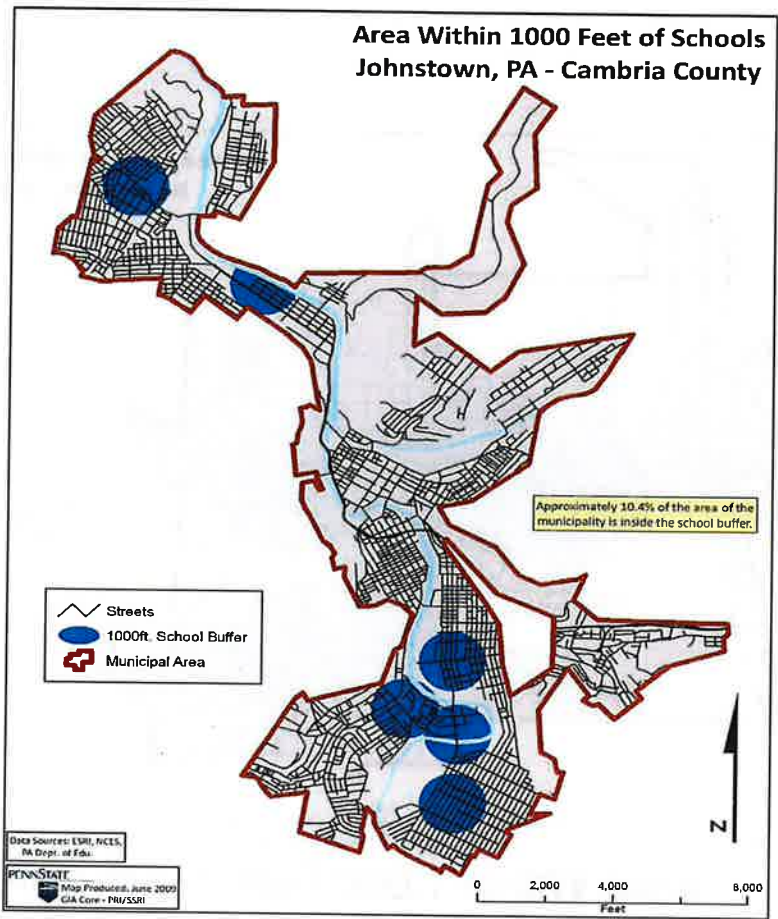
Area Within 2,500 Feet of Schools



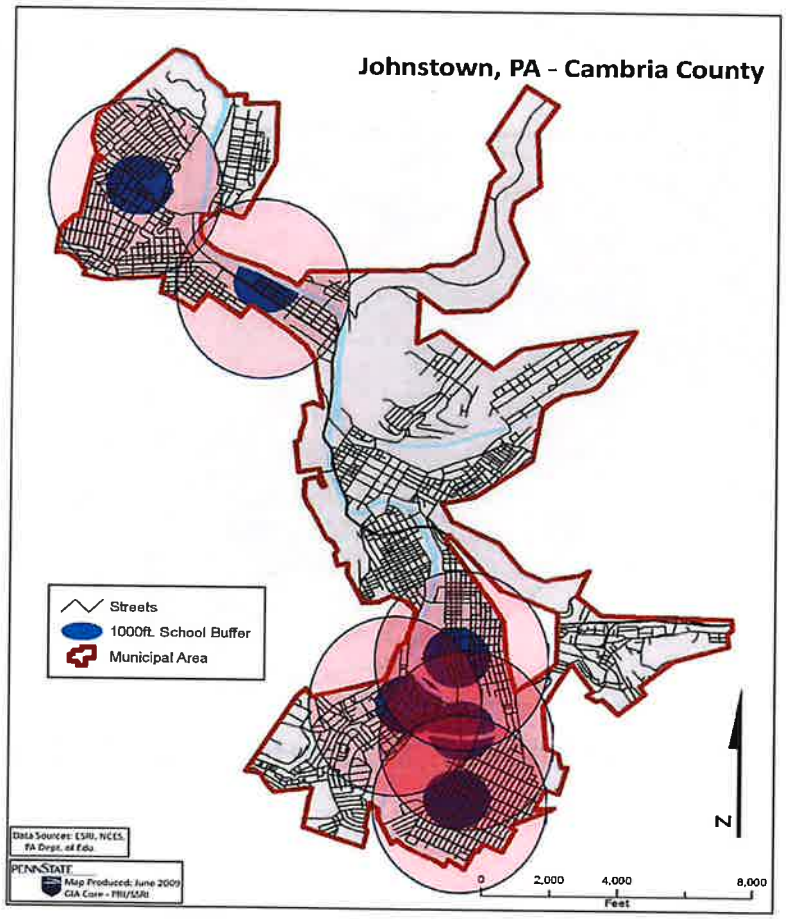
Area Within 1,000 Feet of Schools



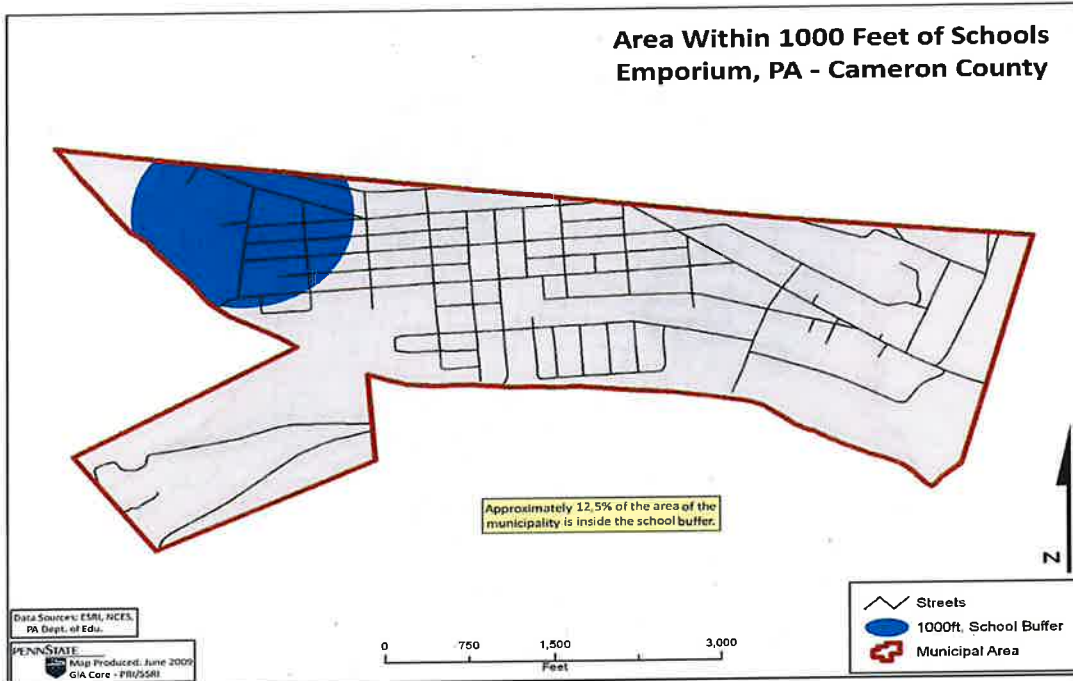
Area Within 2,500 Feet of Schools



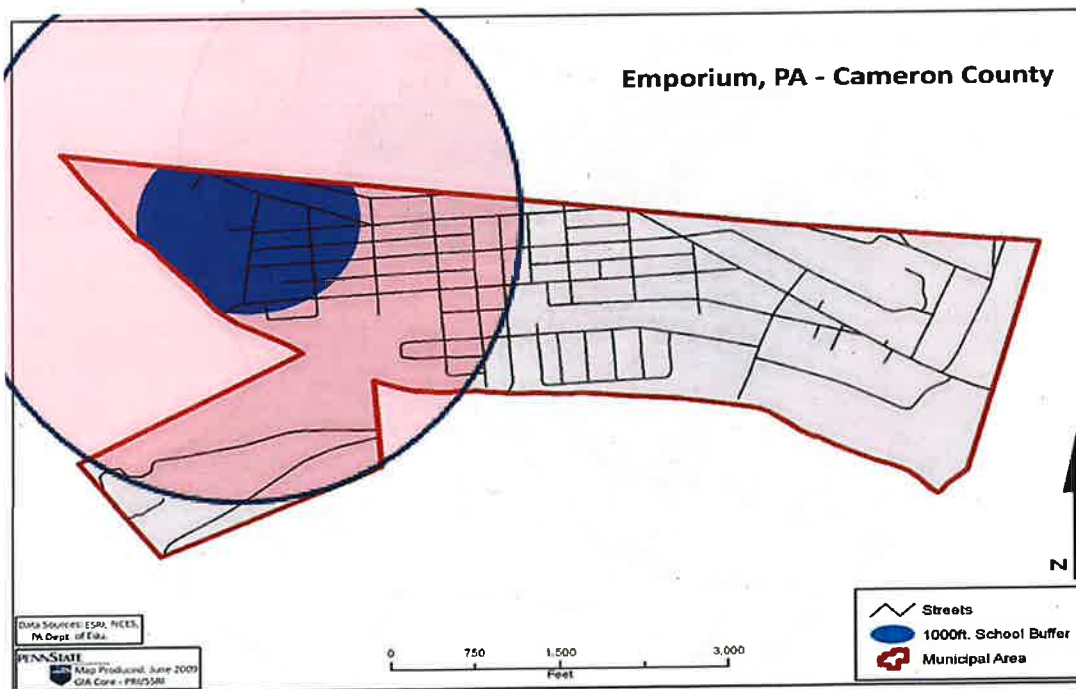
Area Within 1,000 Feet of Schools



Area Within 2,500 Feet of Schools

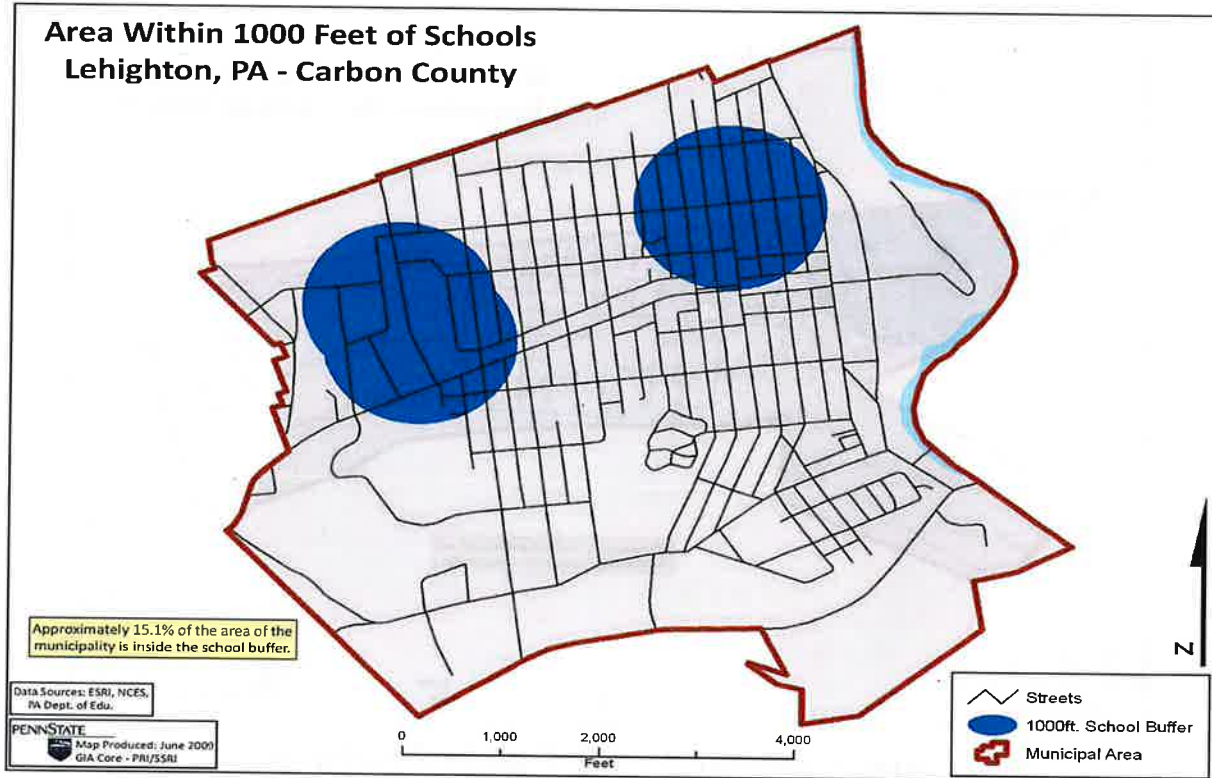


Area Within 1,000 Feet of Schools



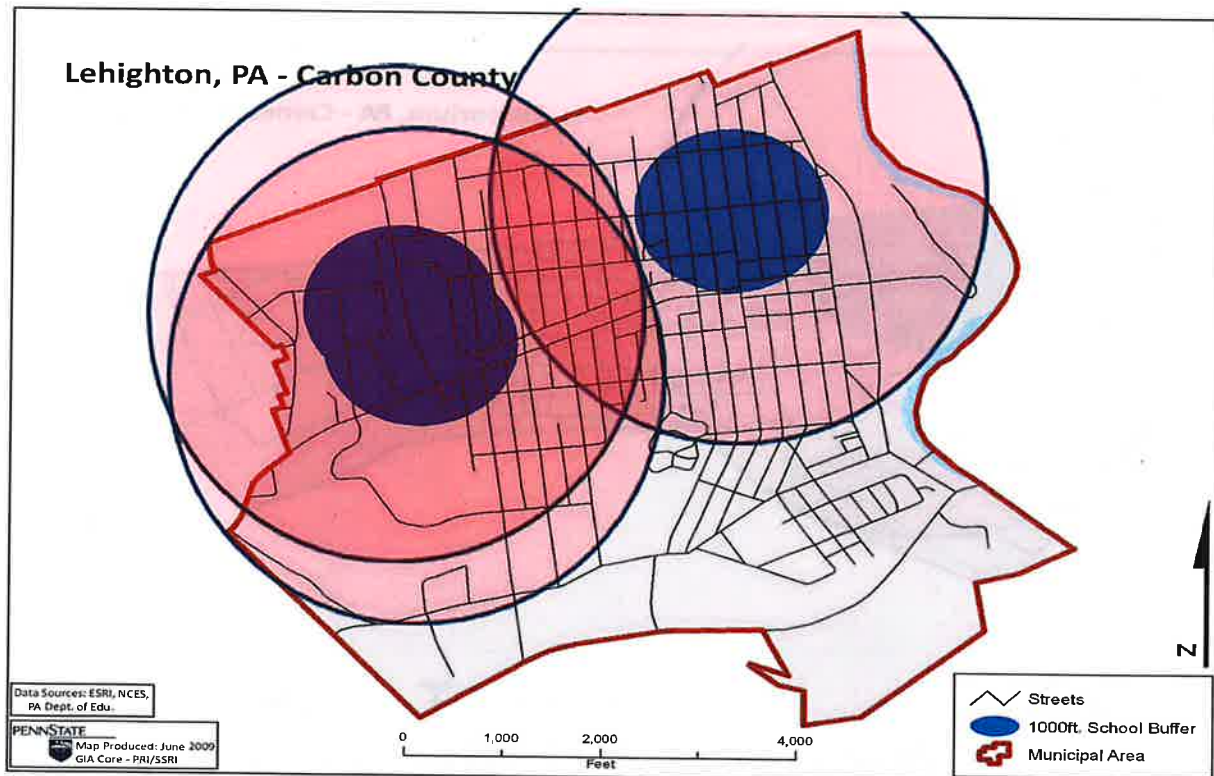
Area Within 2,500 Feet of Schools

Area Within 1000 Feet of Schools Lehighton, PA - Carbon County

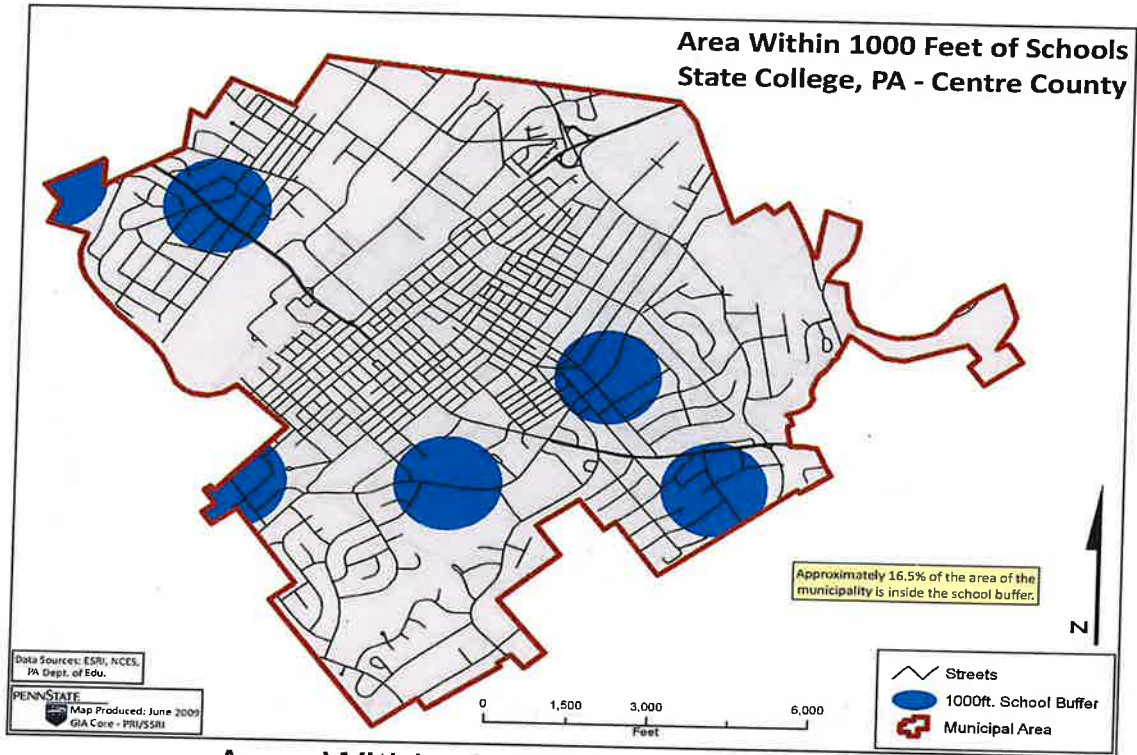


Area Within 1,000 Feet of Schools

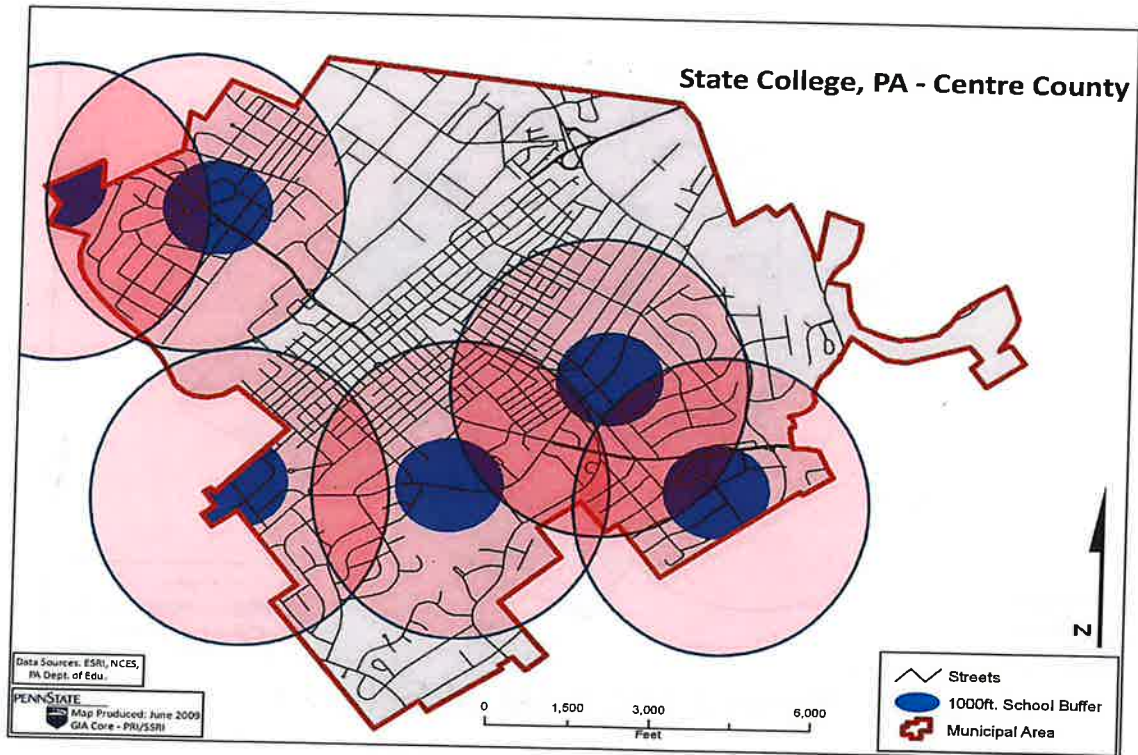
Lehighton, PA - Carbon County



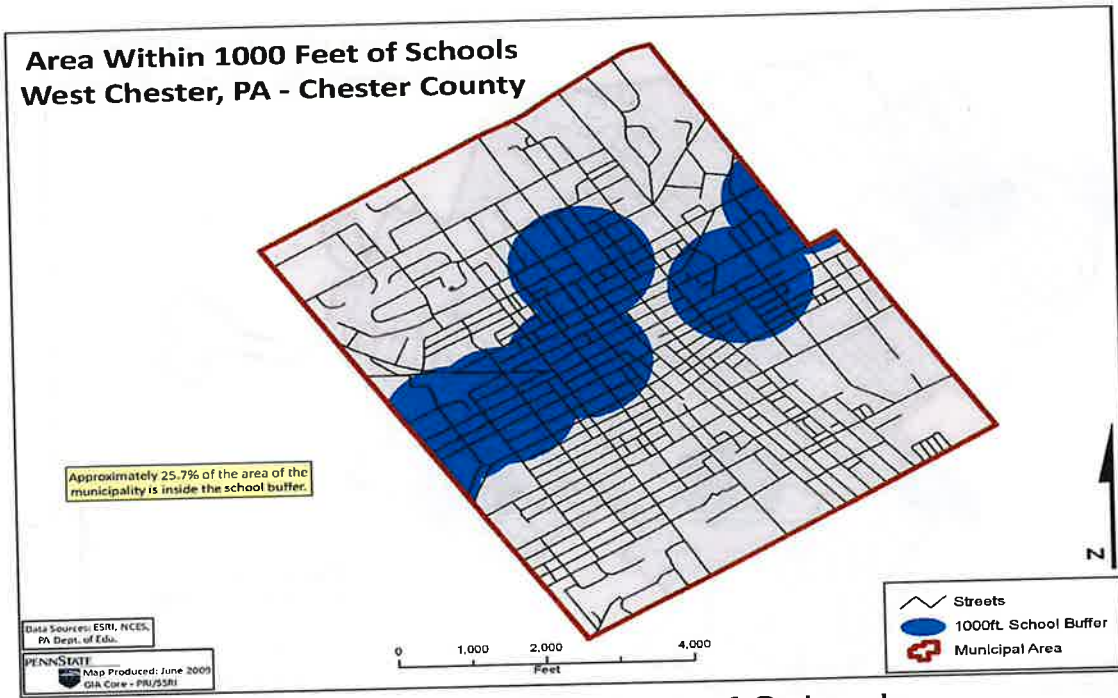
Area Within 2,500 Feet of Schools



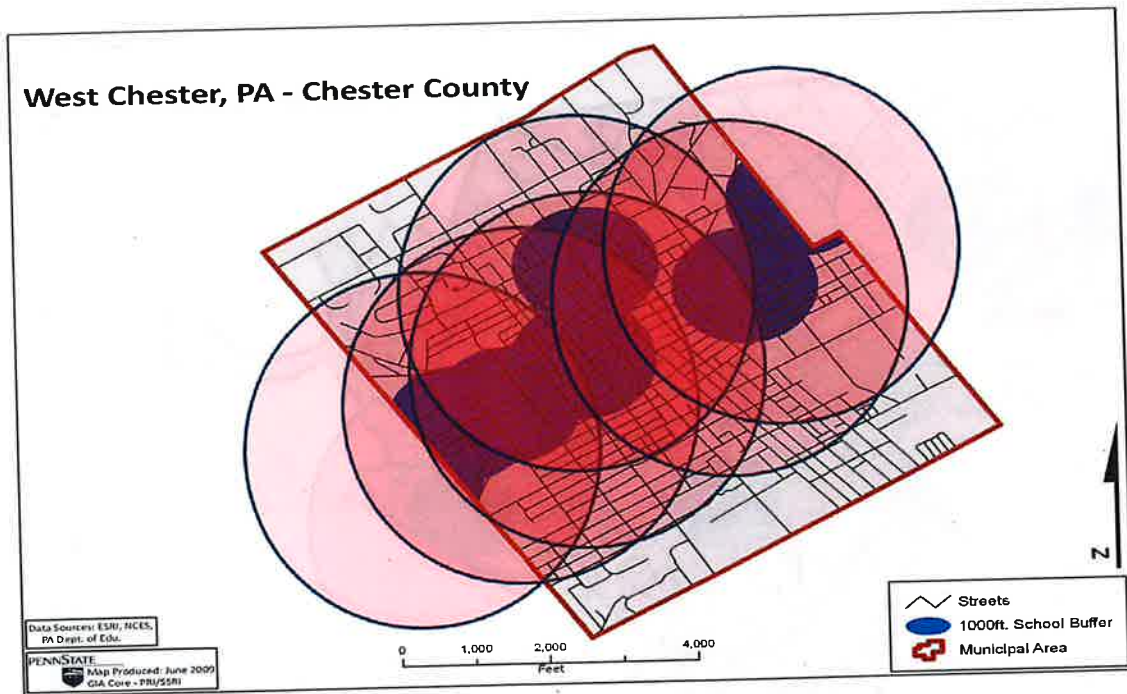
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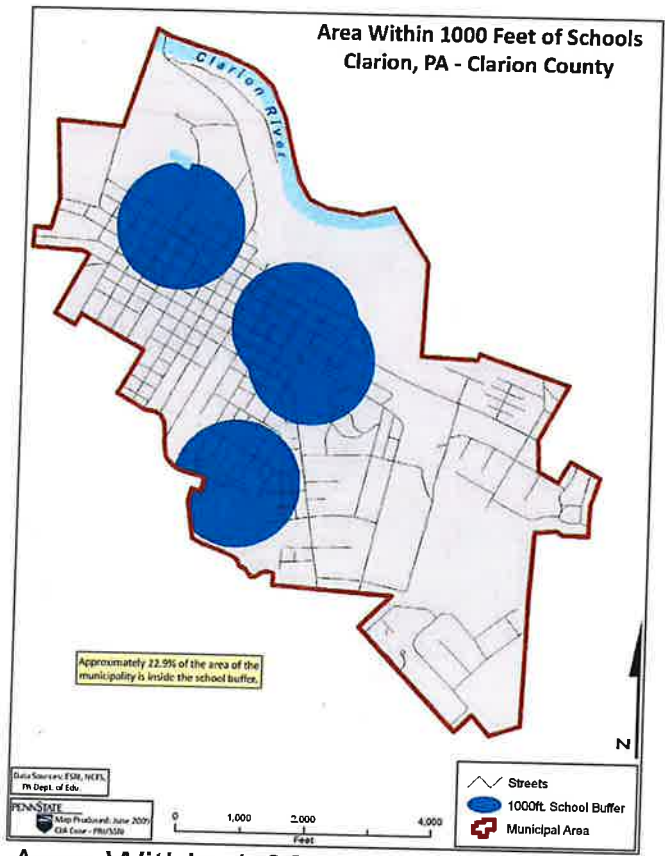
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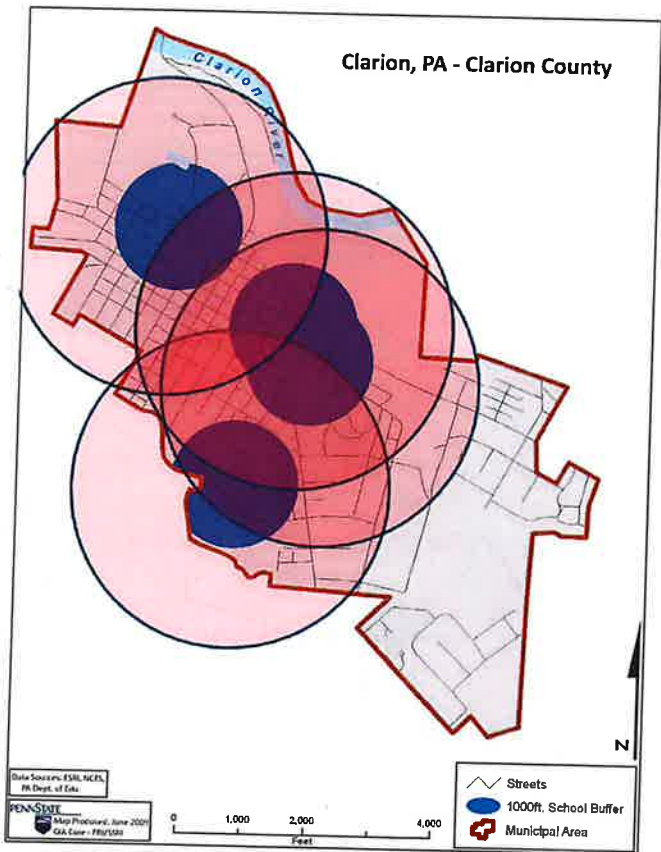
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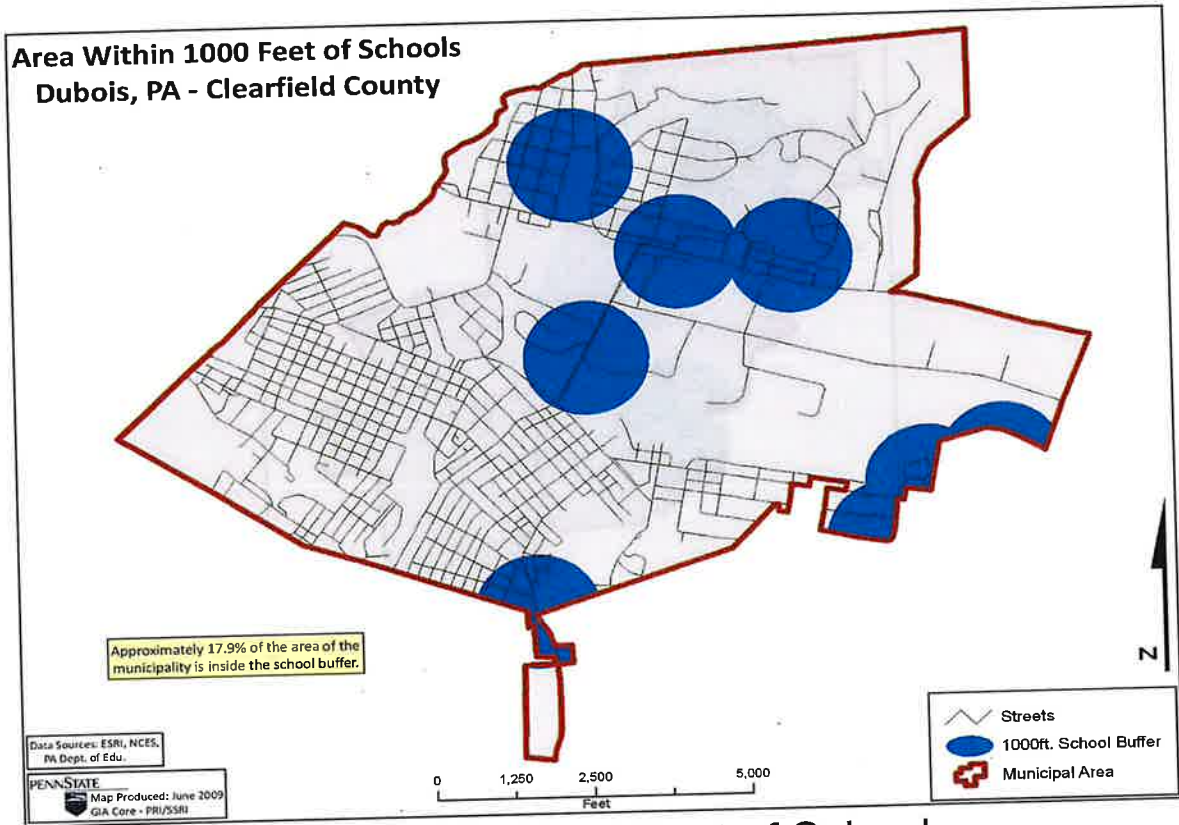
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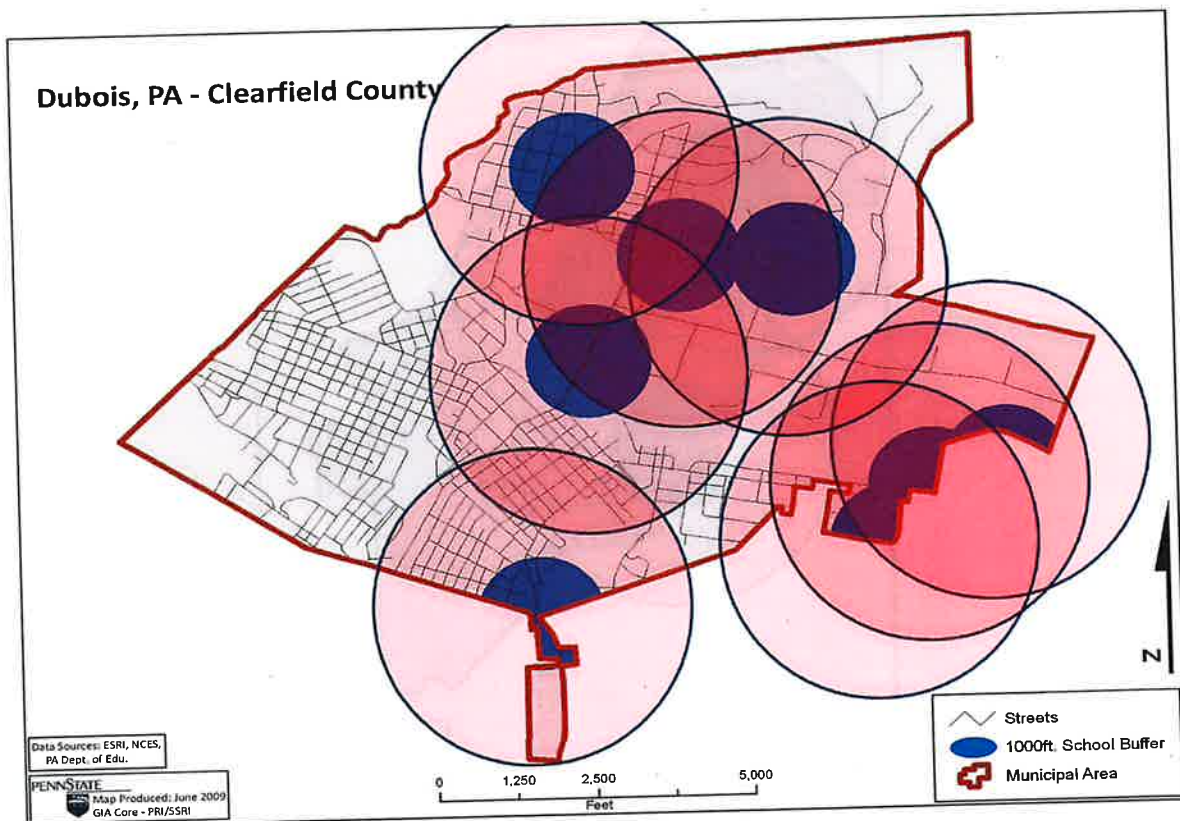
Area Within 1,000 Feet of Schools



Area Within 2,500 Feet of Schools

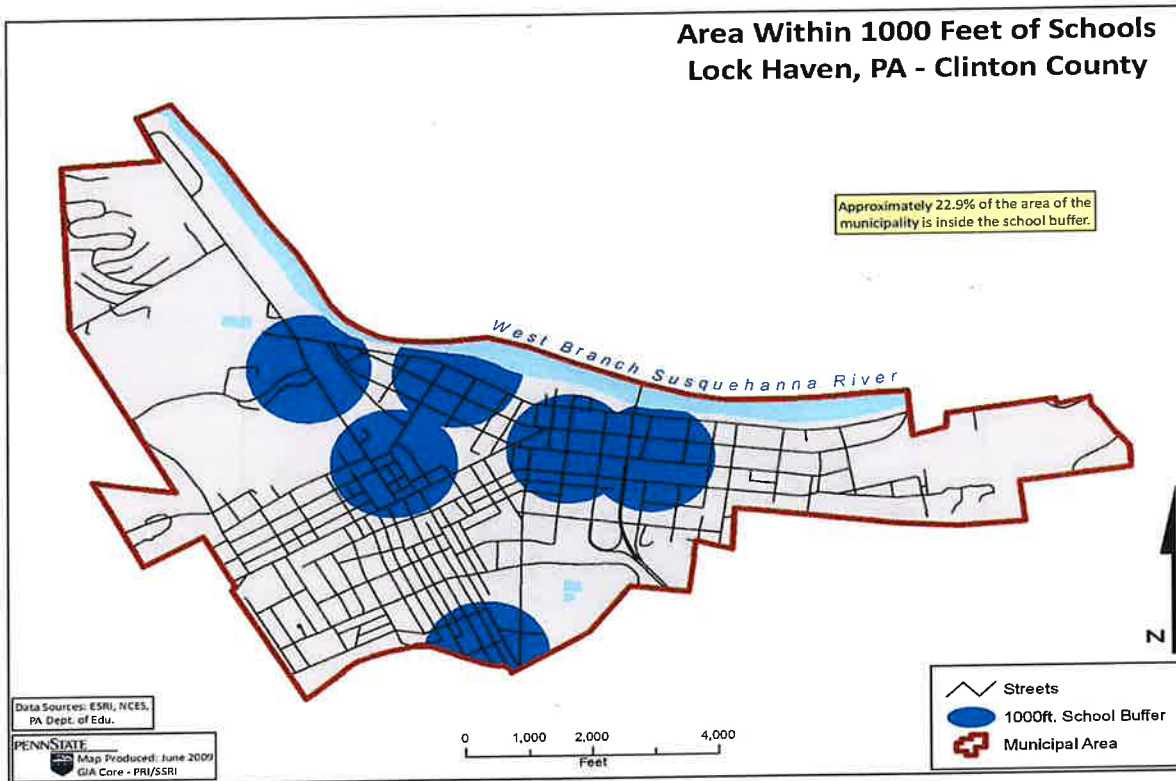


Area Within 1,000 Feet of Schools



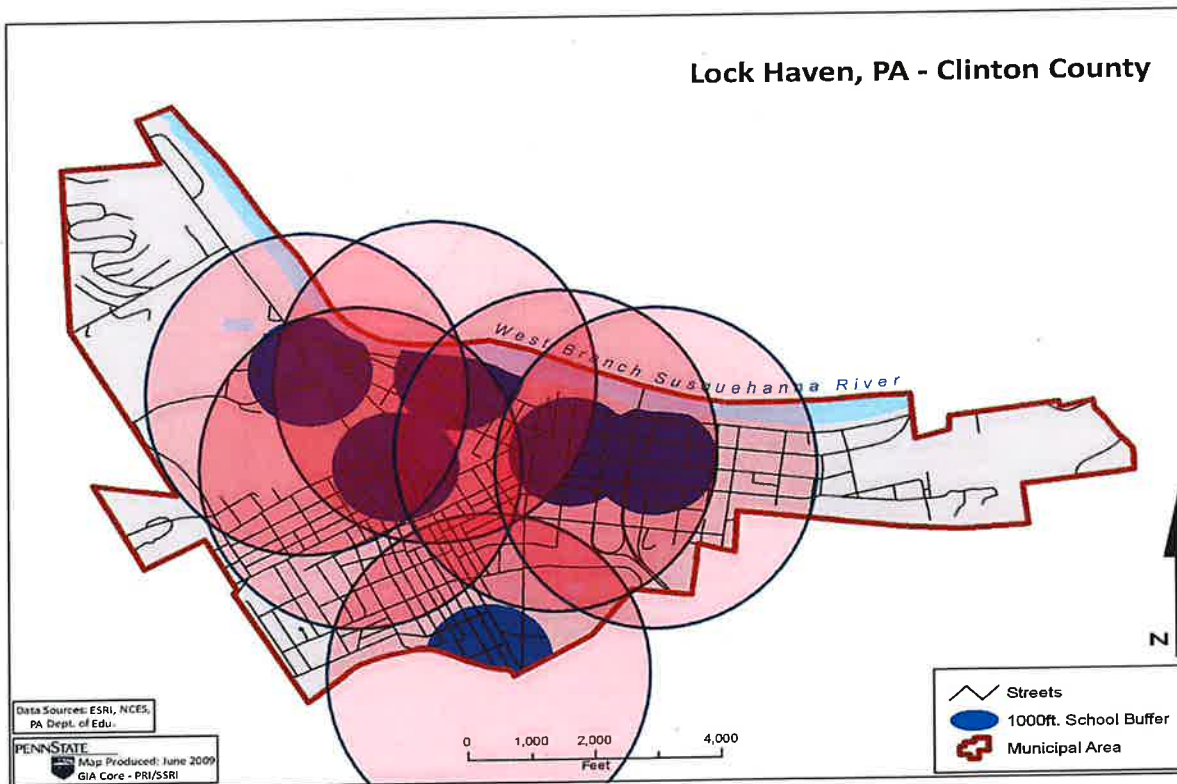
Area Within 2,500 Feet of Schools

Area Within 1000 Feet of Schools Lock Haven, PA - Clinton County

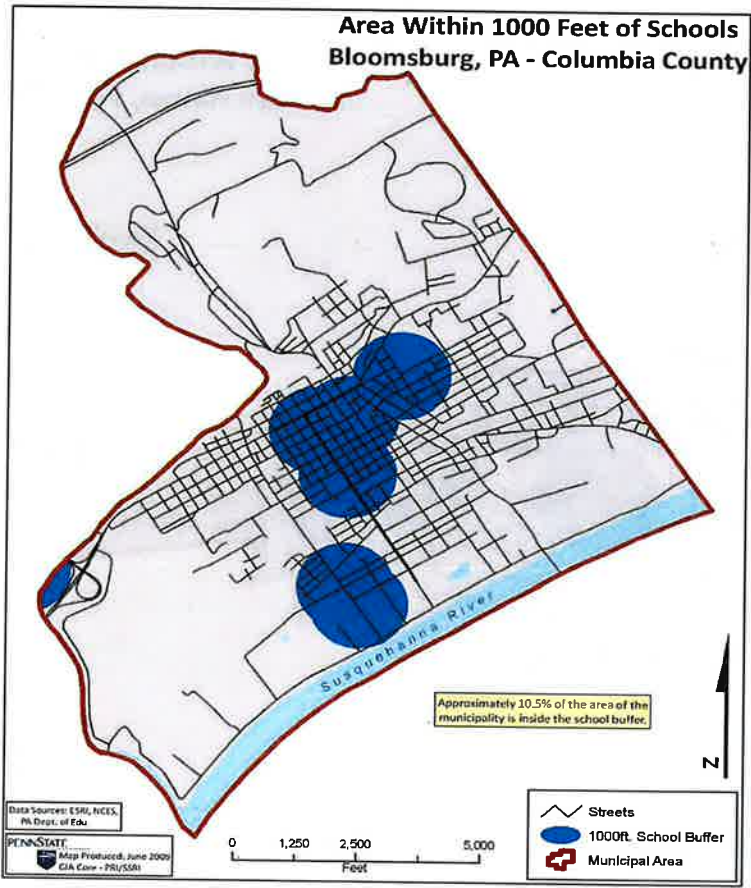


Area Within 1,000 Feet of Schools

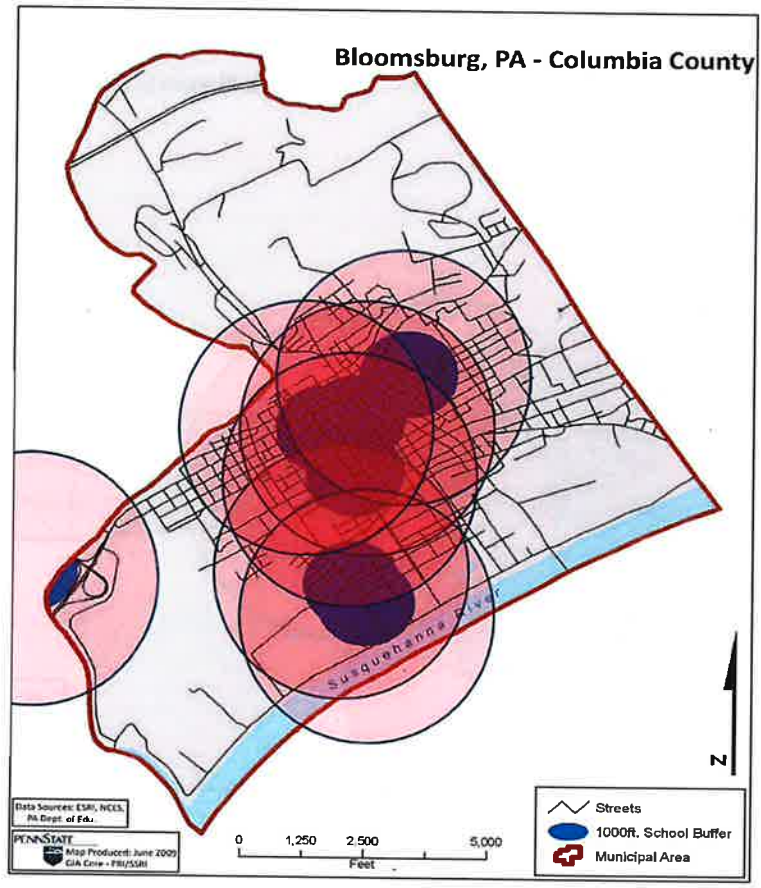
Lock Haven, PA - Clinton County



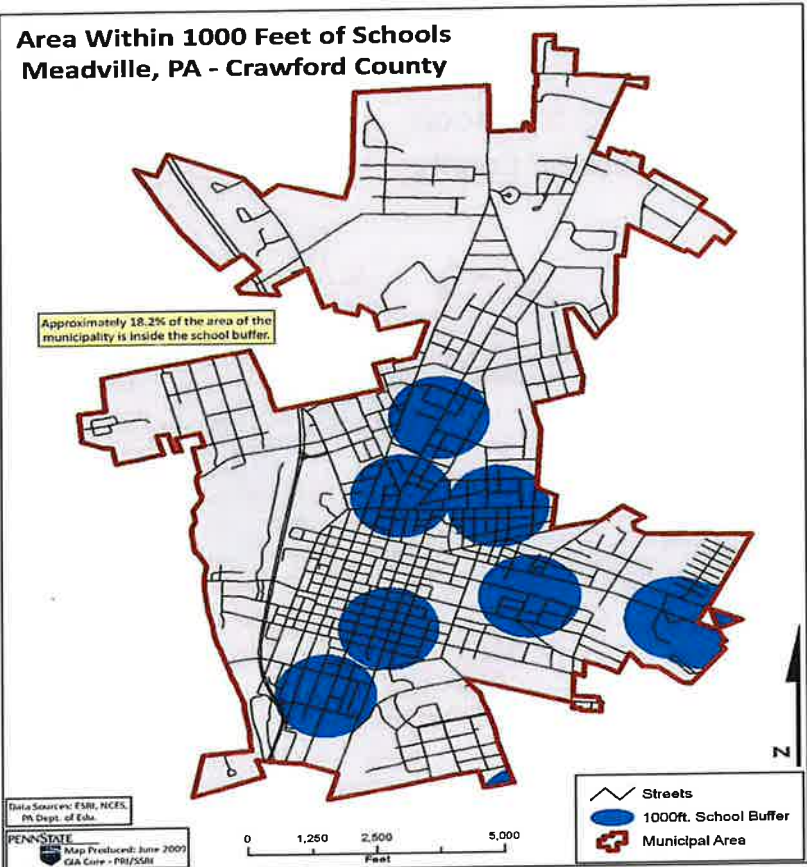
Area Within 2,500 Feet of Schools



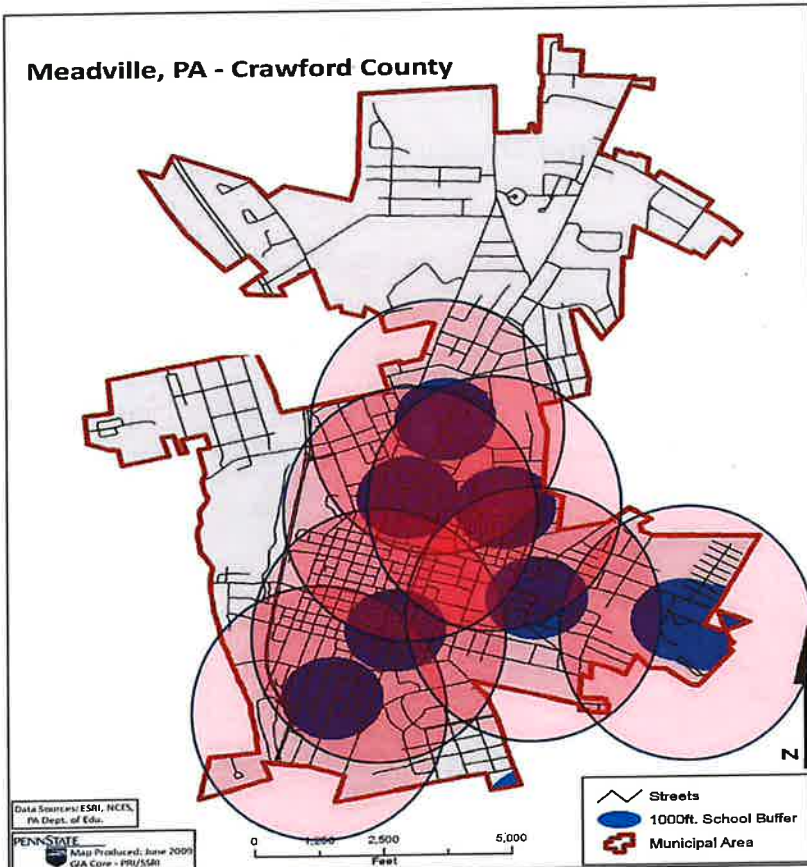
Area Within 1,000 Feet of Schools



Area Within 2,500 Feet of Schools

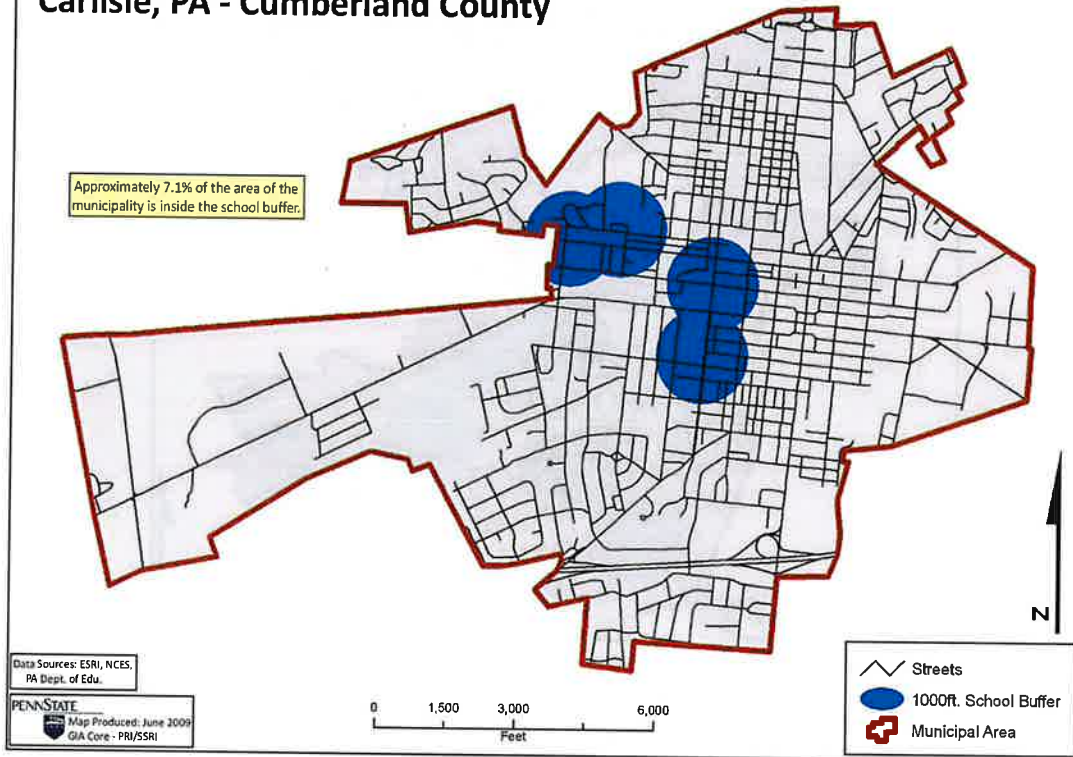


Area Within 1,000 Feet of Schools



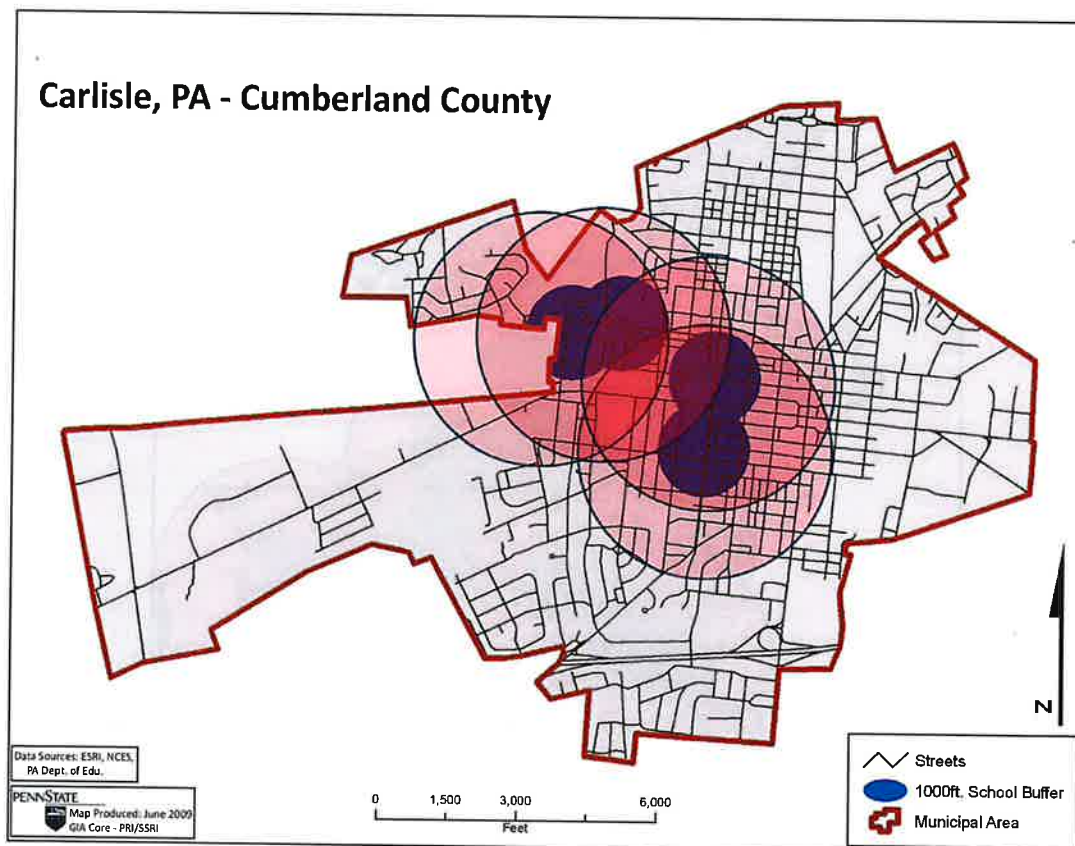
Area Within 2,500 Feet of Schools

Area Within 1000 Feet of Schools Carlisle, PA - Cumberland County

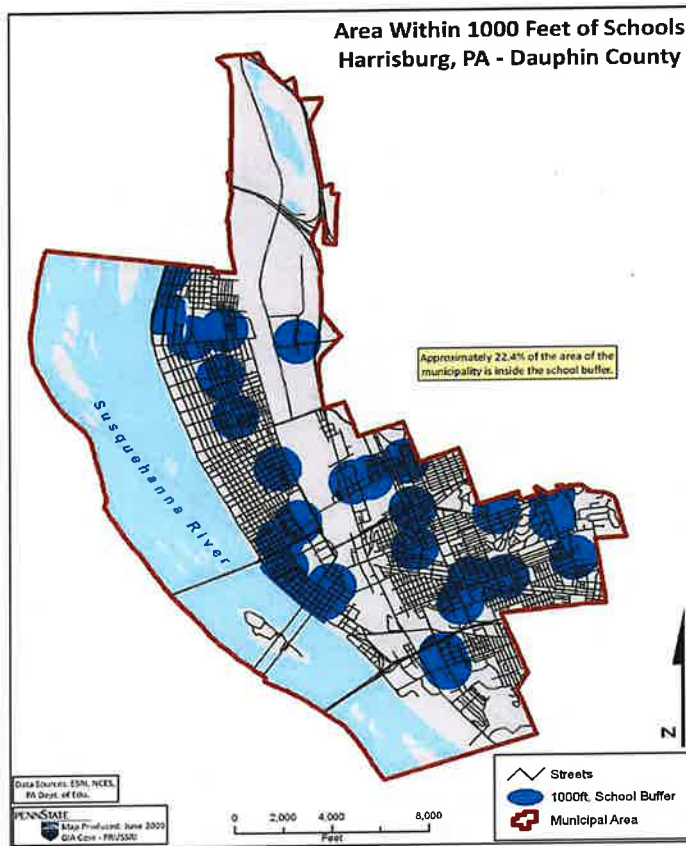


Area Within 1,000 Feet of Schools

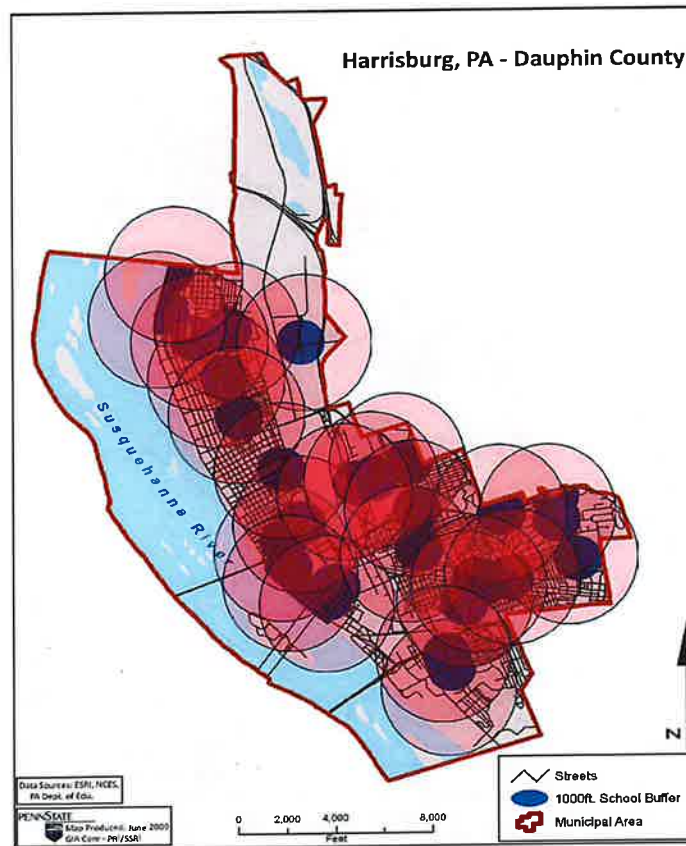
Carlisle, PA - Cumberland County



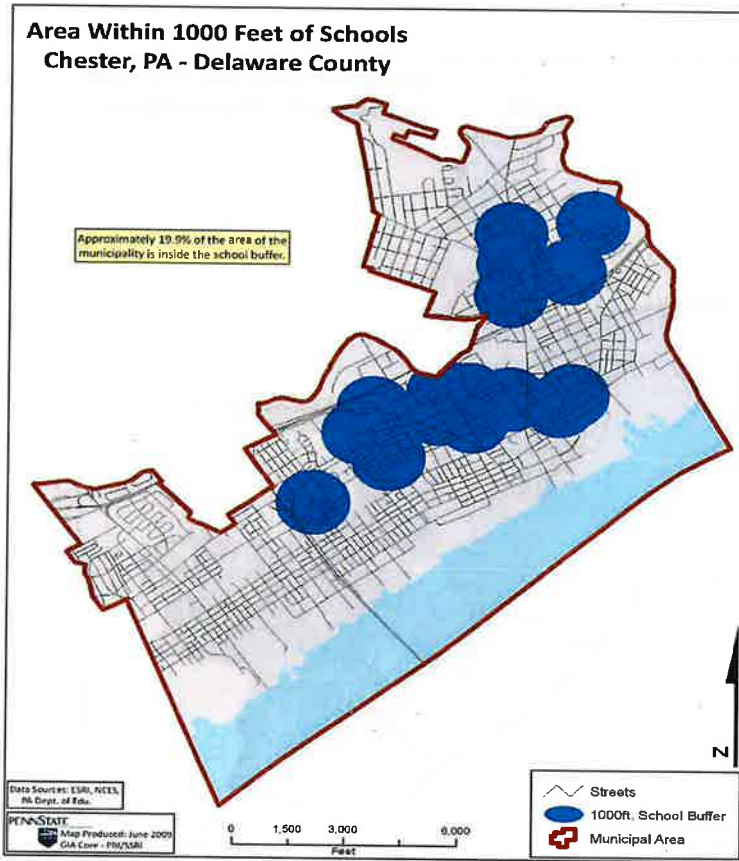
Area Within 2,500 Feet of Schools



Area Within 1,000 Feet of Schools



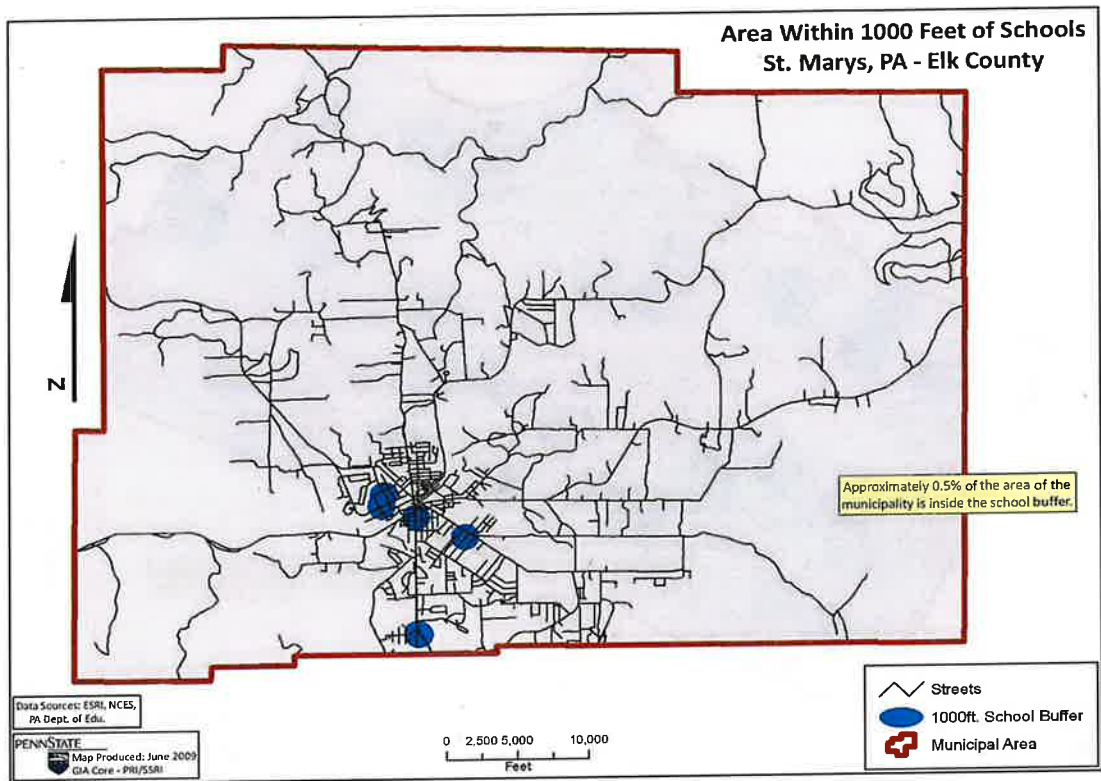
Area Within 2,500 Feet of Schools



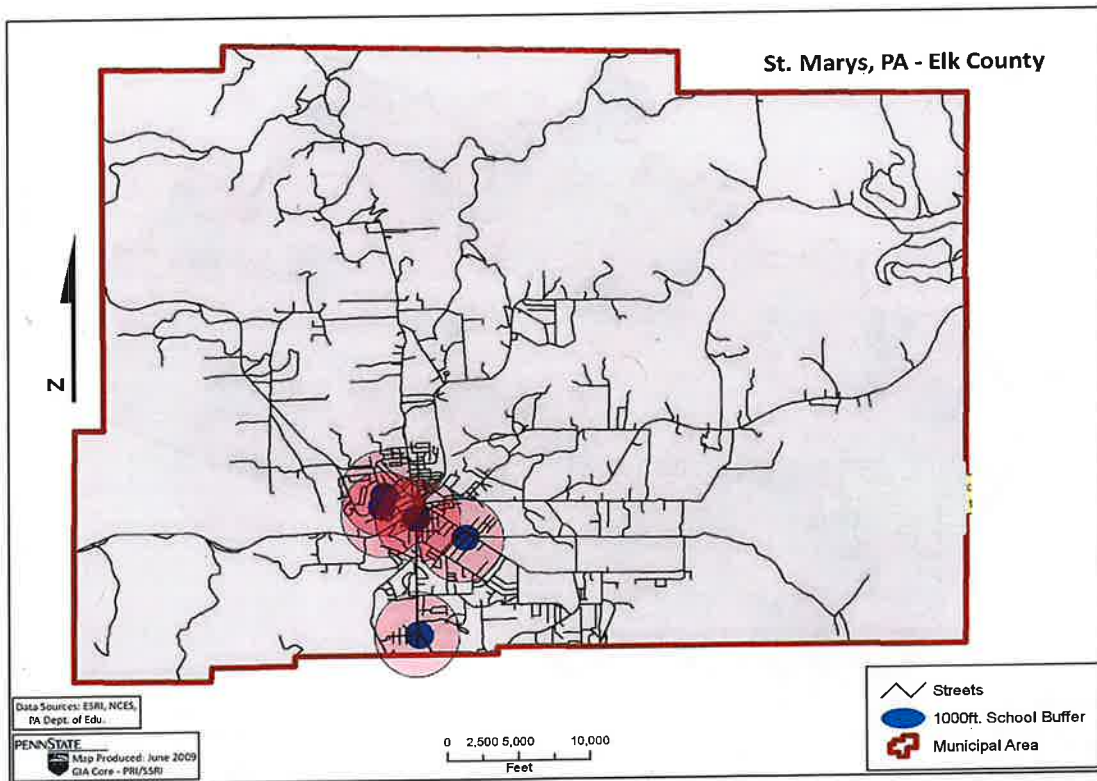
Area Within 1,000 Feet of Schools



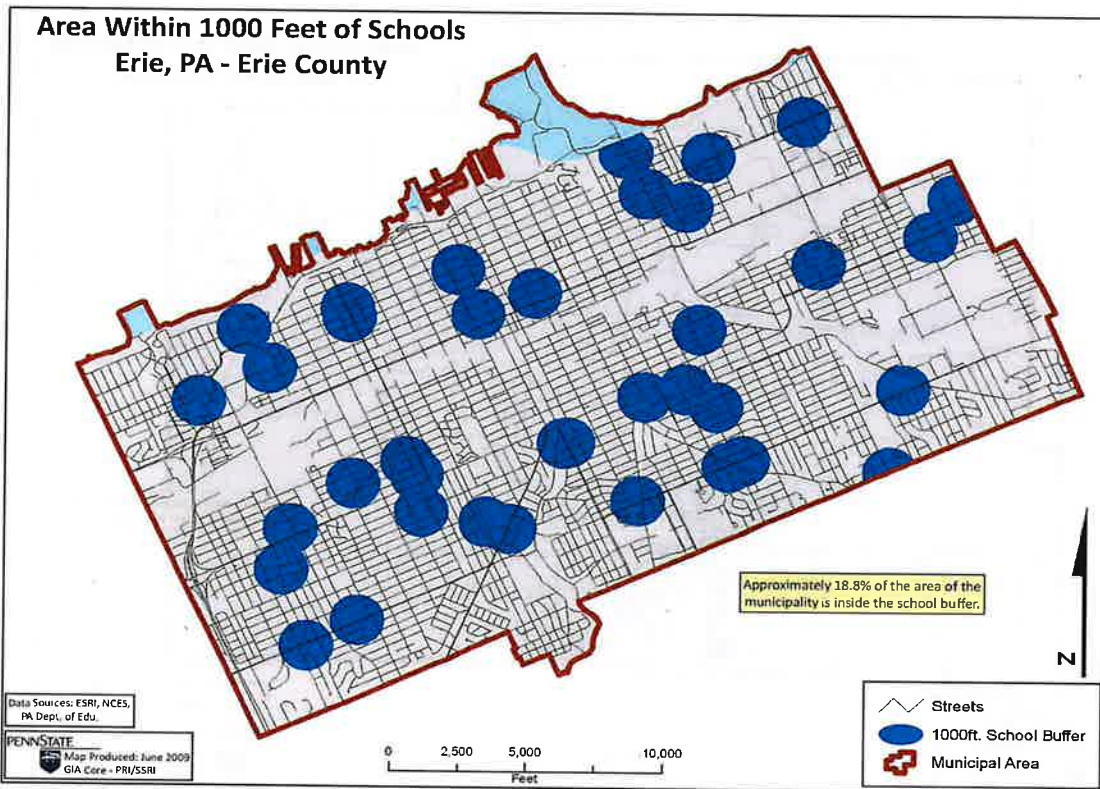
Area Within 2,500 Feet of Schools



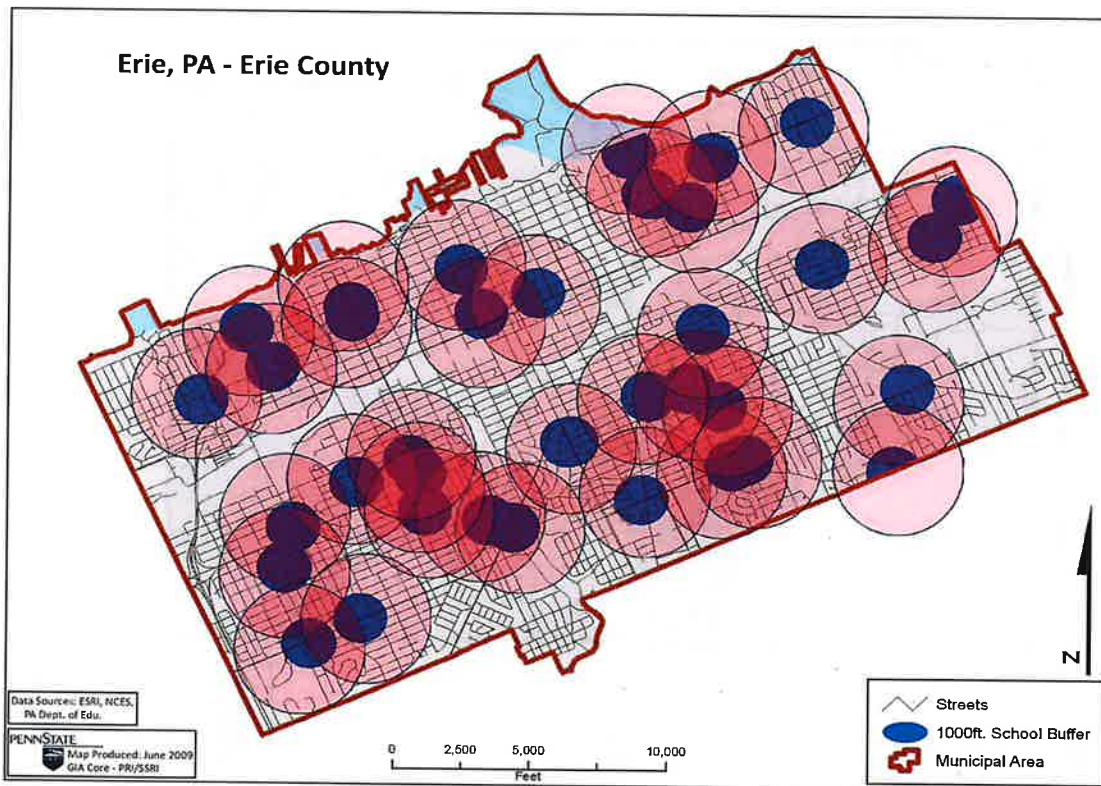
Area Within 1,000 Feet of Schools



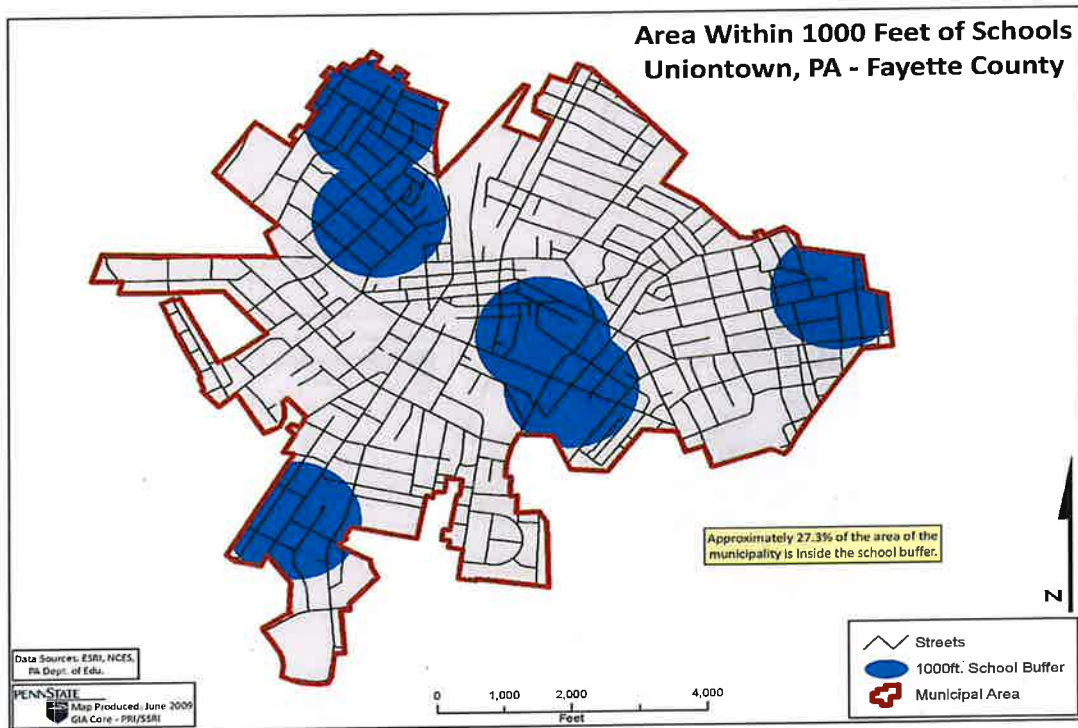
Area Within 2,500 Feet of Schools



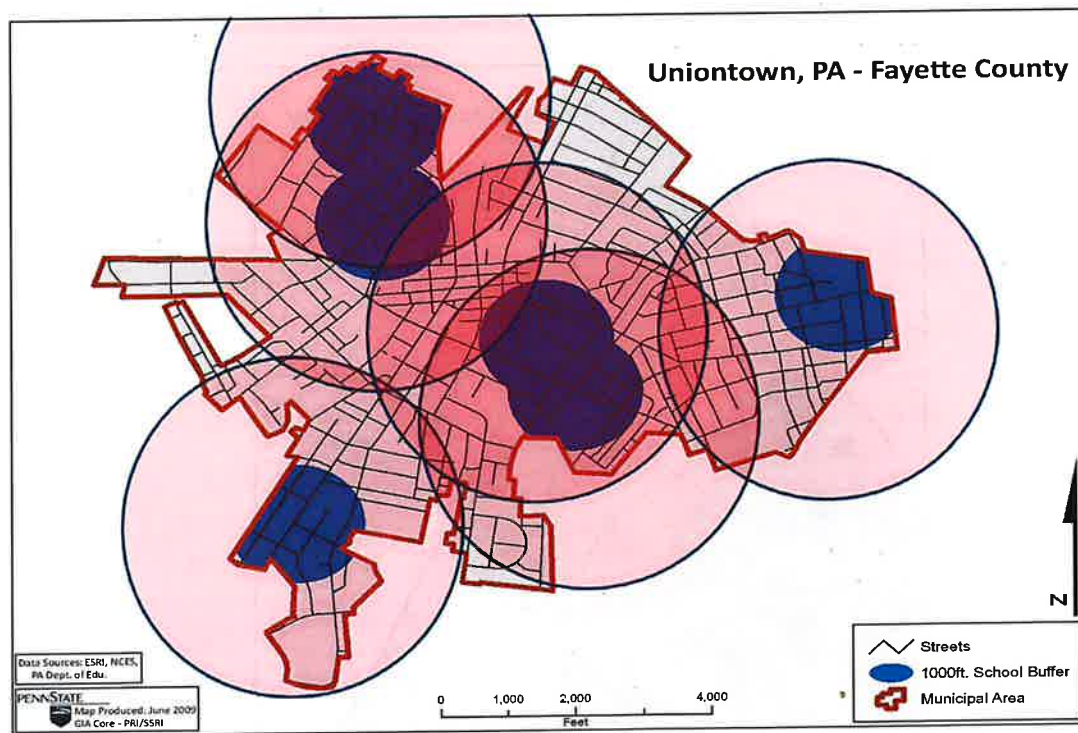
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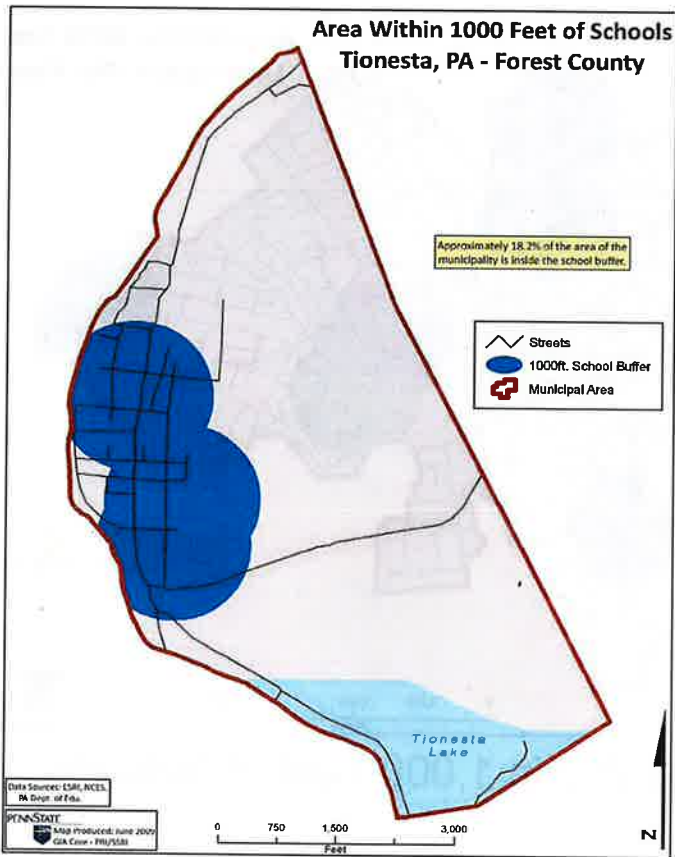
Area Within 2,500 Feet of Schools



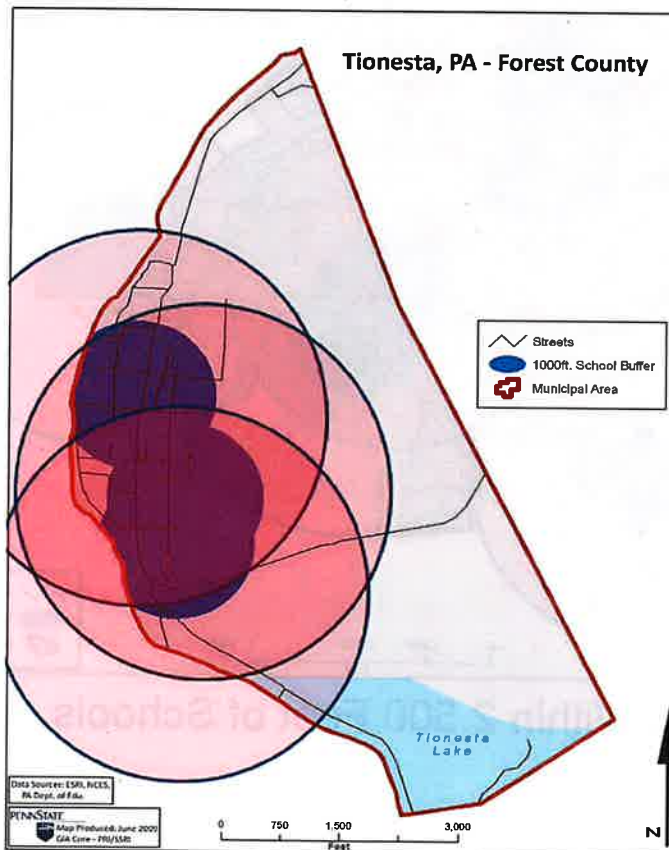
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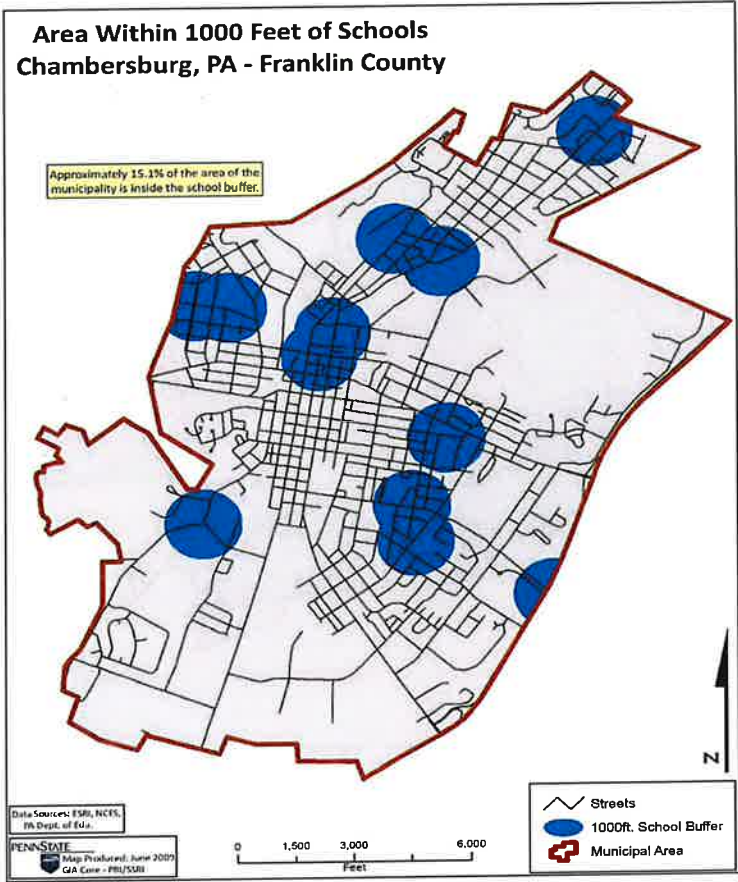
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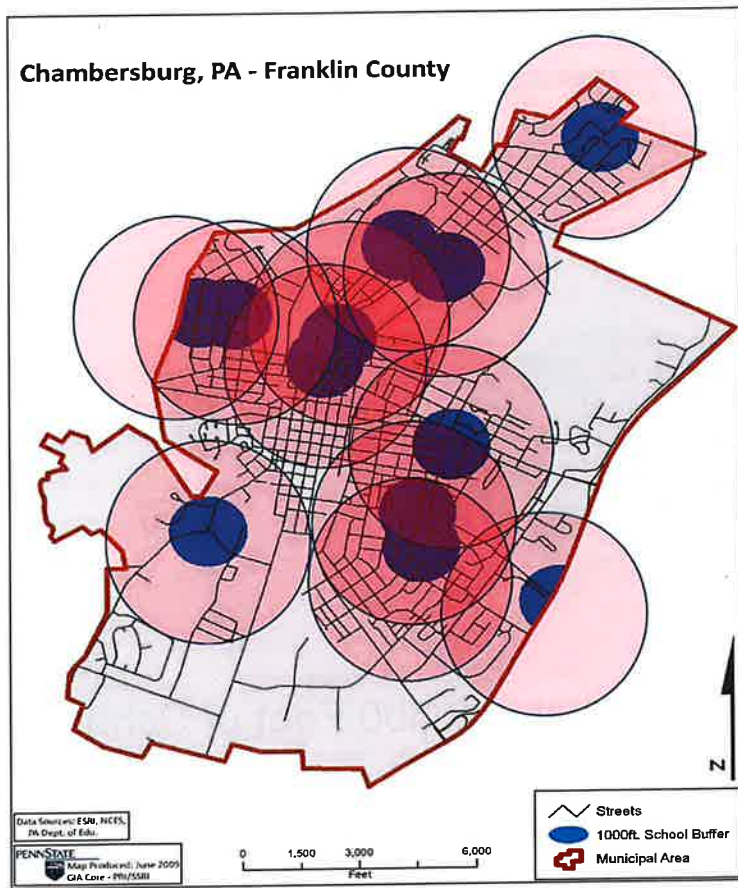
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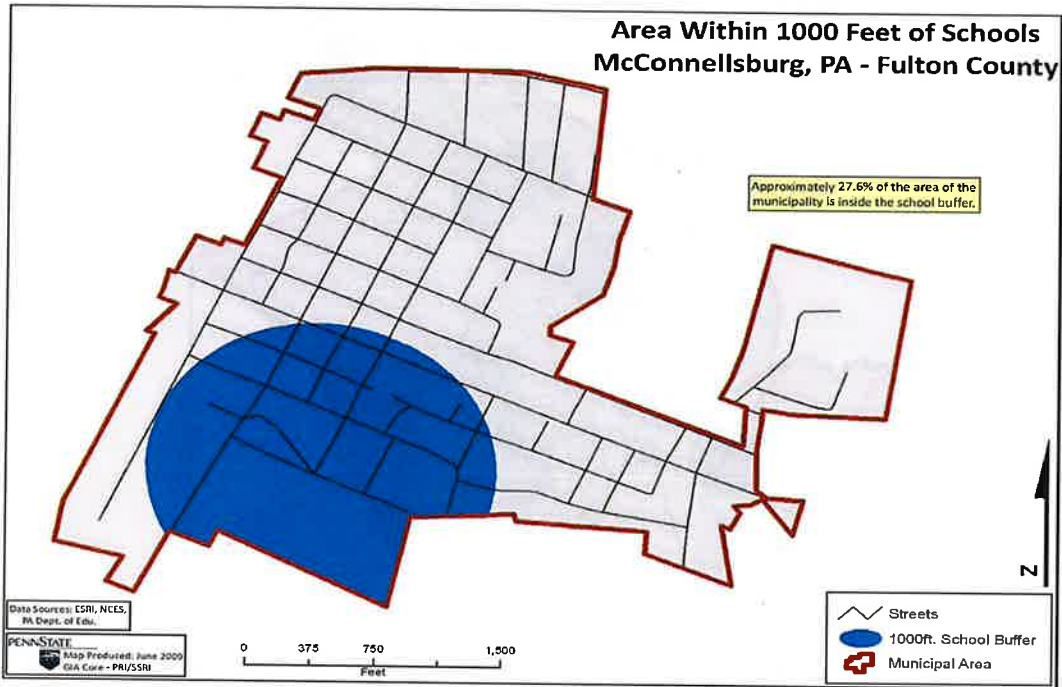
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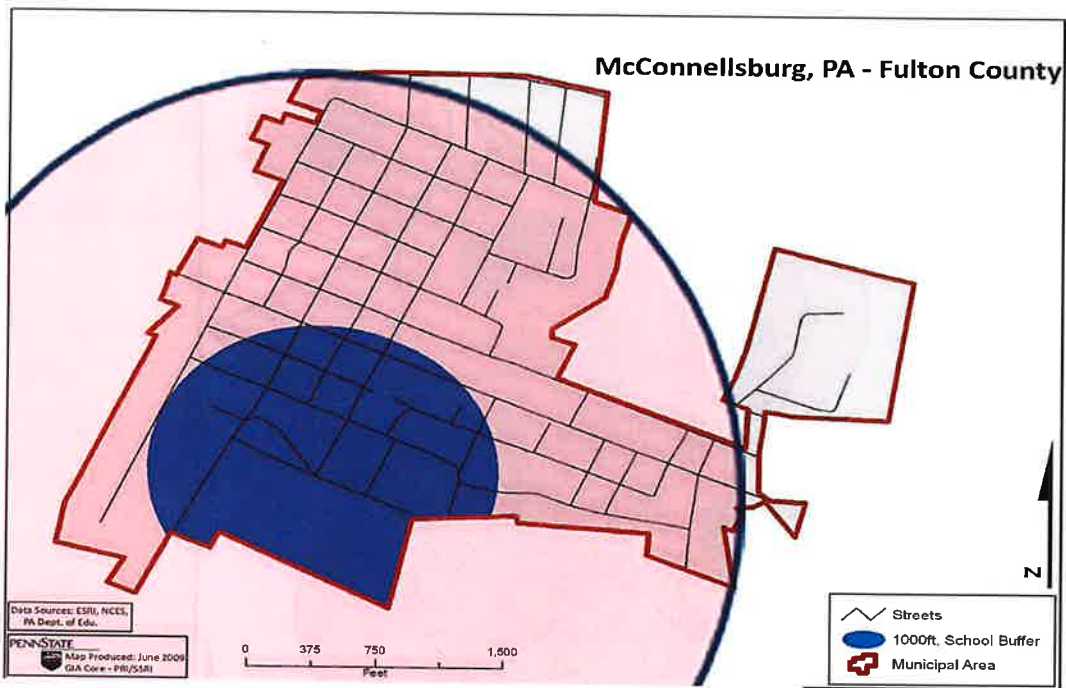
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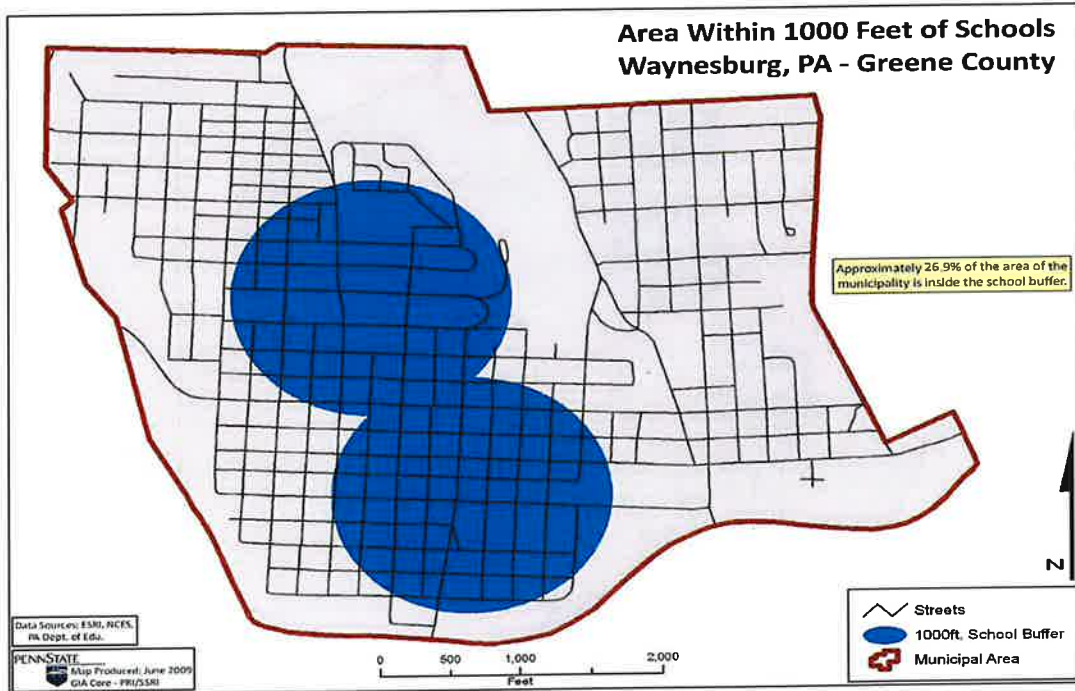
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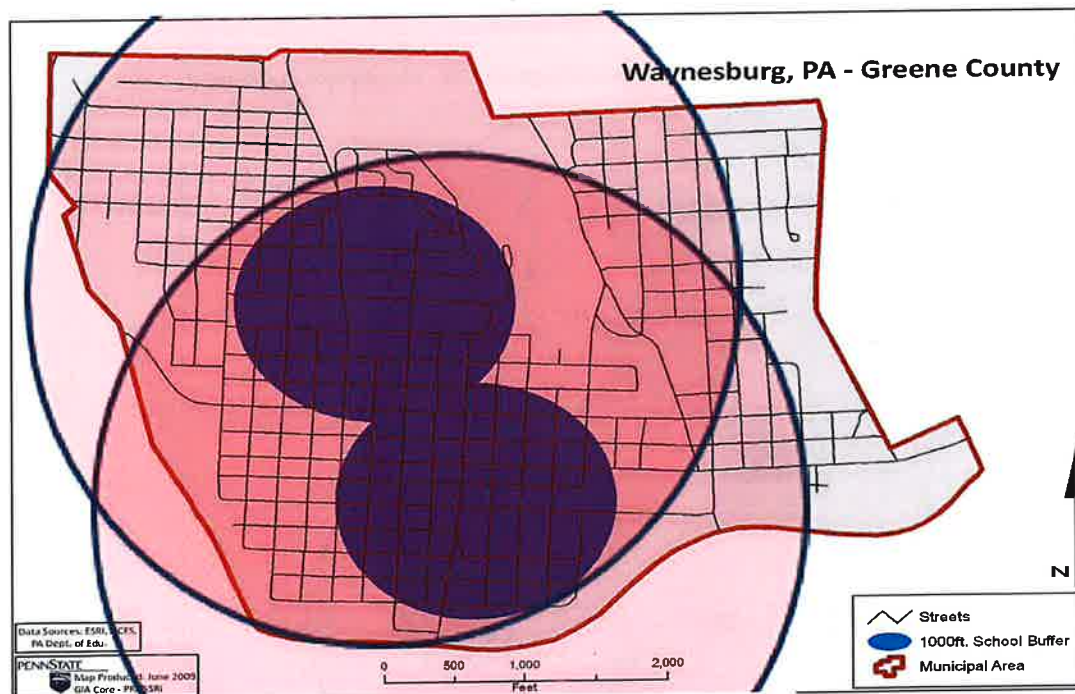
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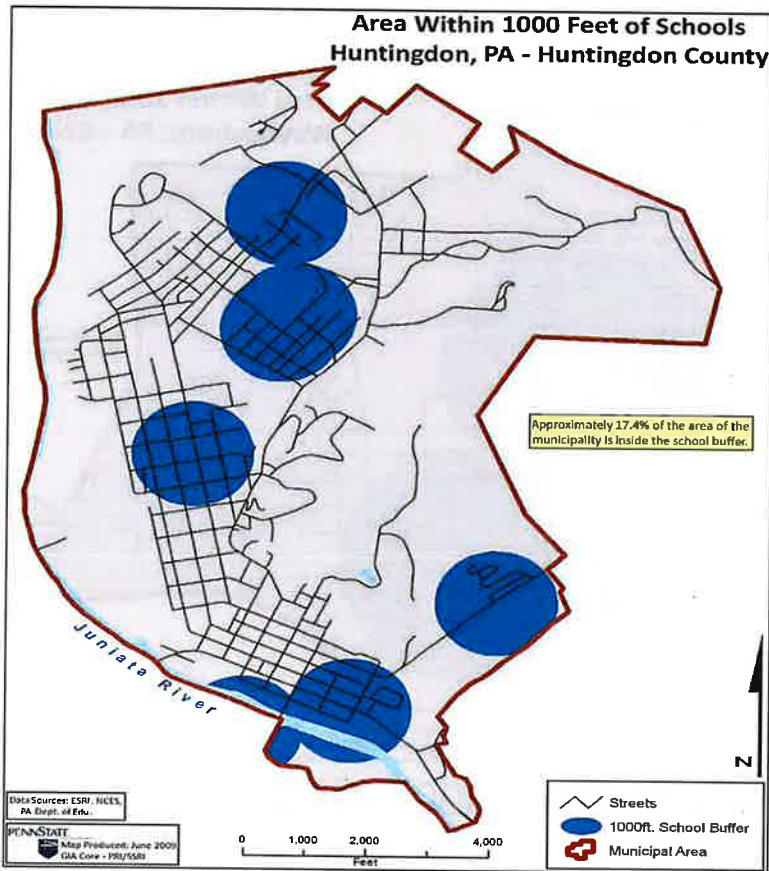
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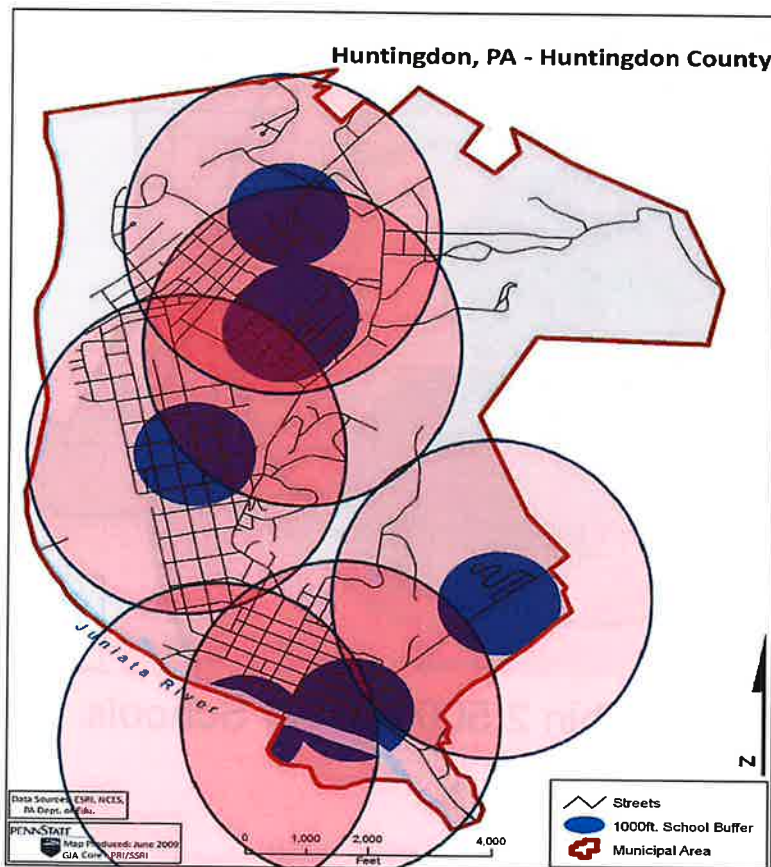
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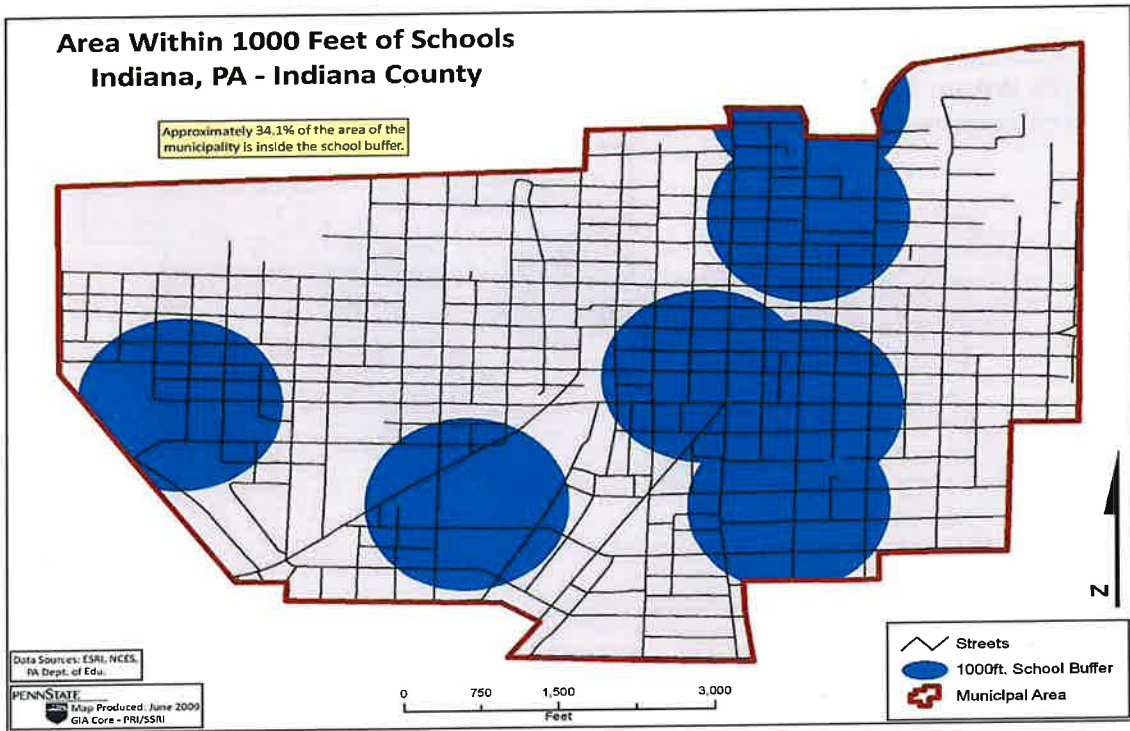
Area Within 2,500 Feet of Schools



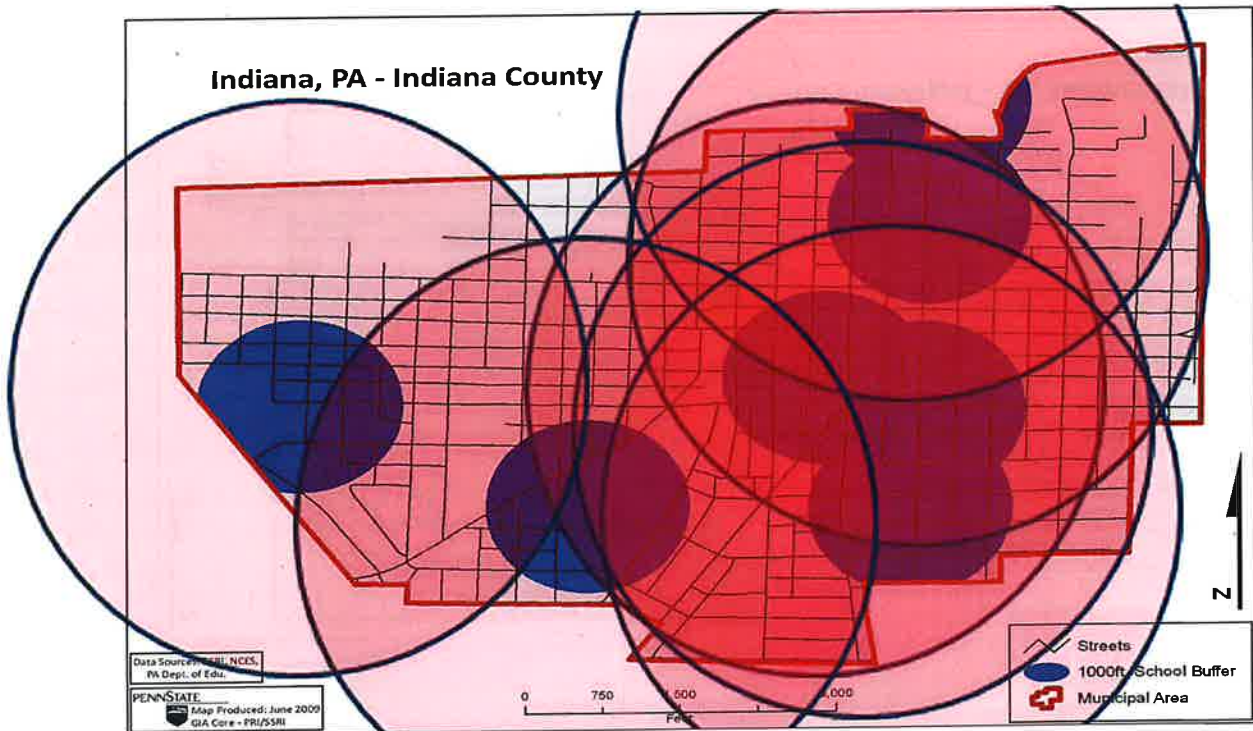
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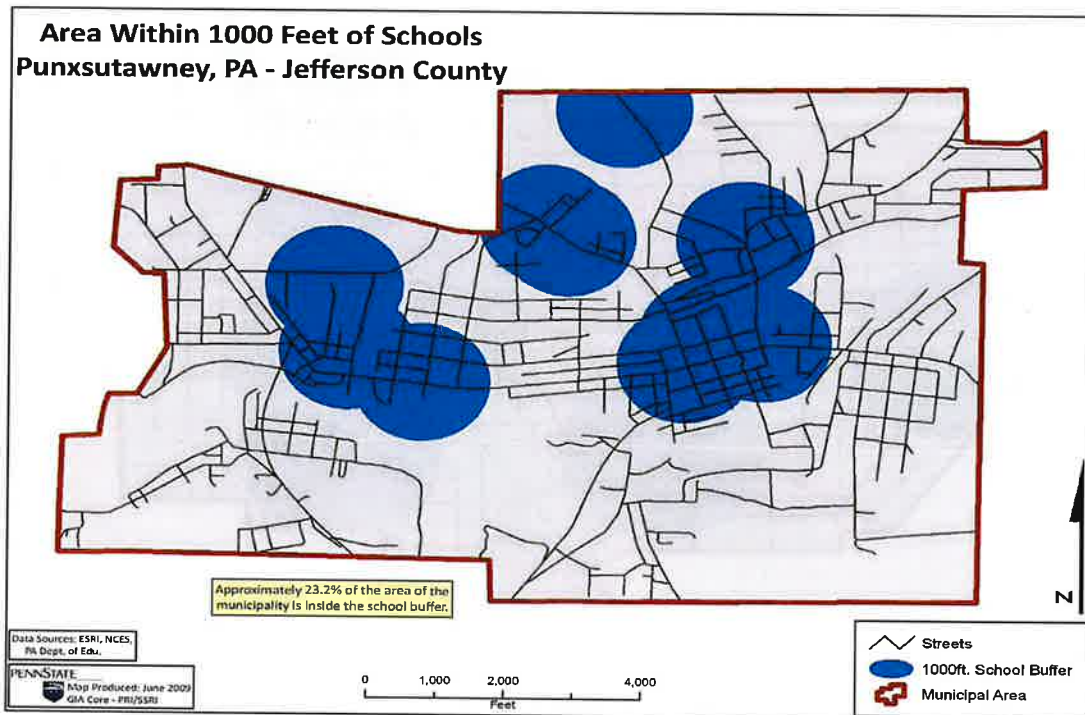
Area Within 2,500 Feet of Schools



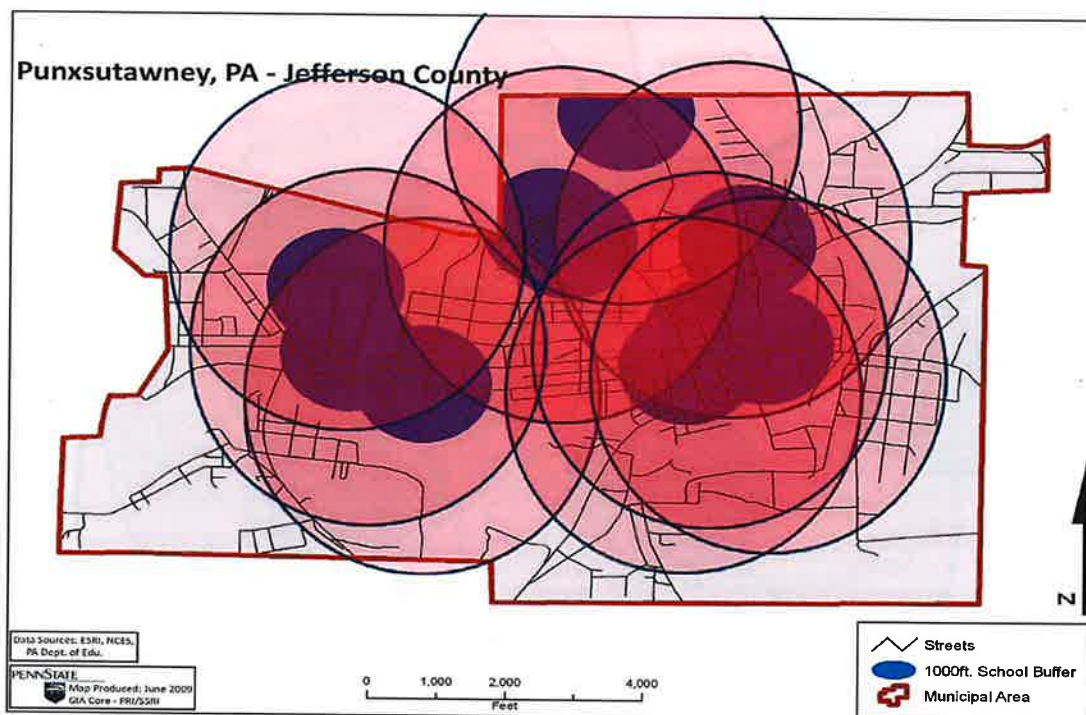
Area Within 1,000 Feet of Schools



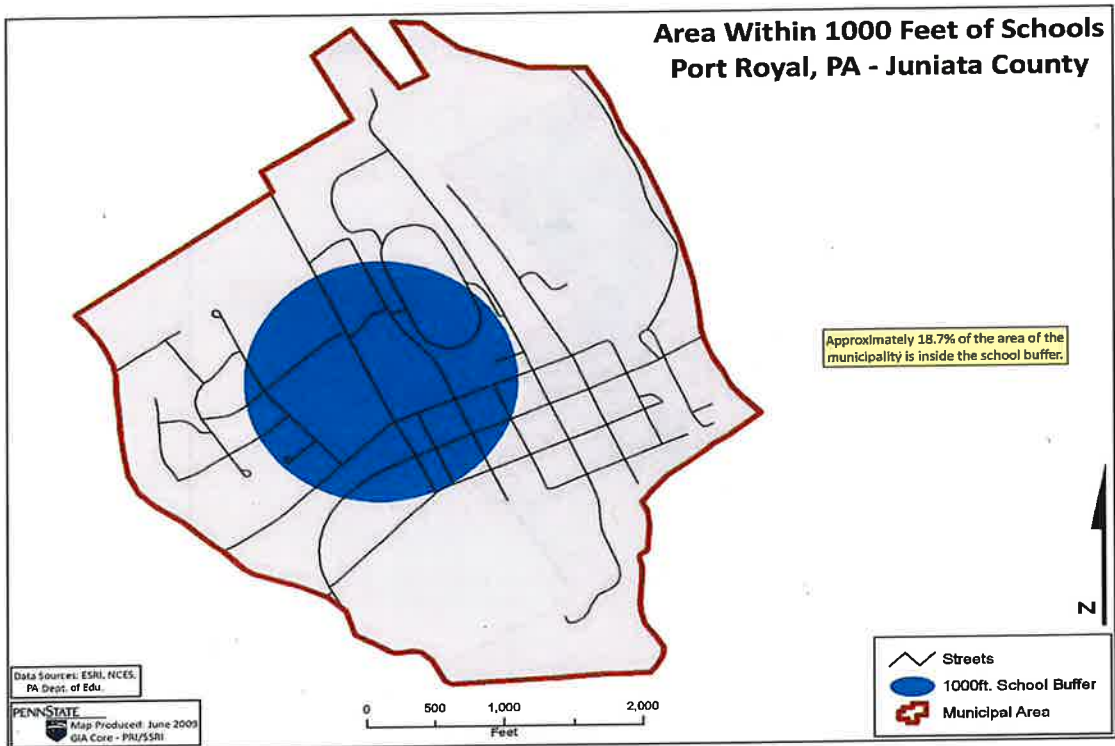
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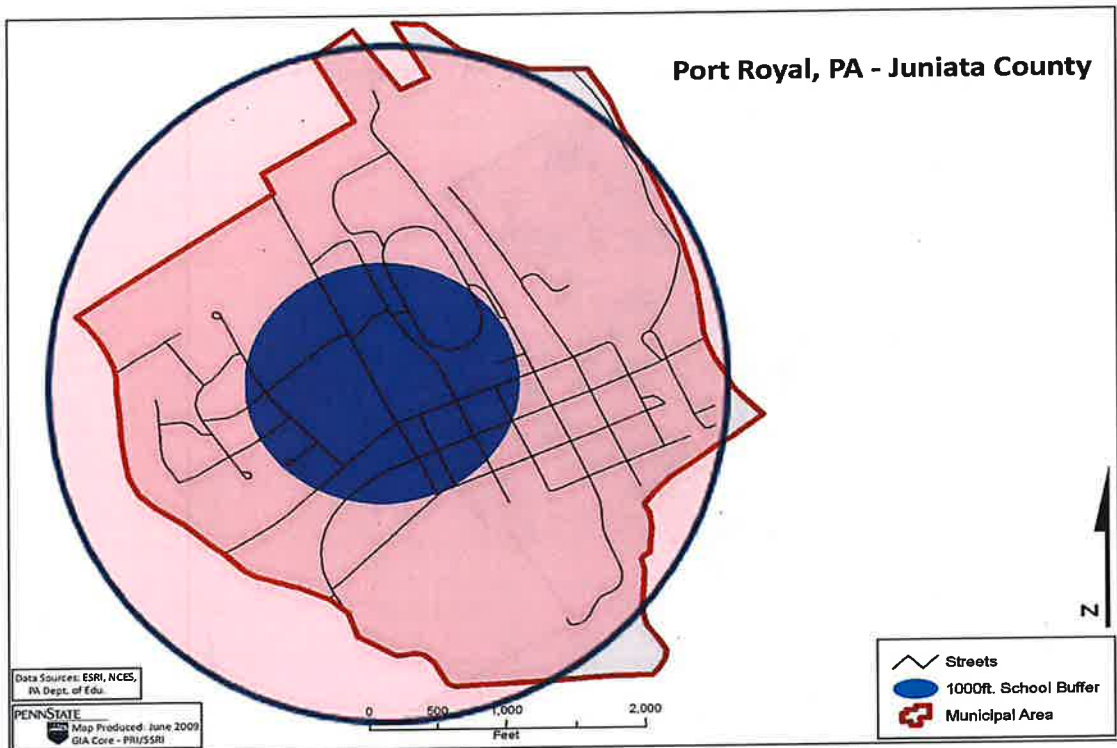
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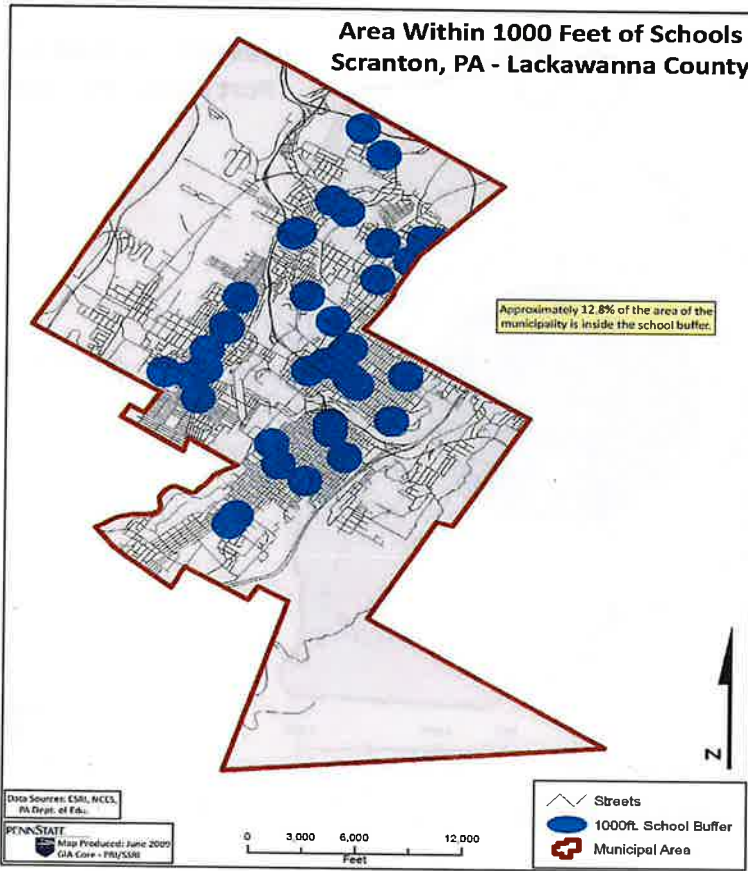
Area Within 2,500 Feet of Schools



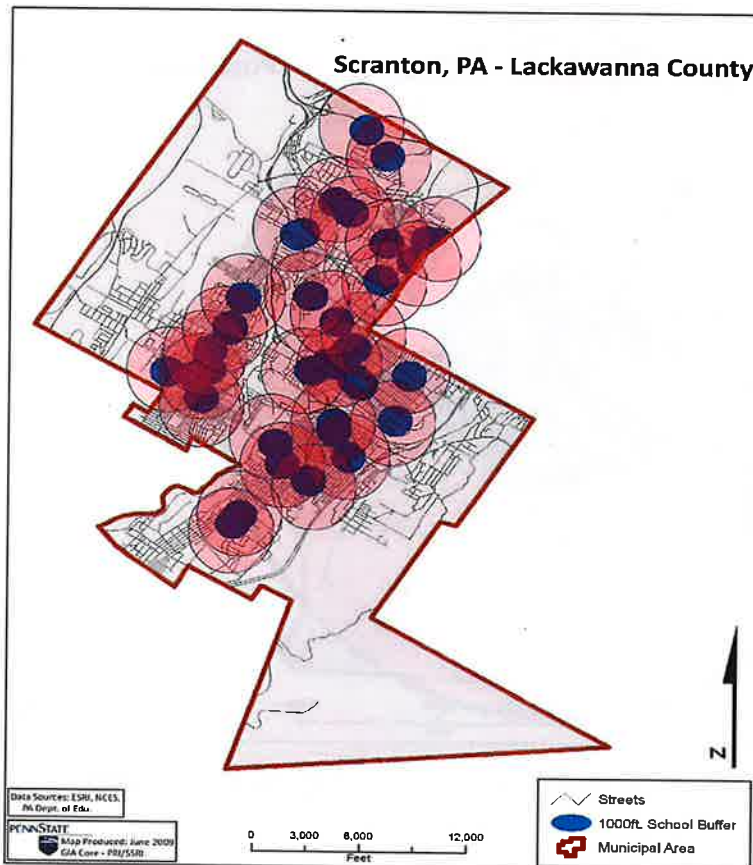
Area Within 1,000 Feet of Schools



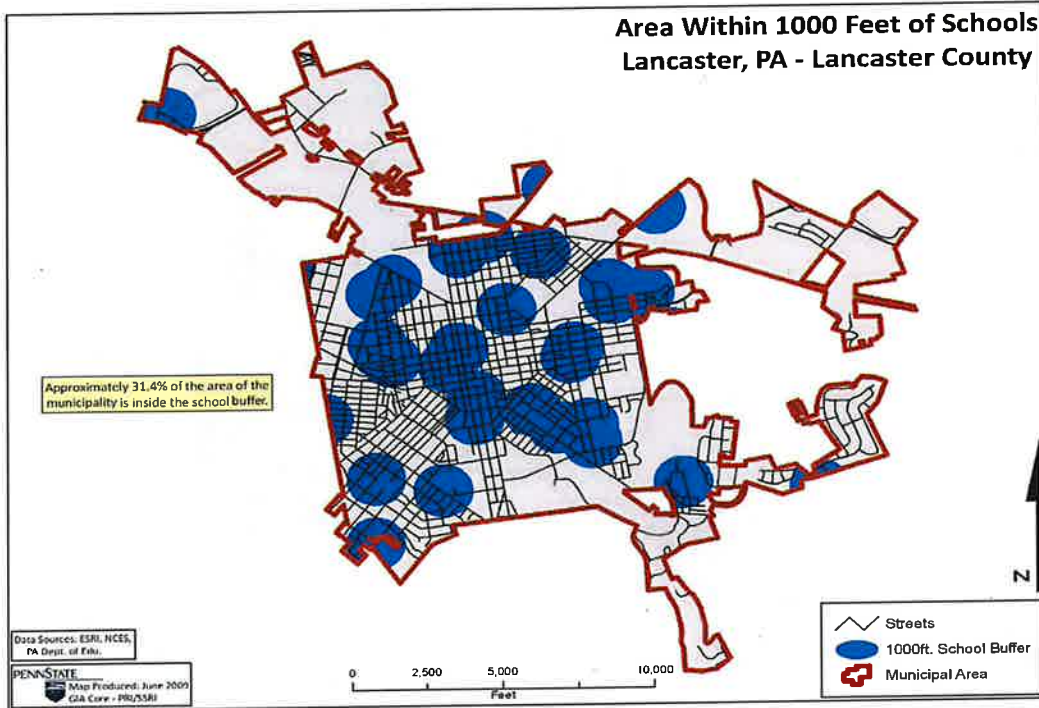
Area Within 2,500 Feet of Schools



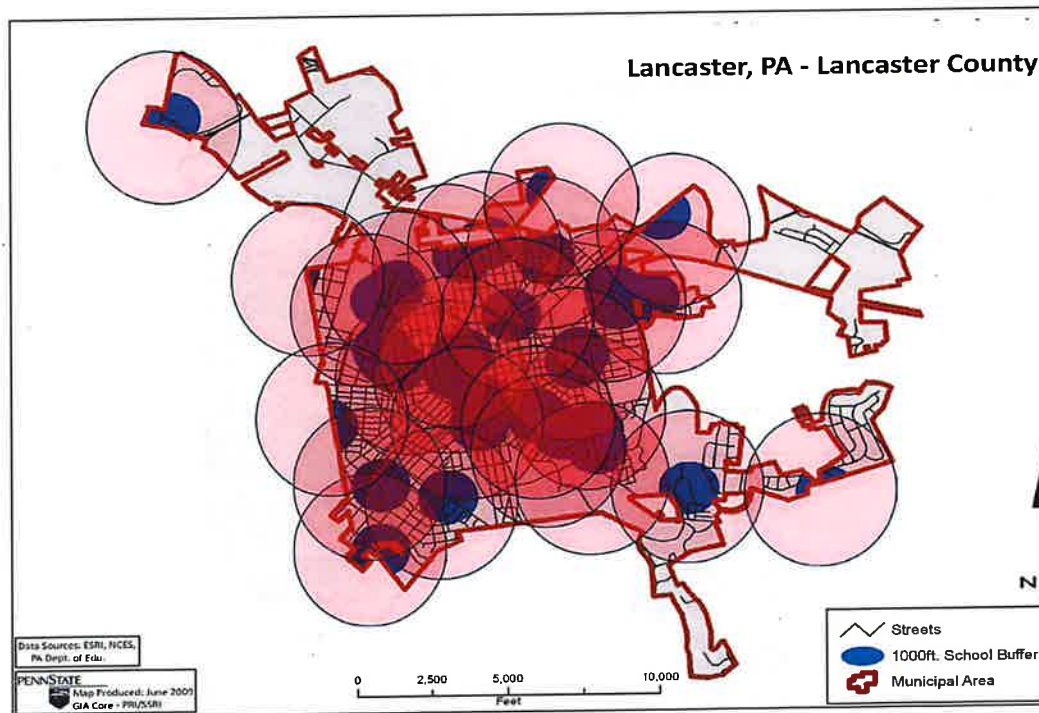
Area Within 1,000 Feet of Schools



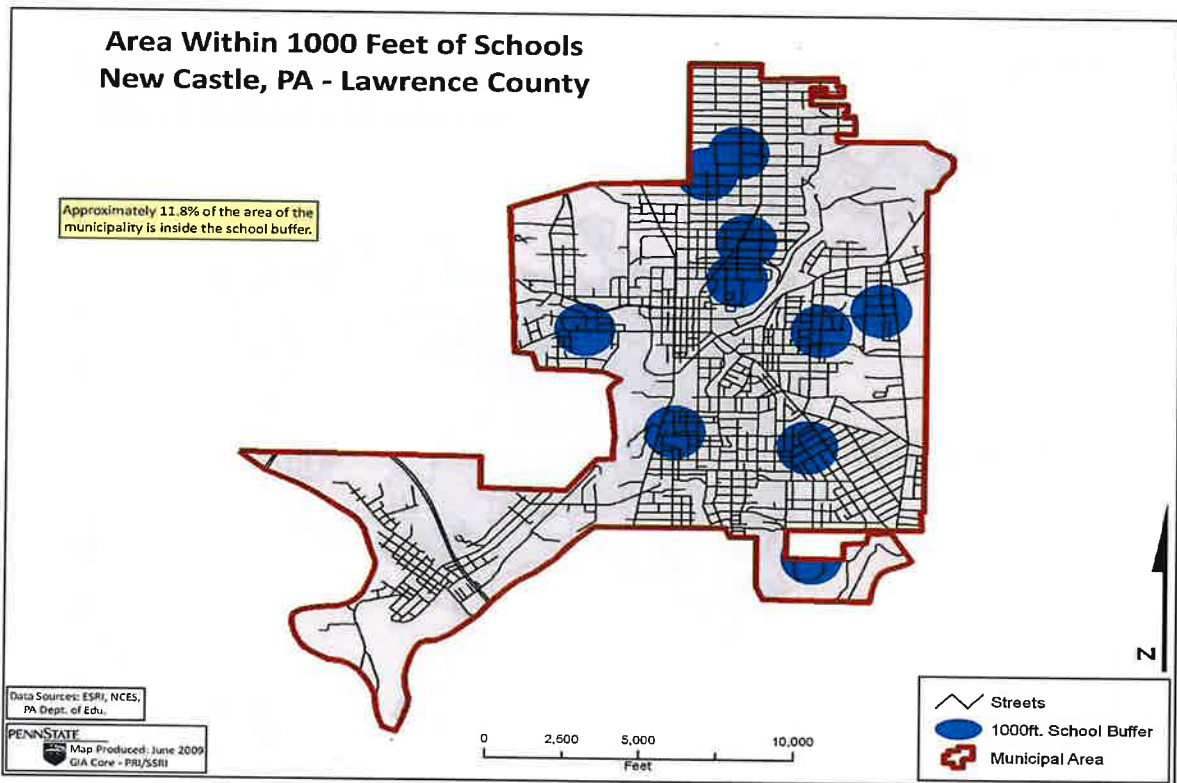
Area Within 2,500 Feet of Schools



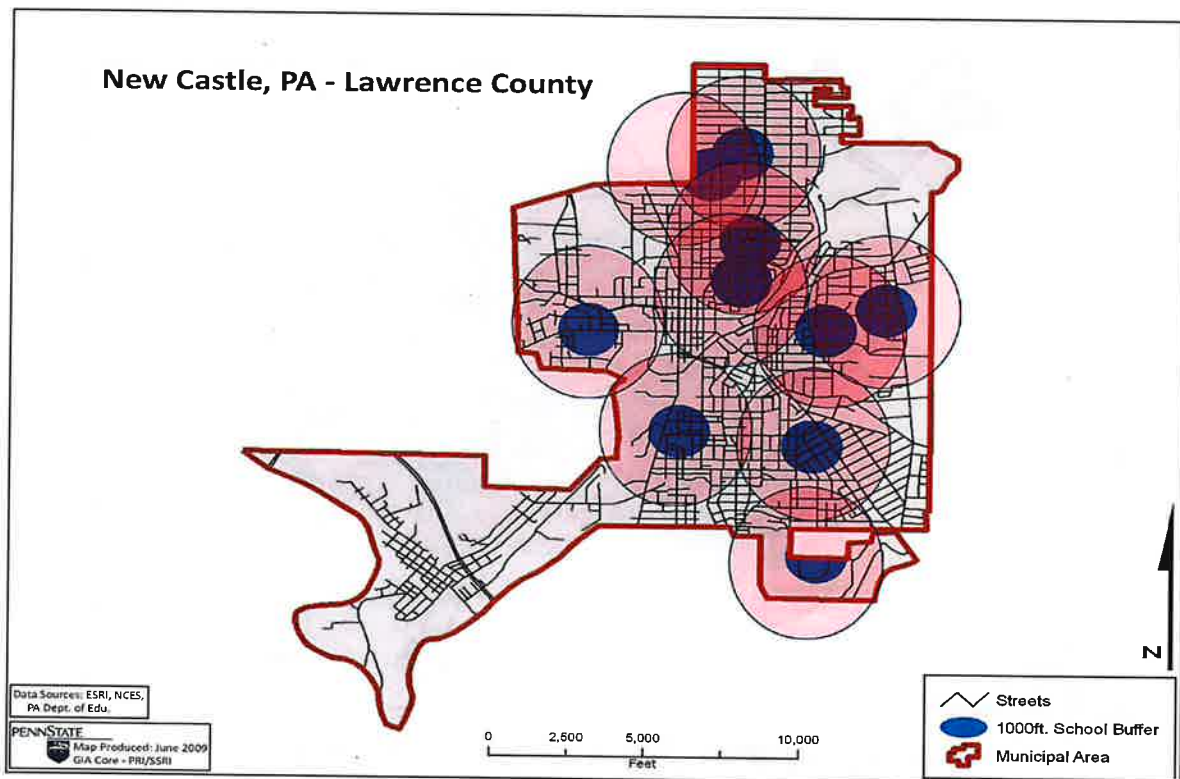
Area Within 1,000 Feet of Schools



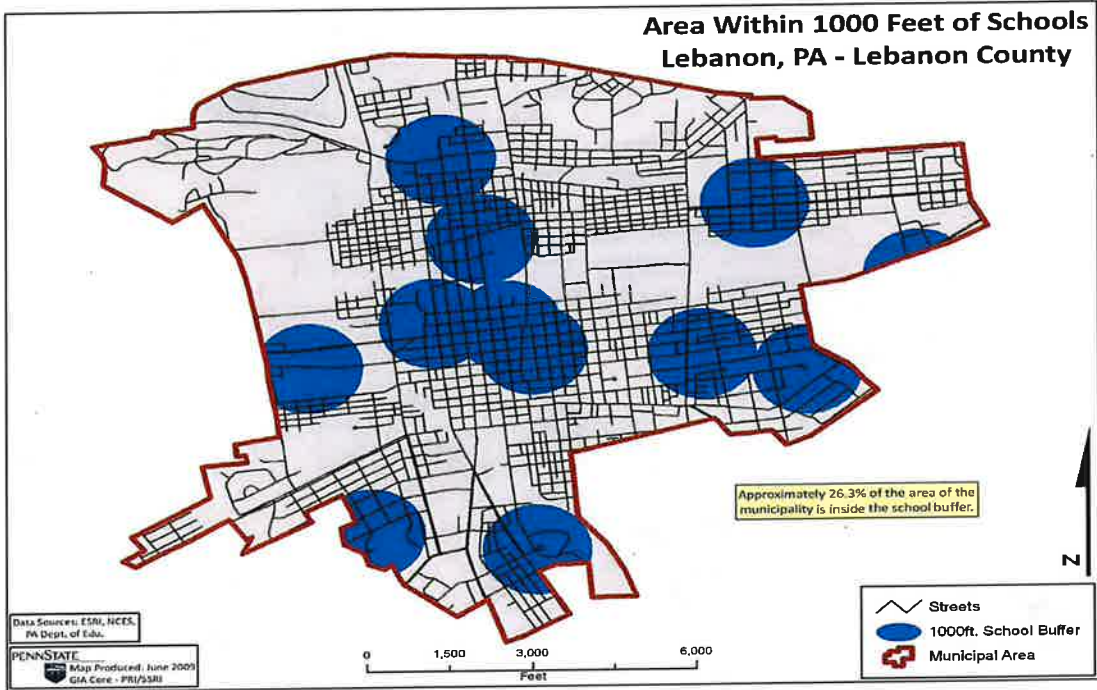
Area Within 2,500 Feet of Schools



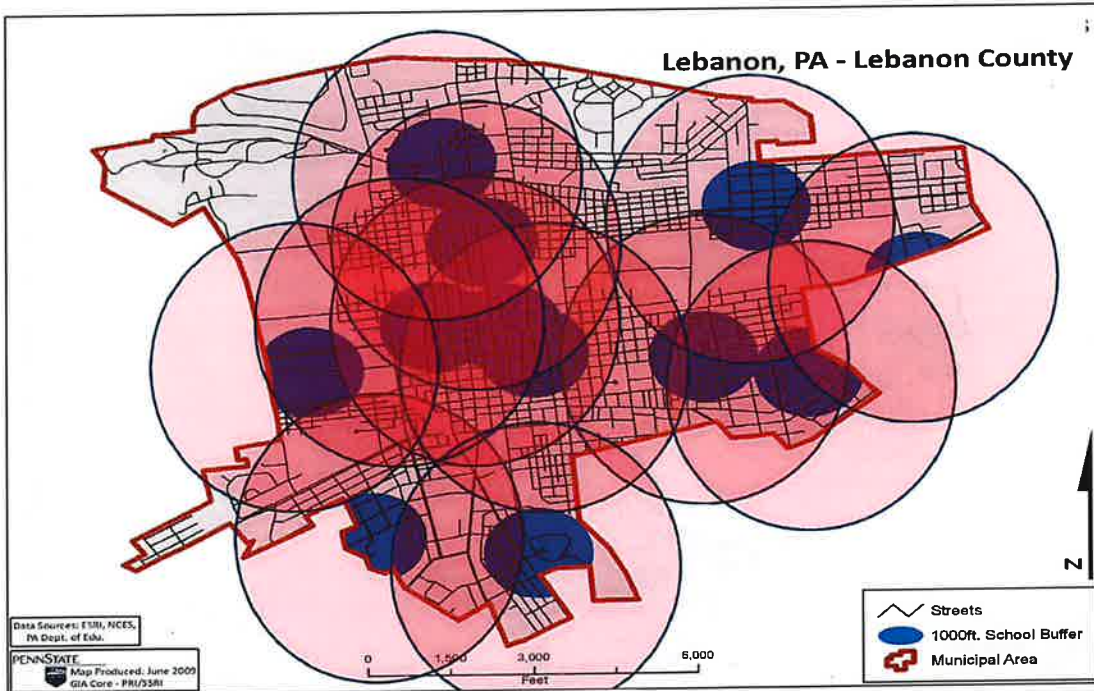
Area Within 1,000 Feet of Schools



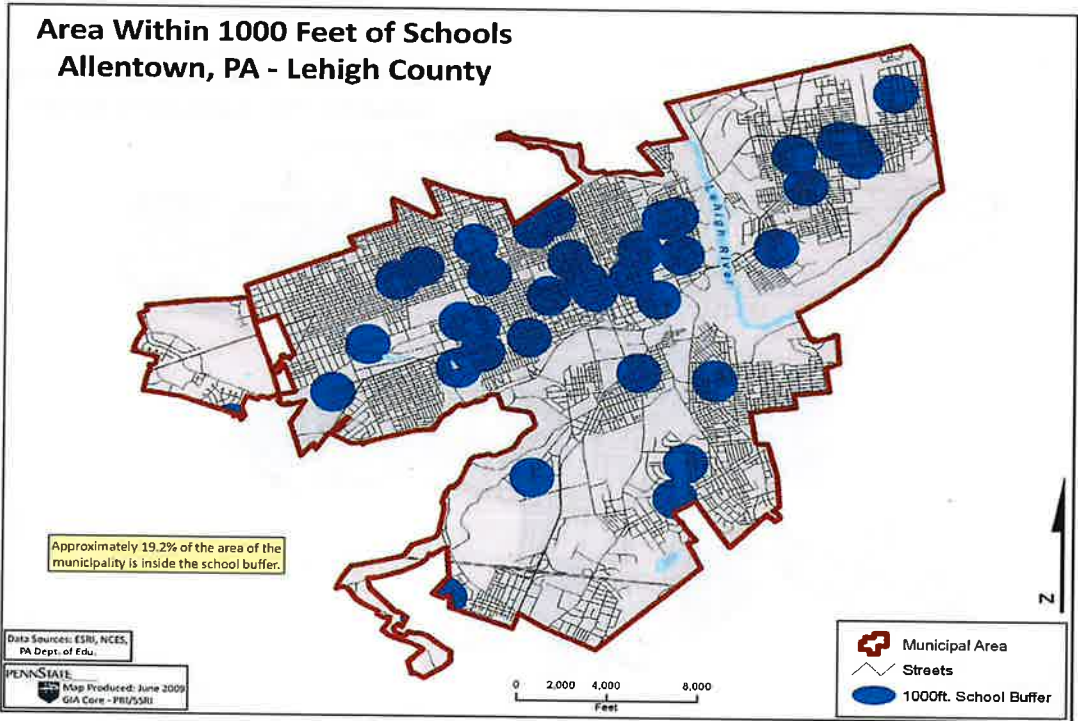
Area Within 2,500 Feet of Schools



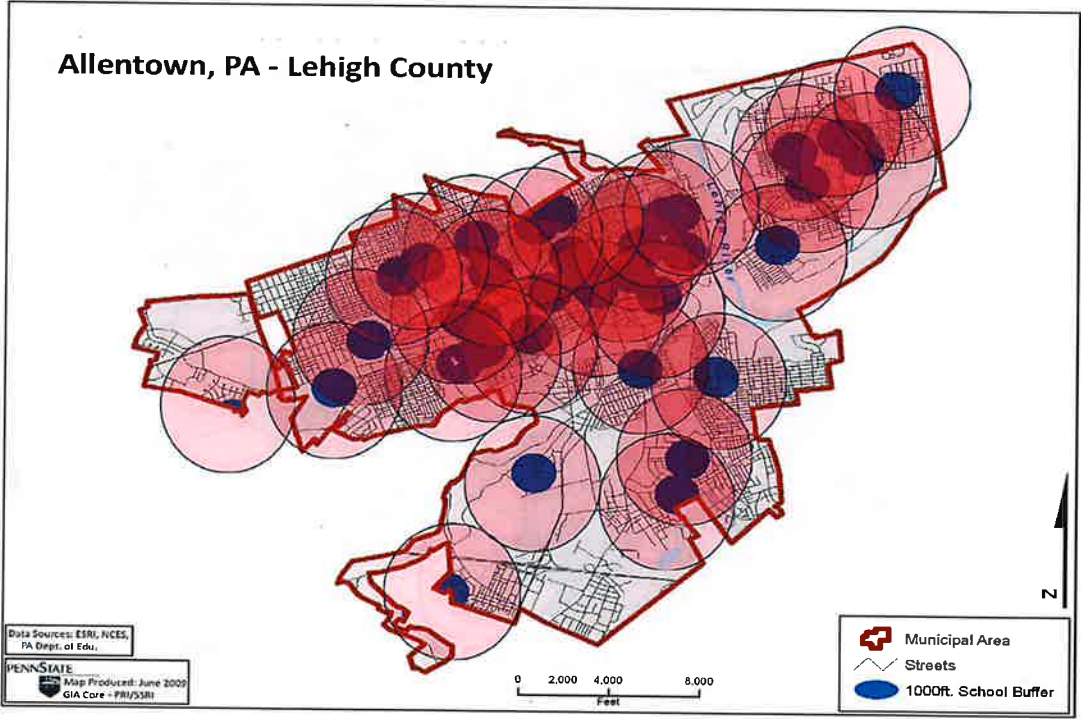
Area Within 1,000 Feet of Schools



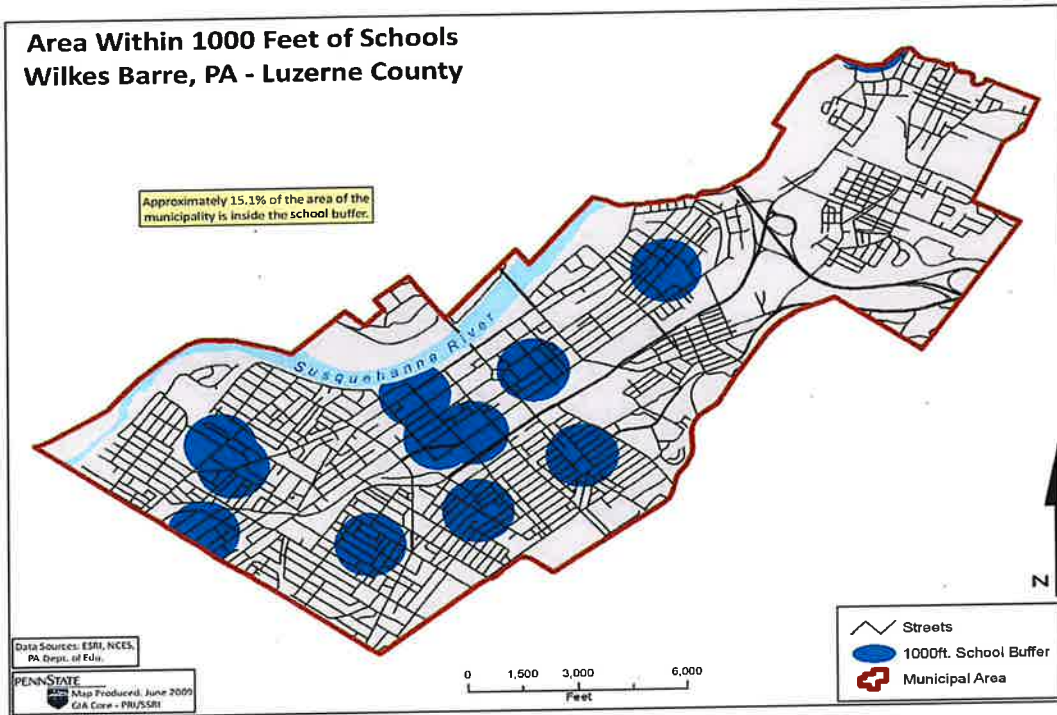
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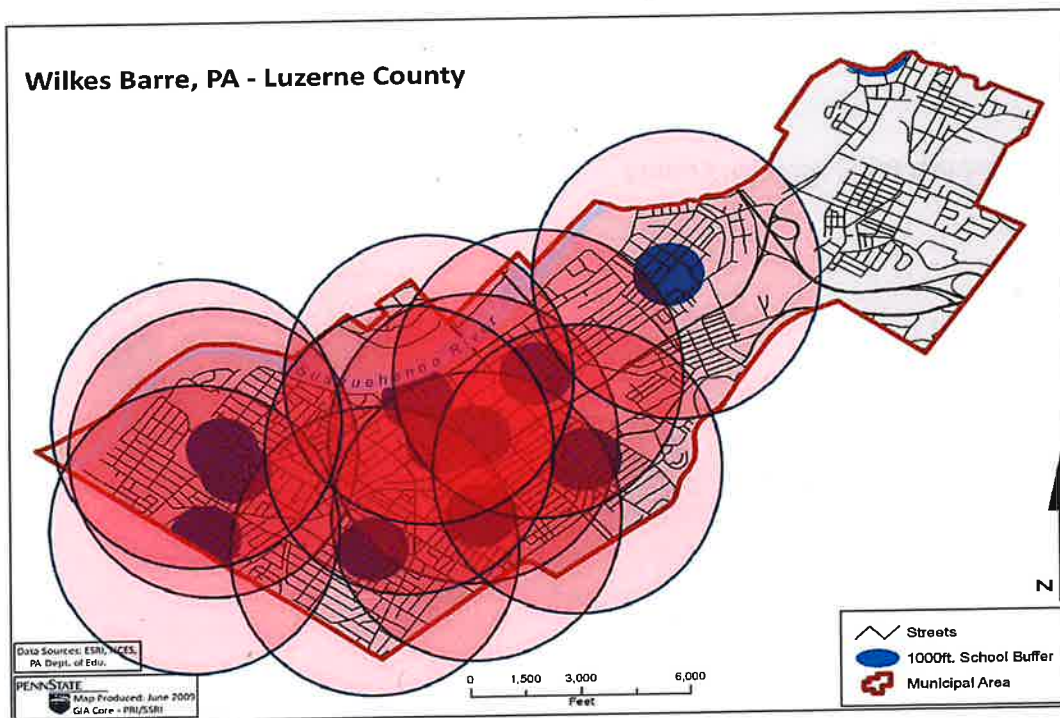
Area Within 1,000 Feet of Schools



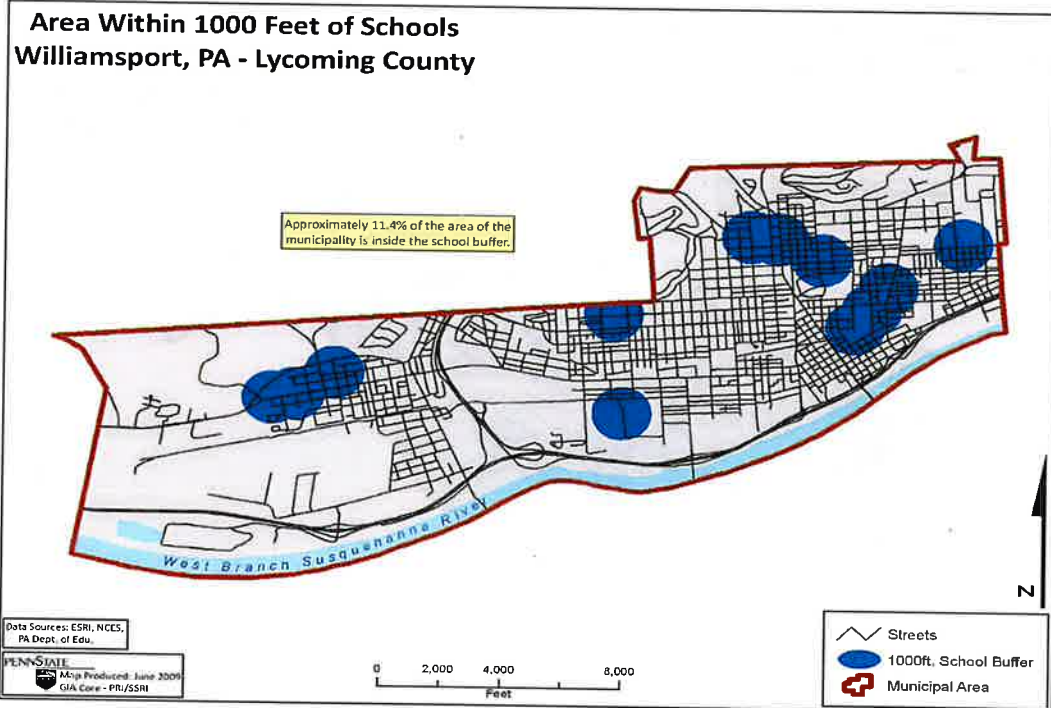
Area Within 2,500 Feet of Schools



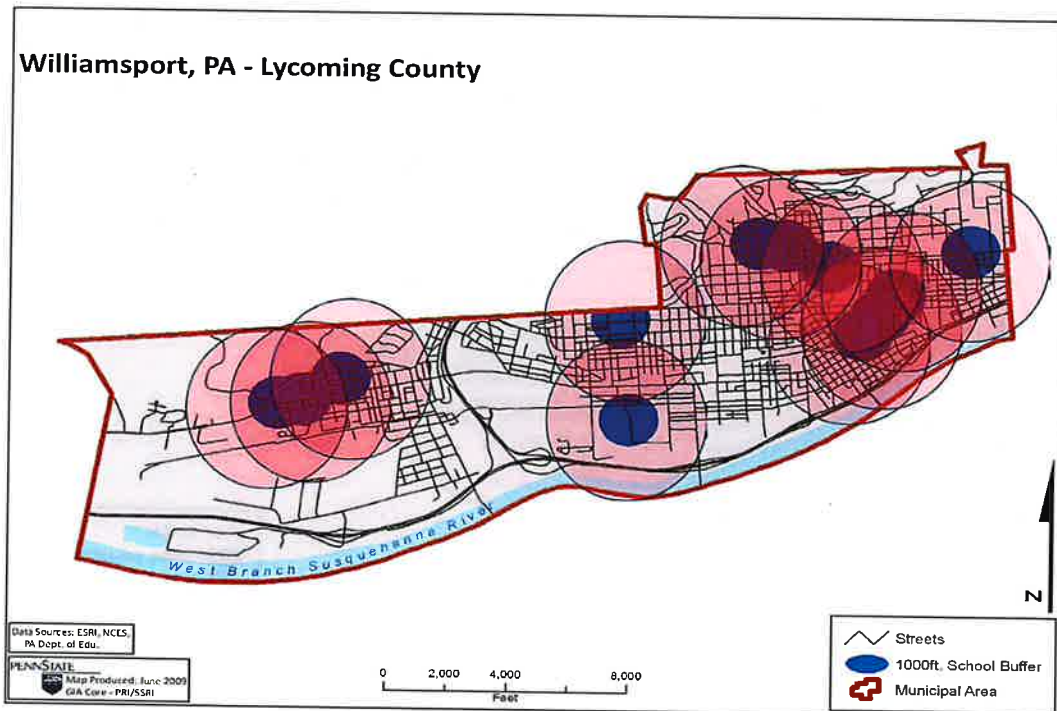
Area Within 1,000 Feet of Schools



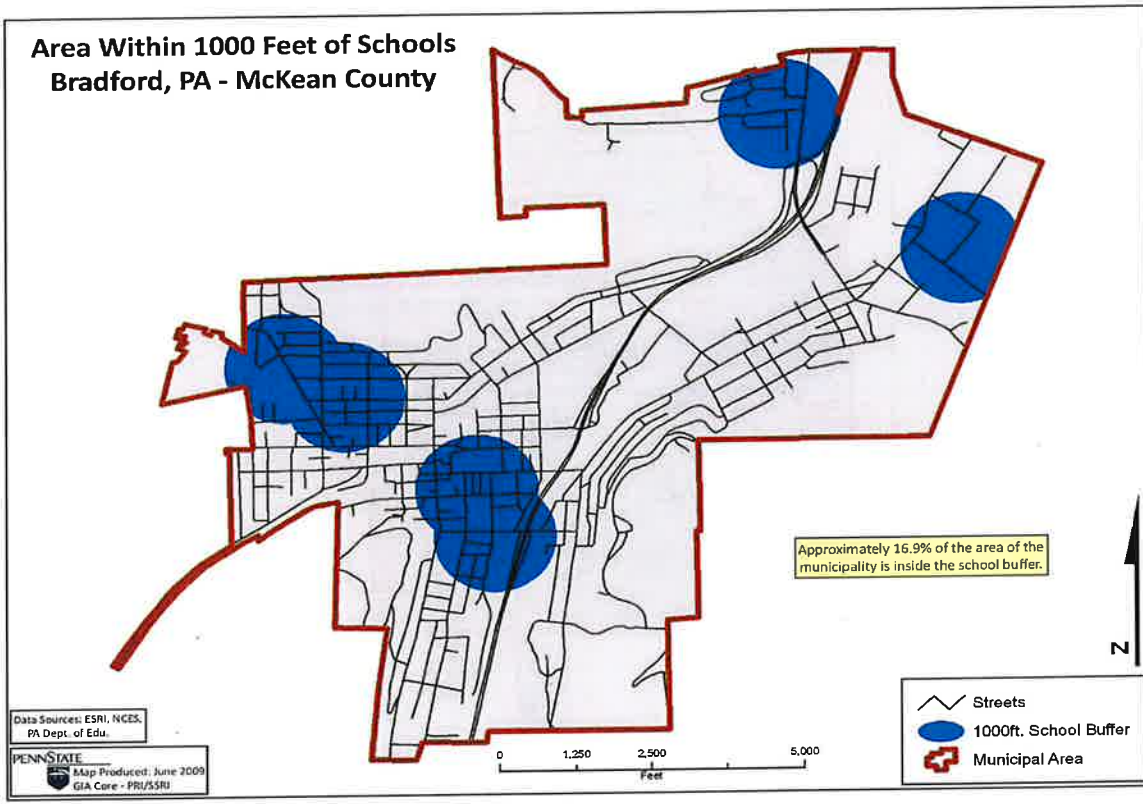
Area Within 2,500 Feet of Schools



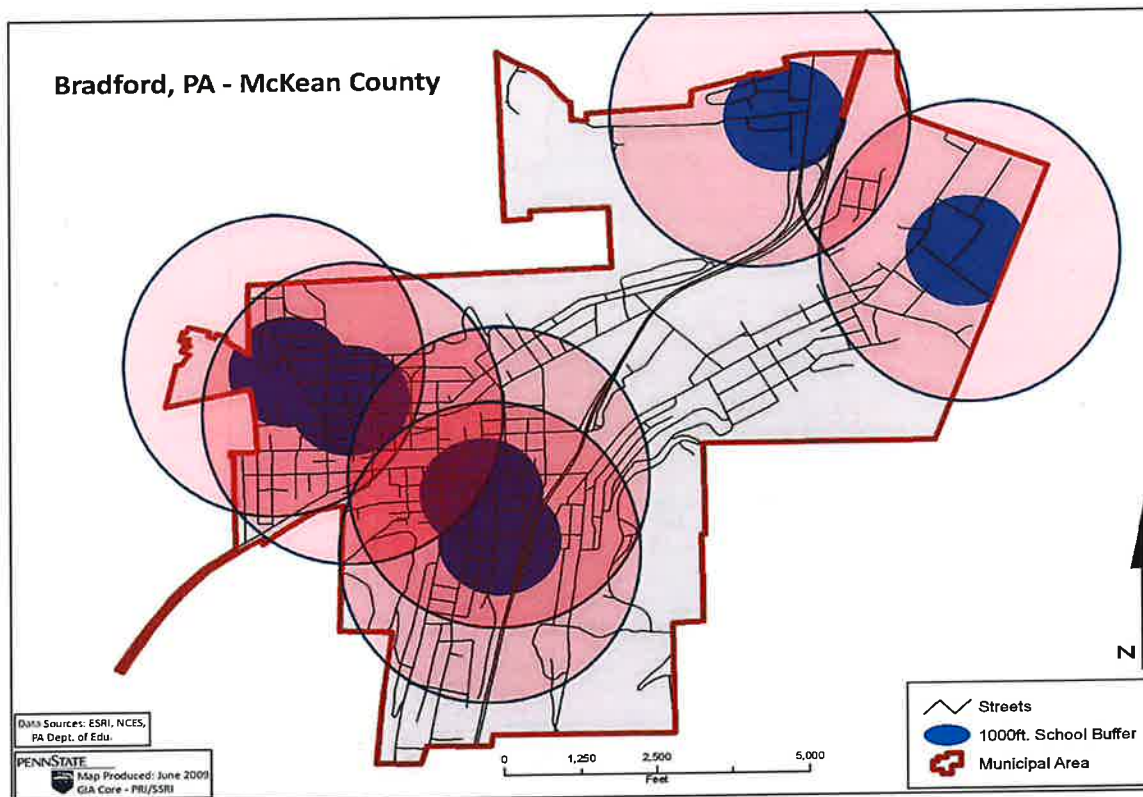
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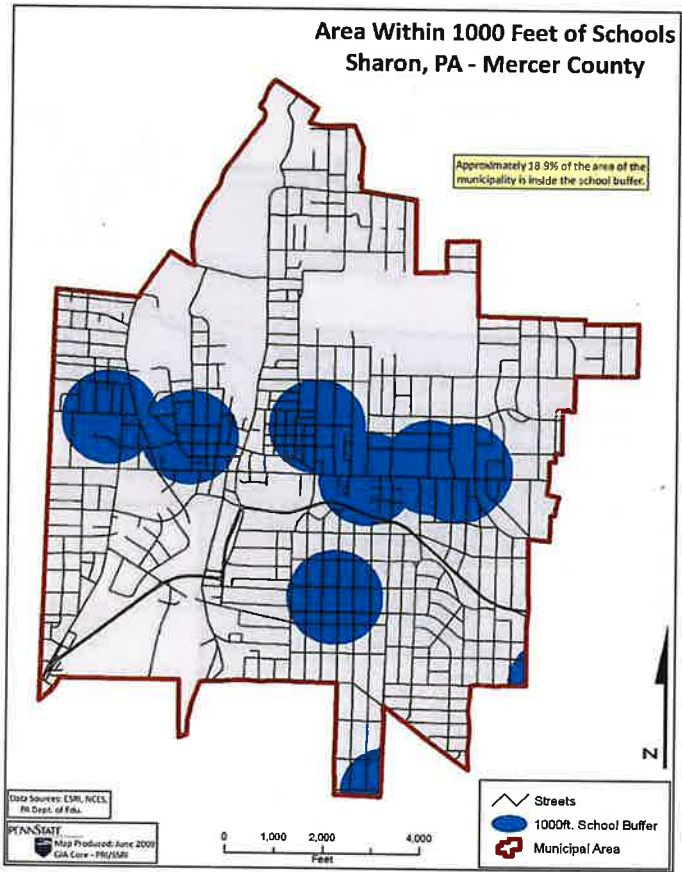
Area Within 2,500 Feet of Schools



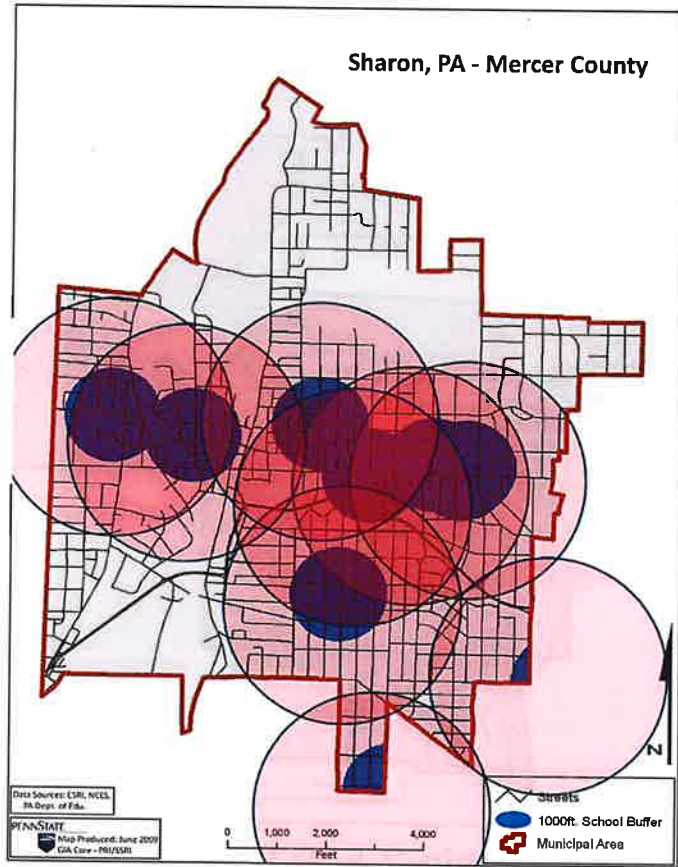
Area Within 1,000 Feet of Schools



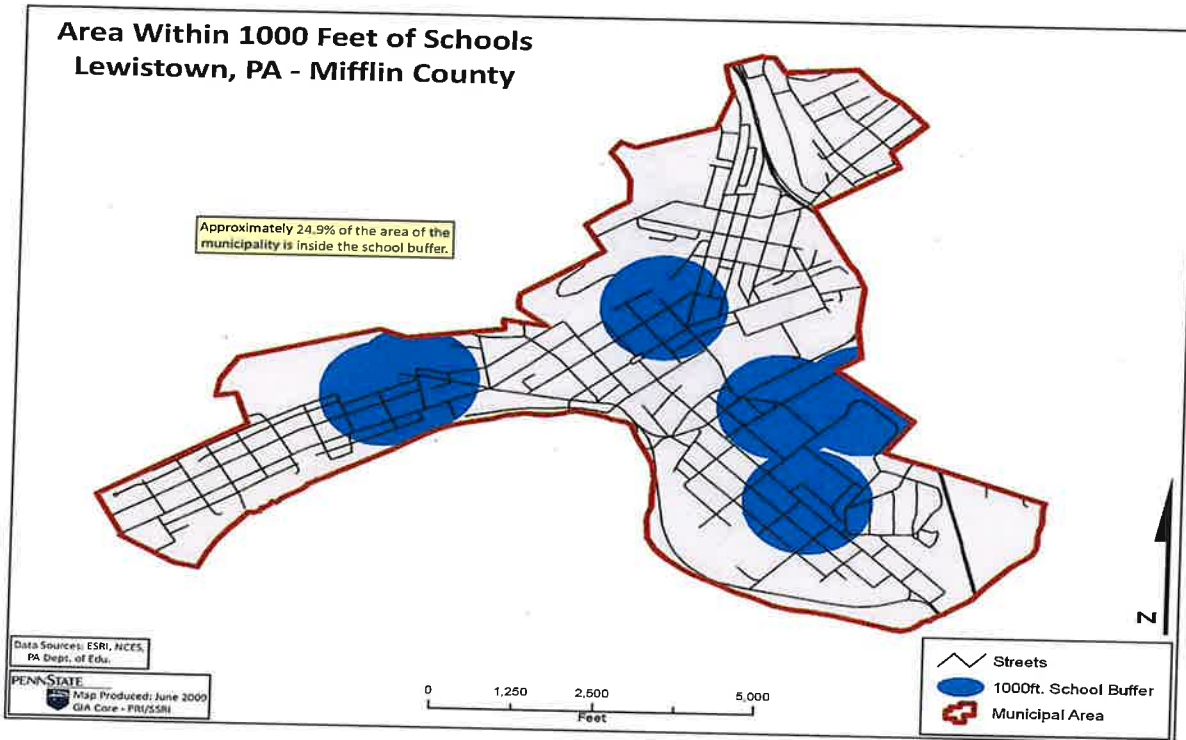
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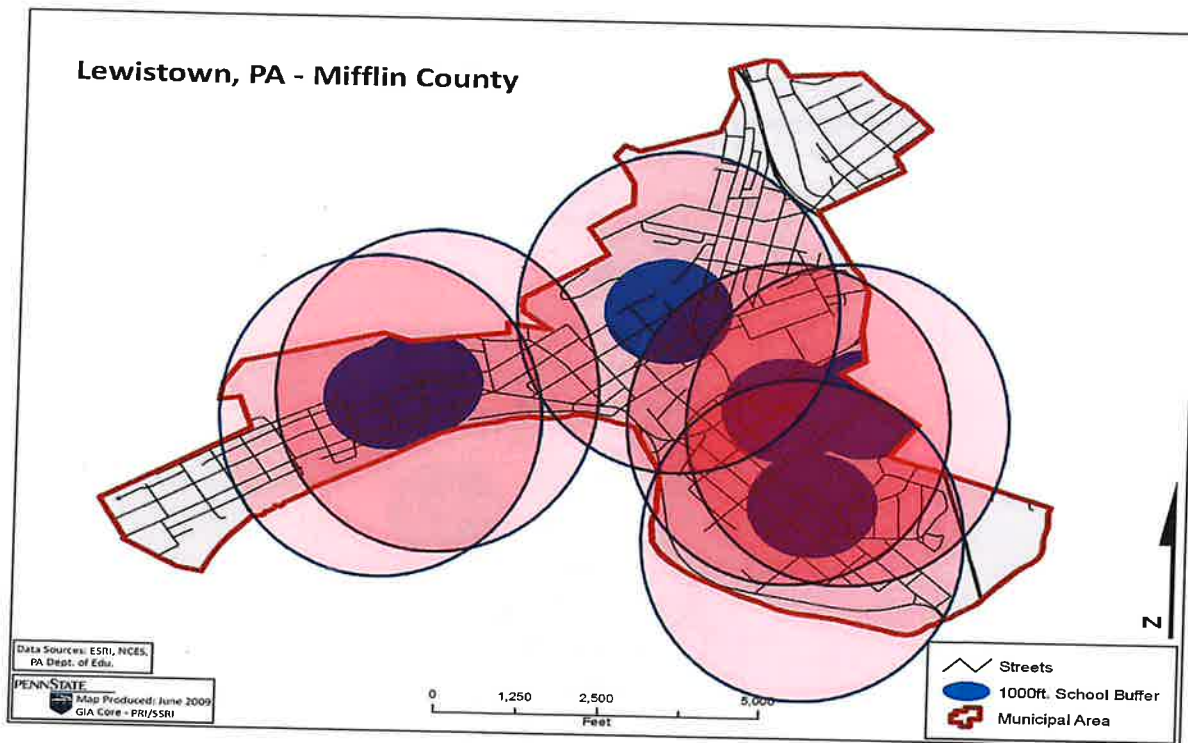
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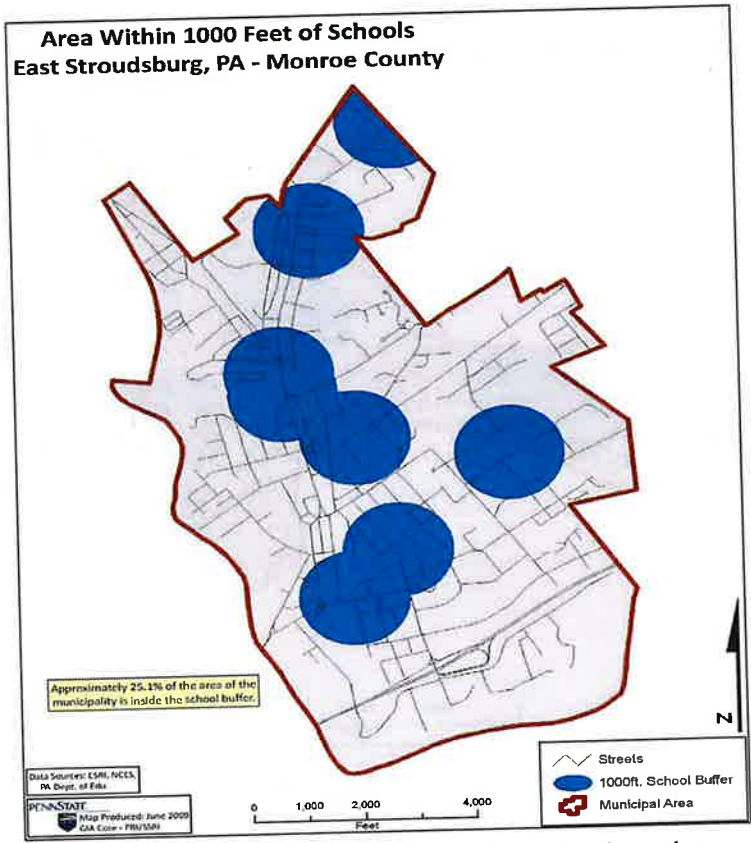
Area Within 2,500 Feet of Schools



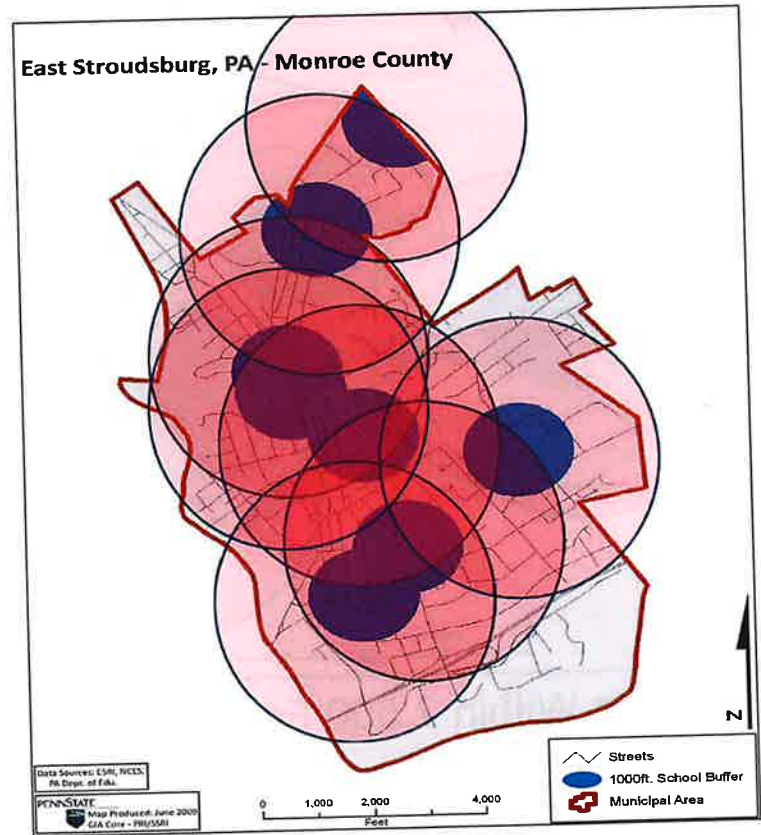
Area Within 1,000 Feet of Schools



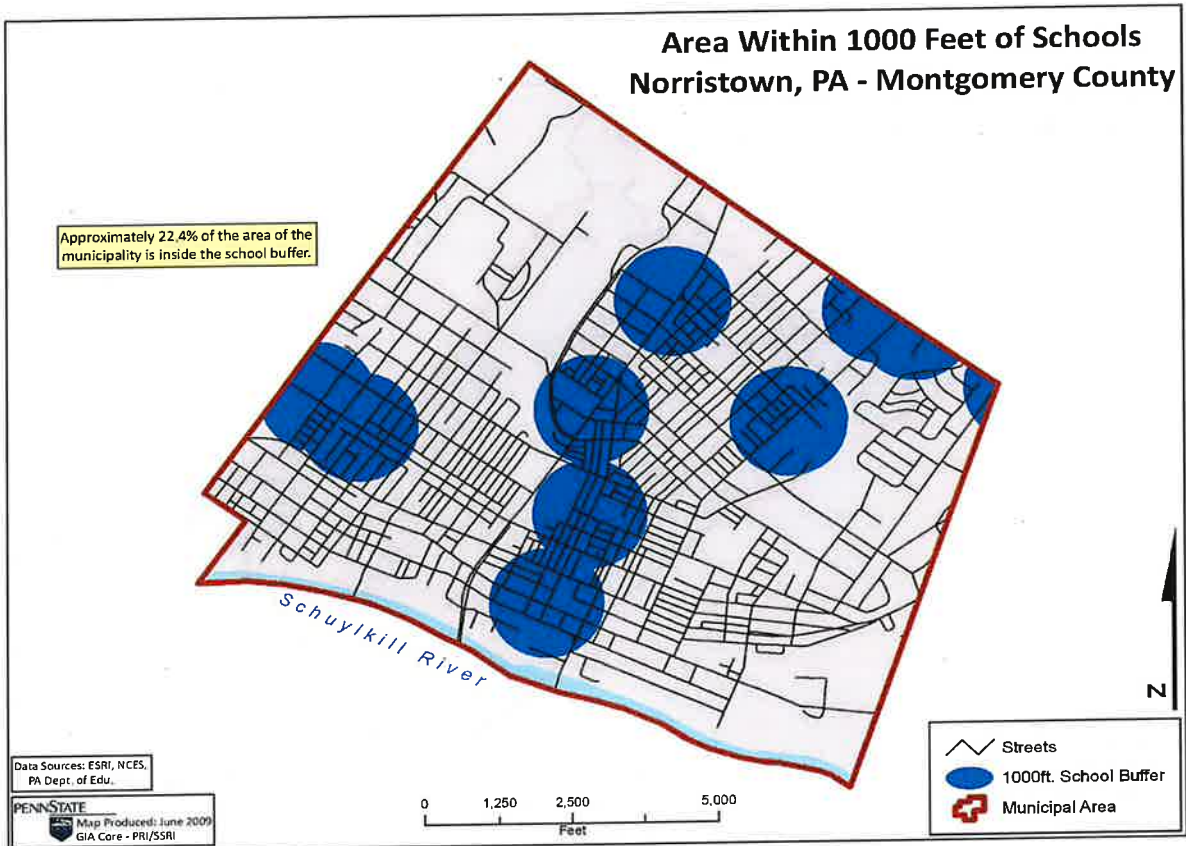
Area Within 2,500 Feet of Schools



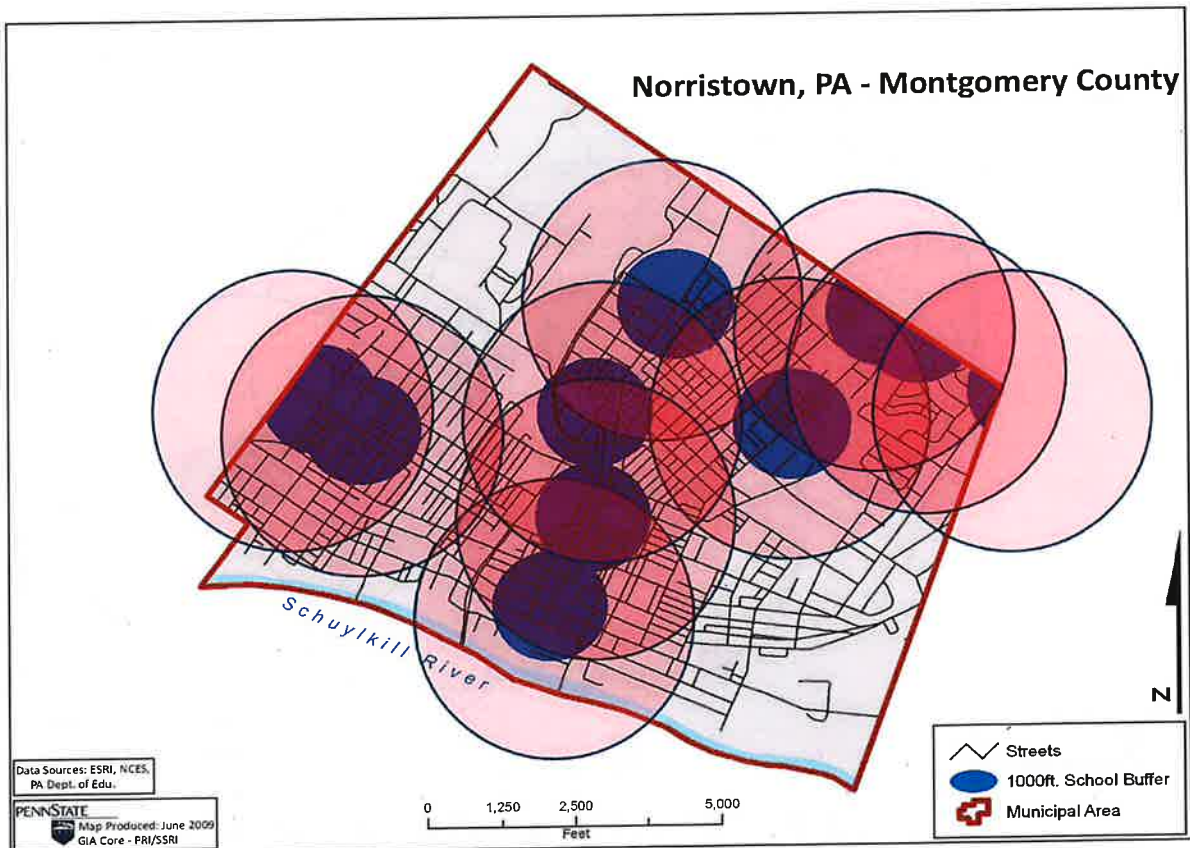
Area Within 1,000 Feet of Schools



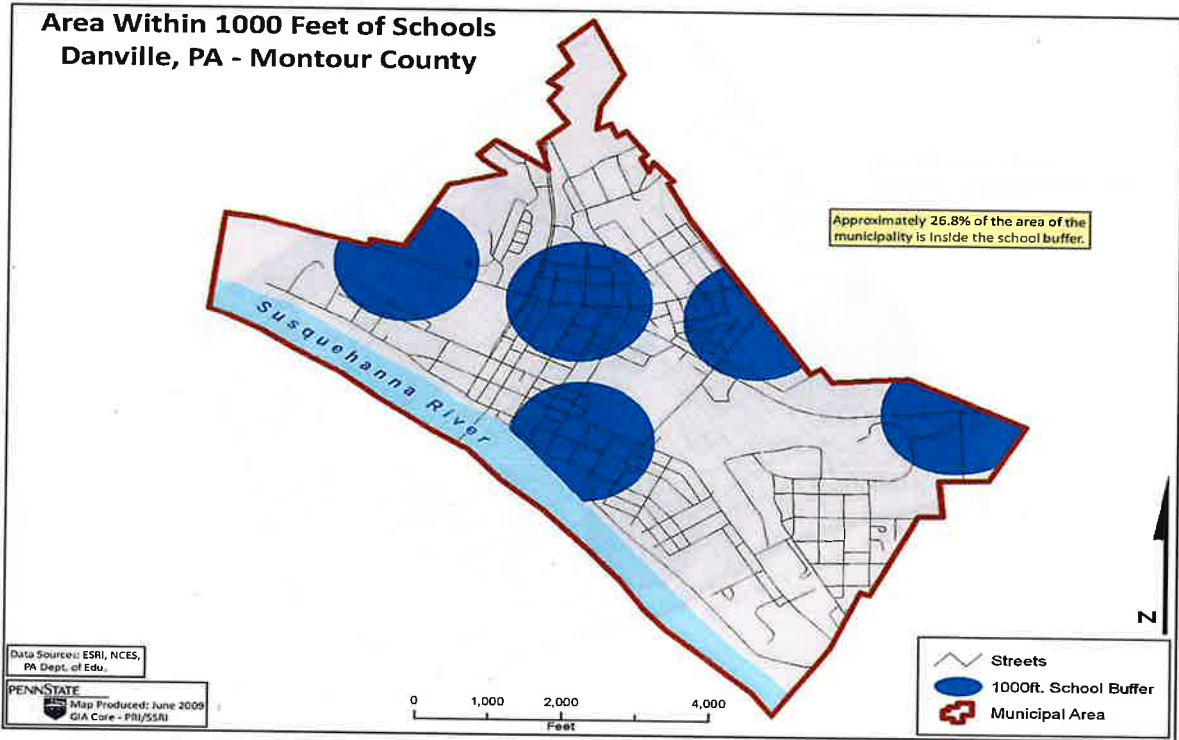
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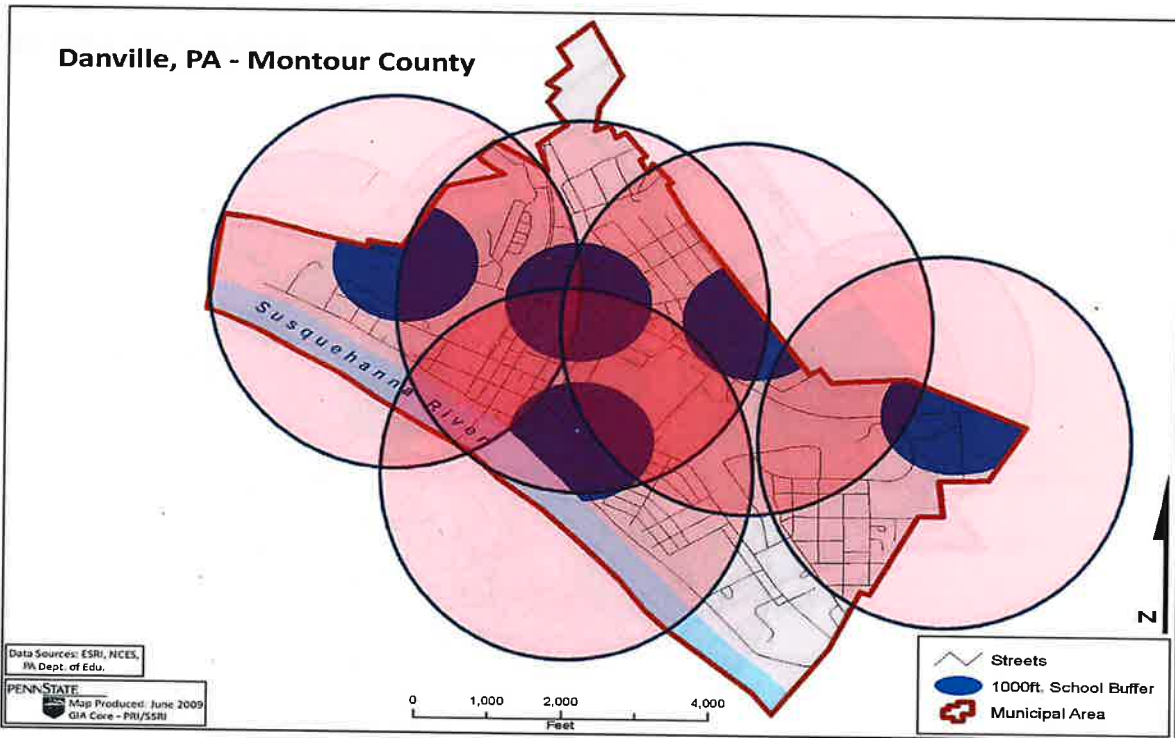
Area Within 1,000 Feet of Schools



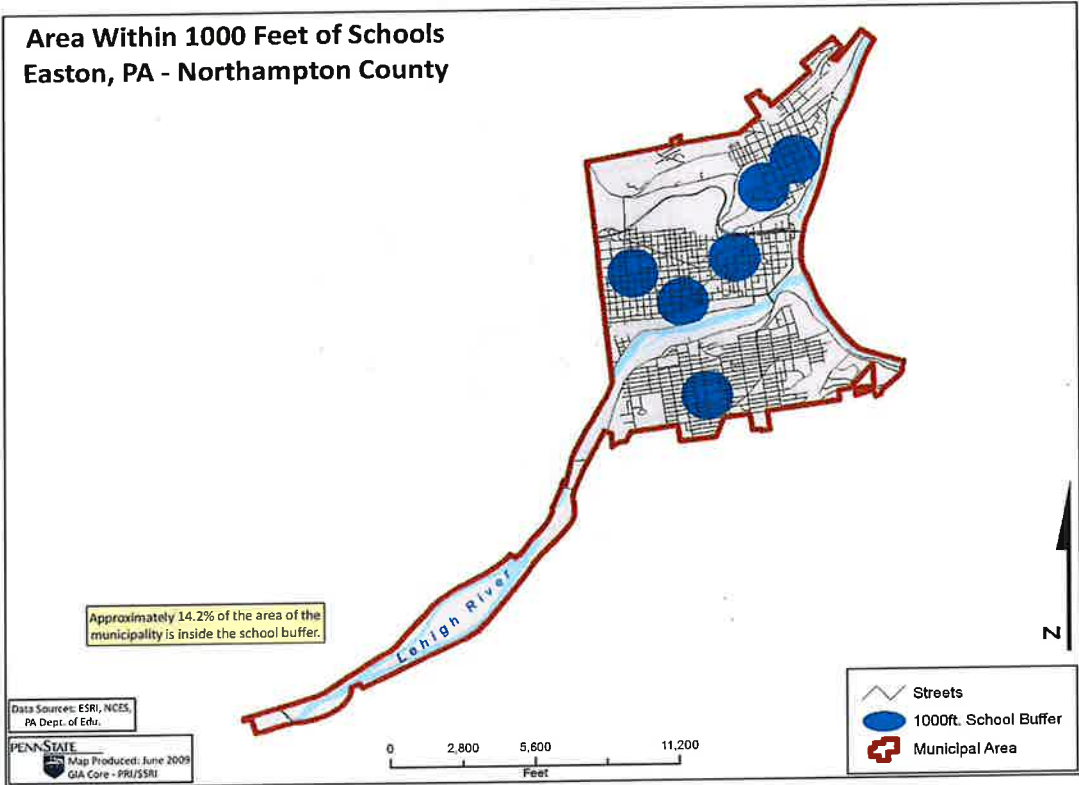
Area Within 2,500 Feet of Schools



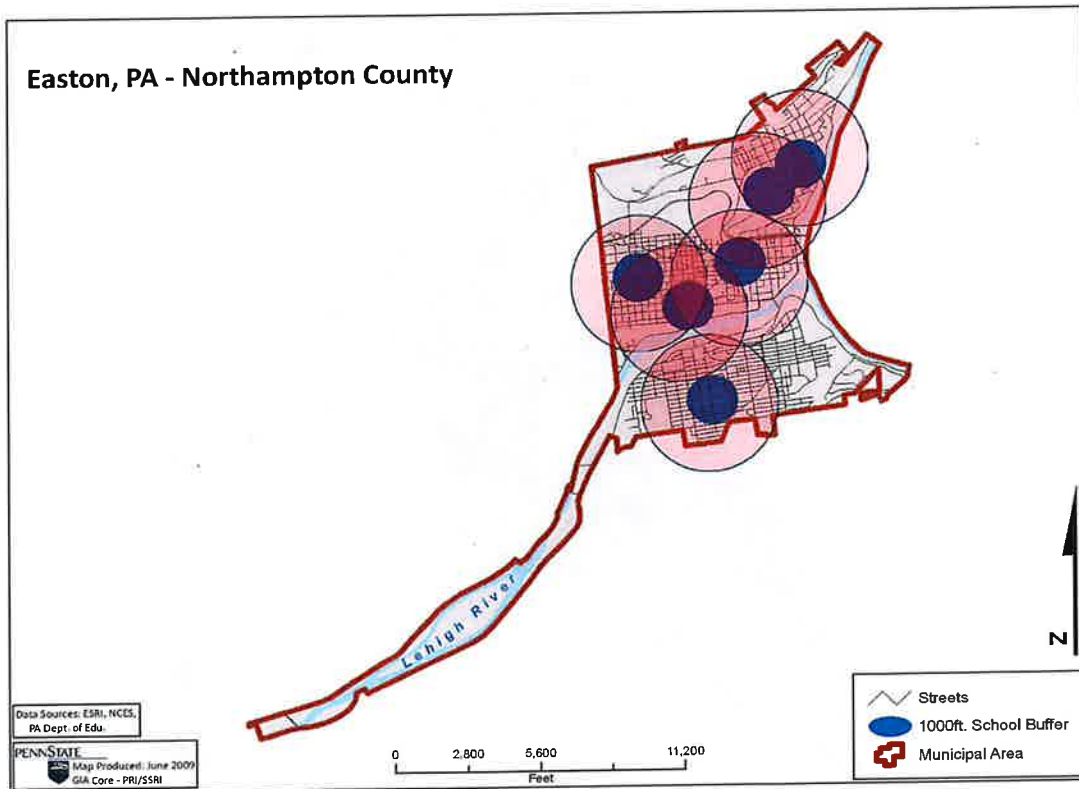
Area Within 1,000 Feet of Schools



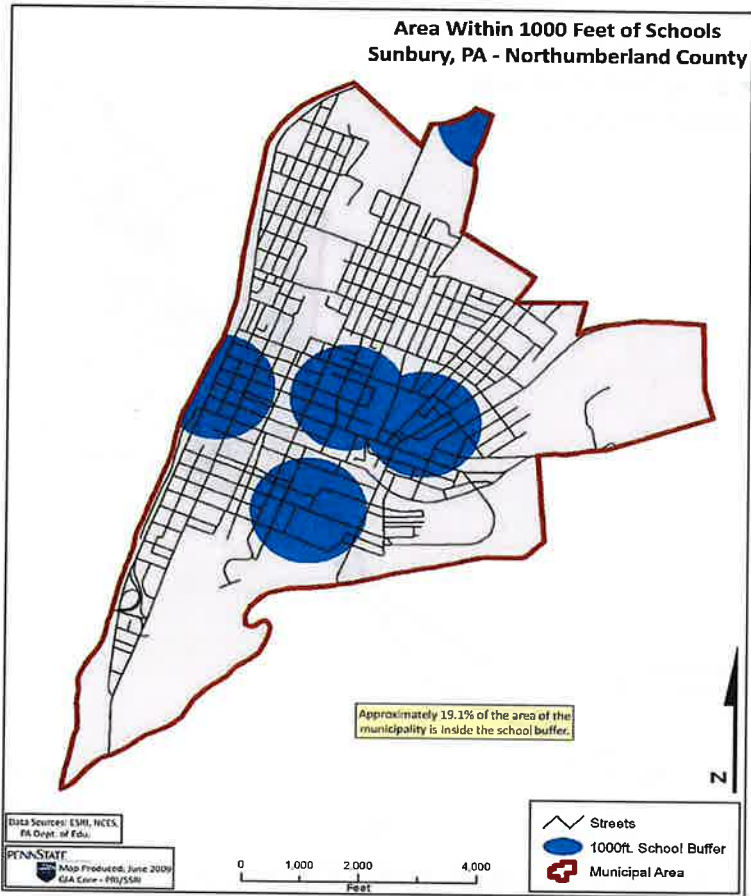
Area Within 2,500 Feet of Schools



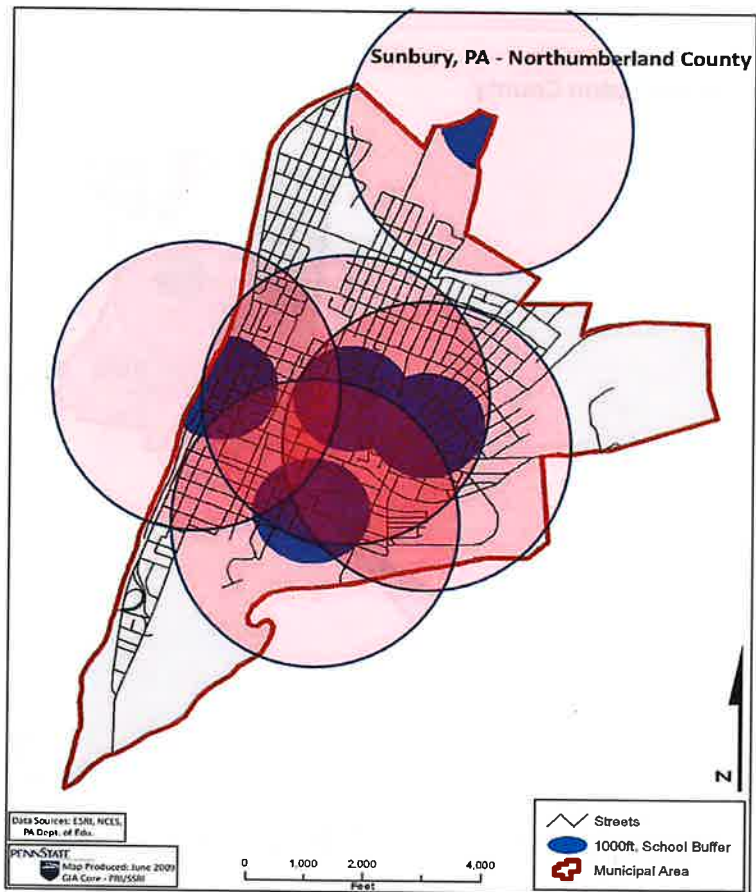
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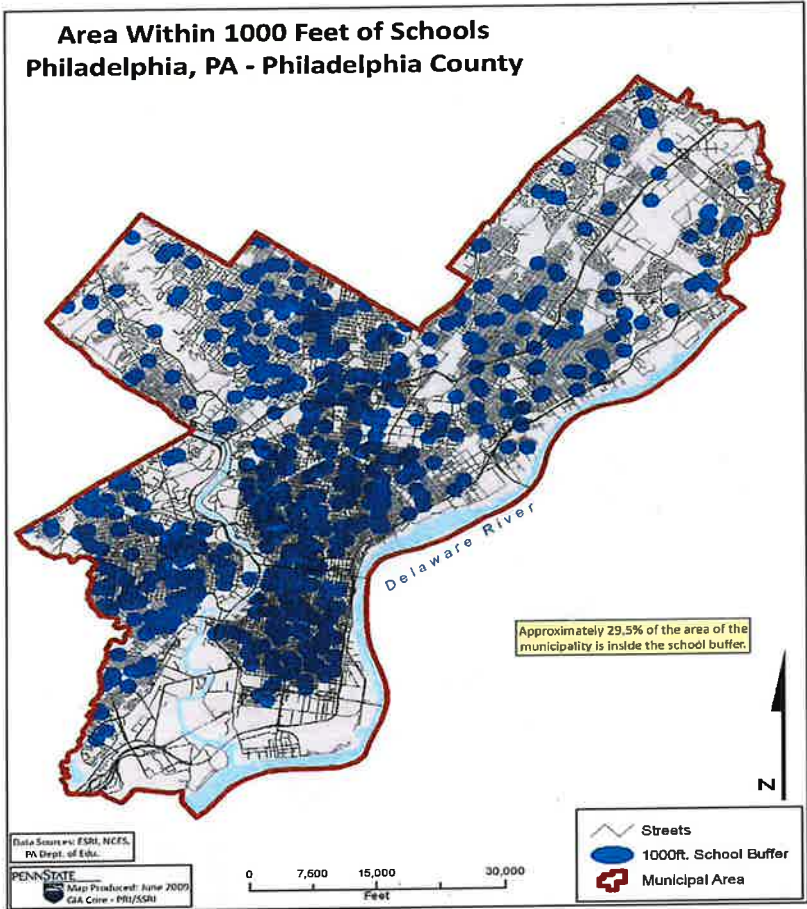
Area Within 2,500 Feet of Schools



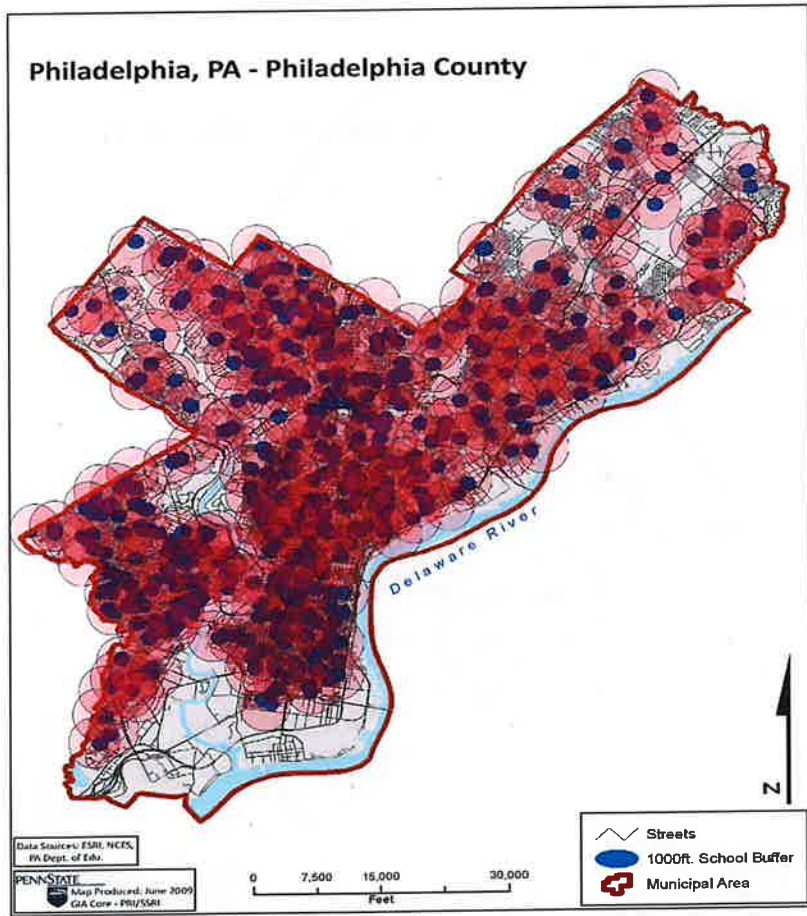
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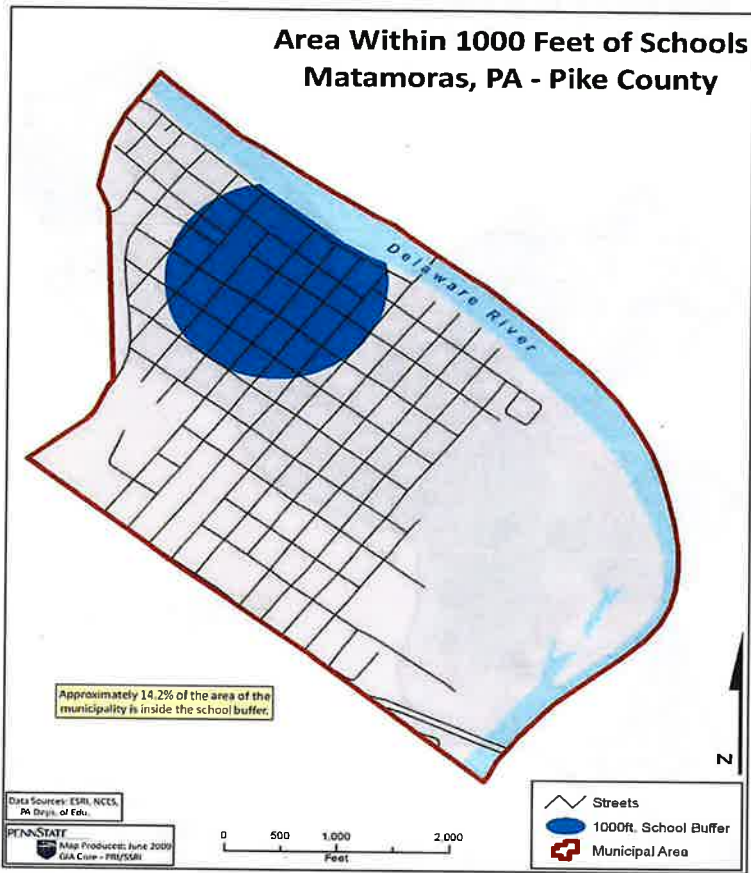
Area Within 2,500 Feet of Schools



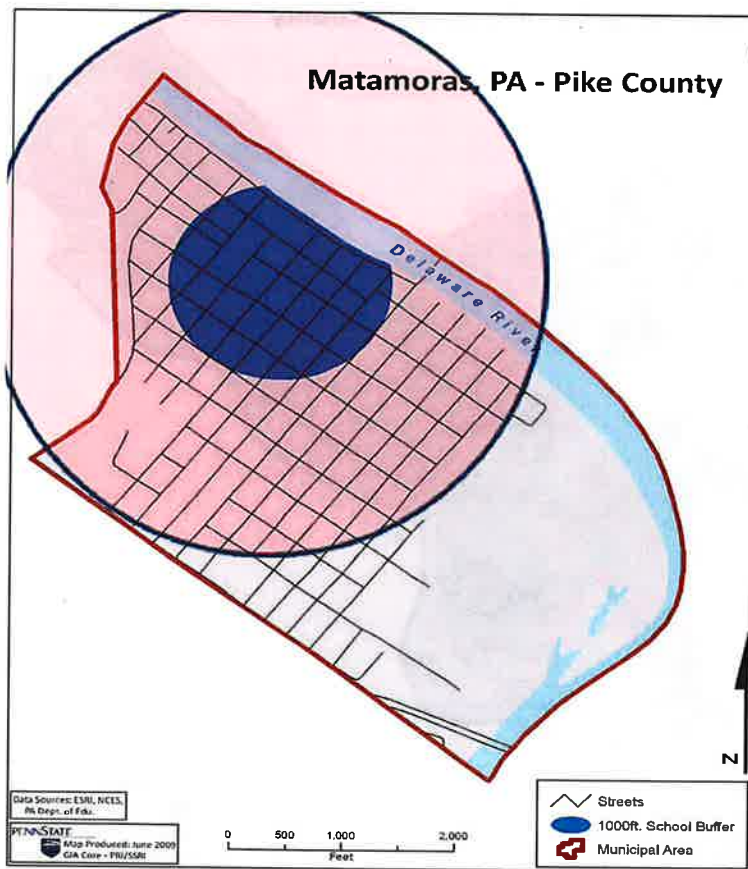
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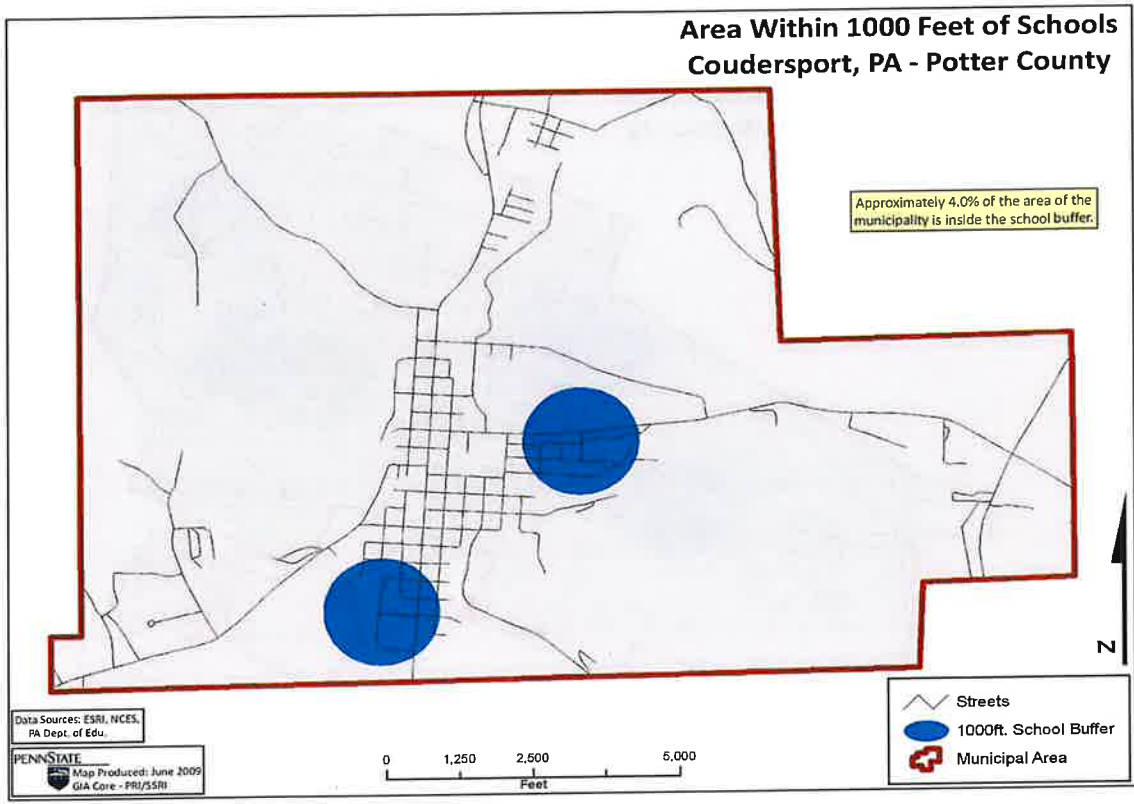
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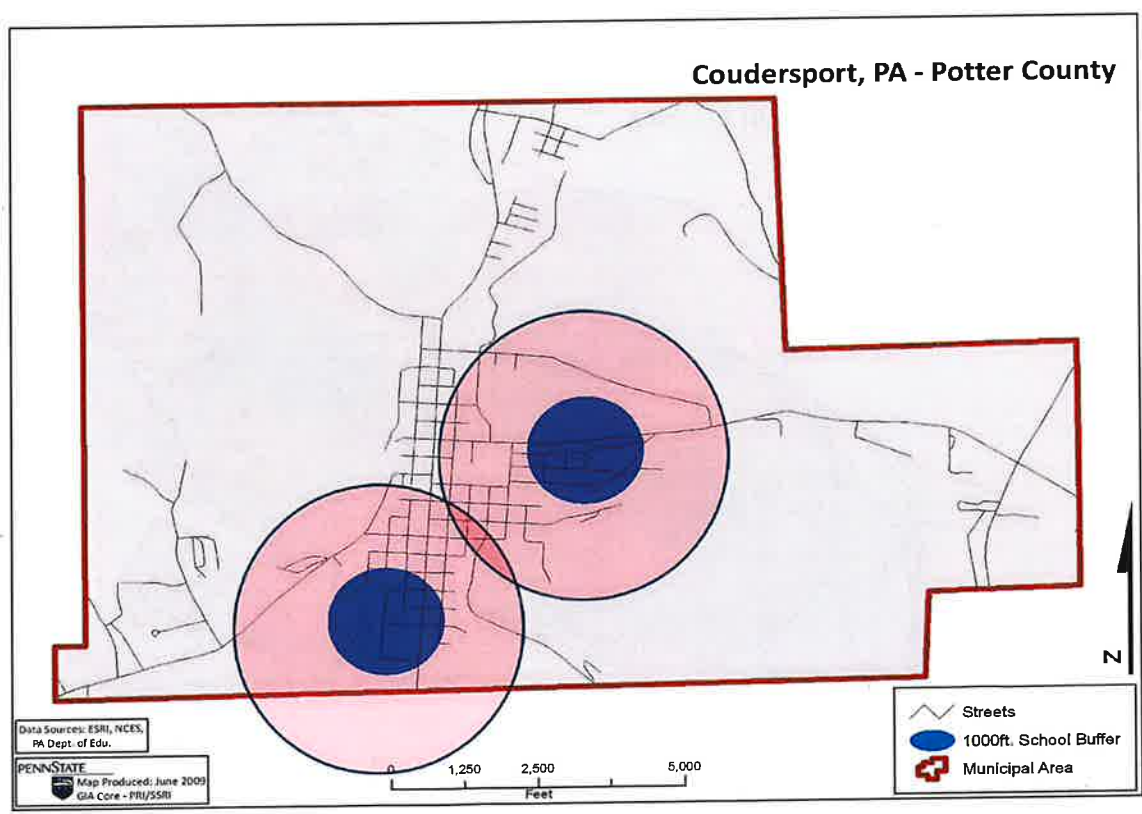
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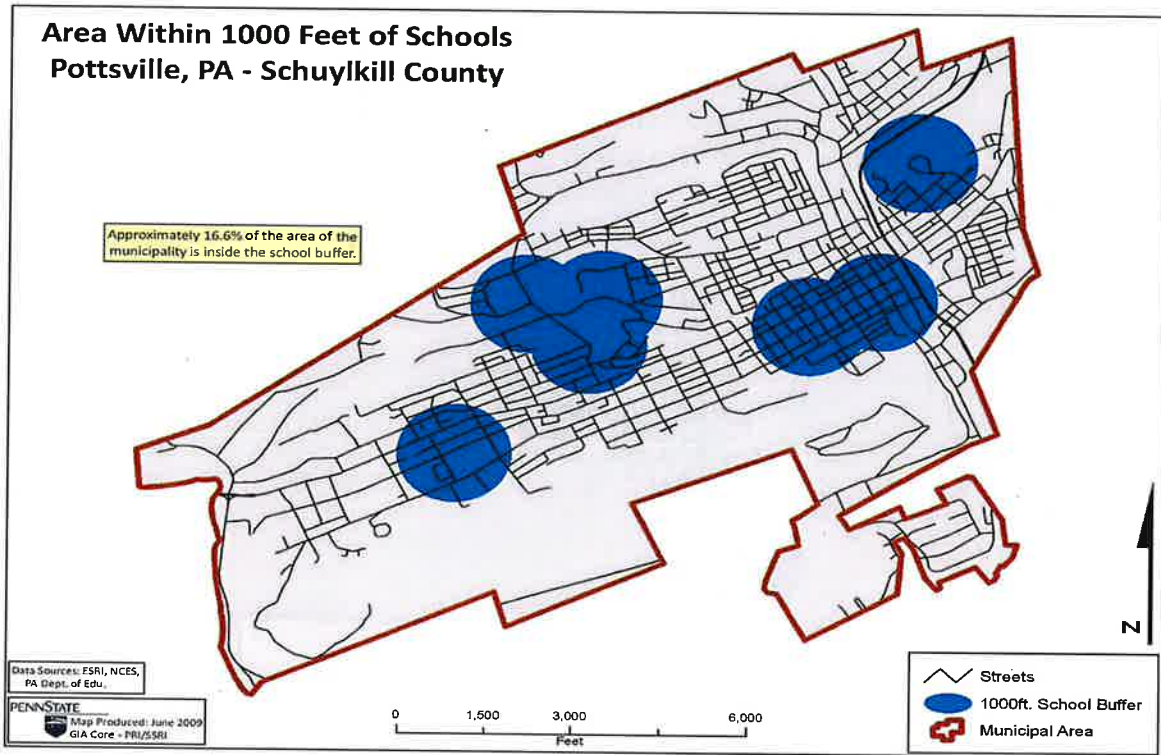
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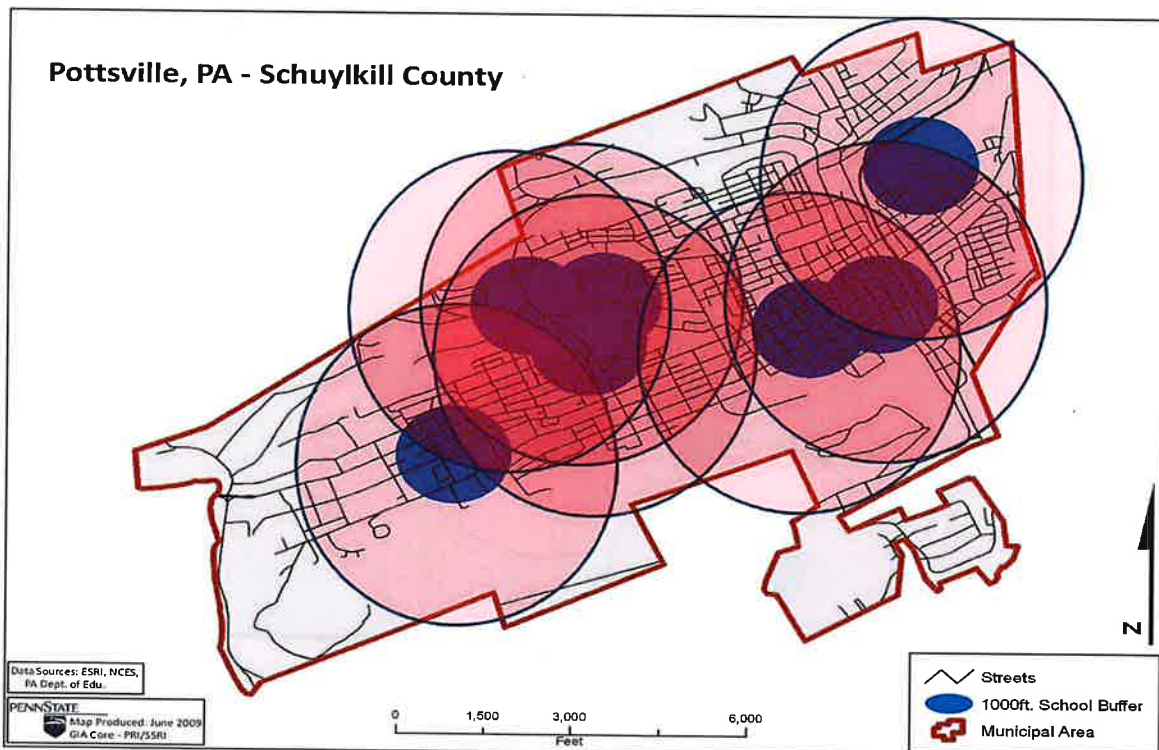
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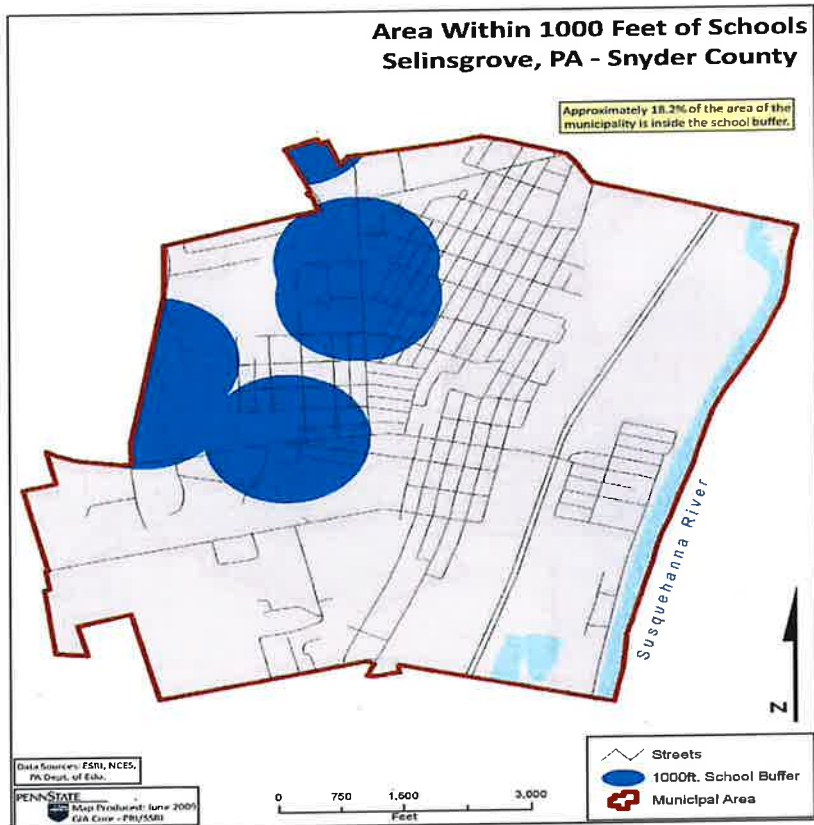
Area Within 2,500 Feet of Schools



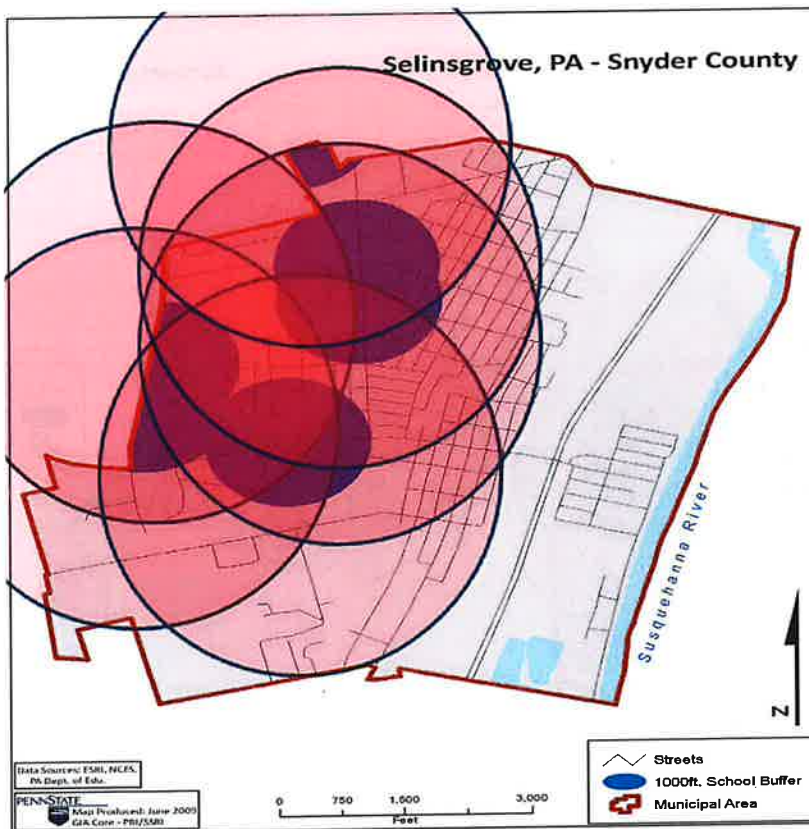
Area Within 1,000 Feet of Schools



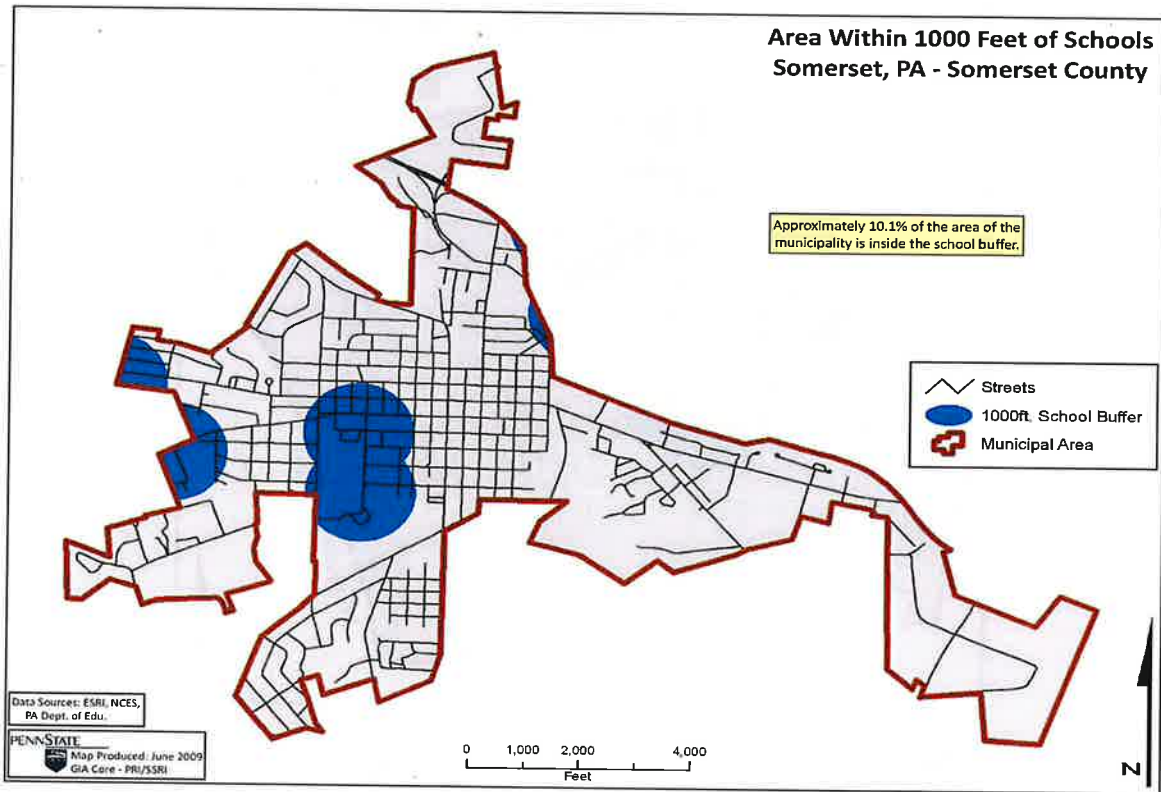
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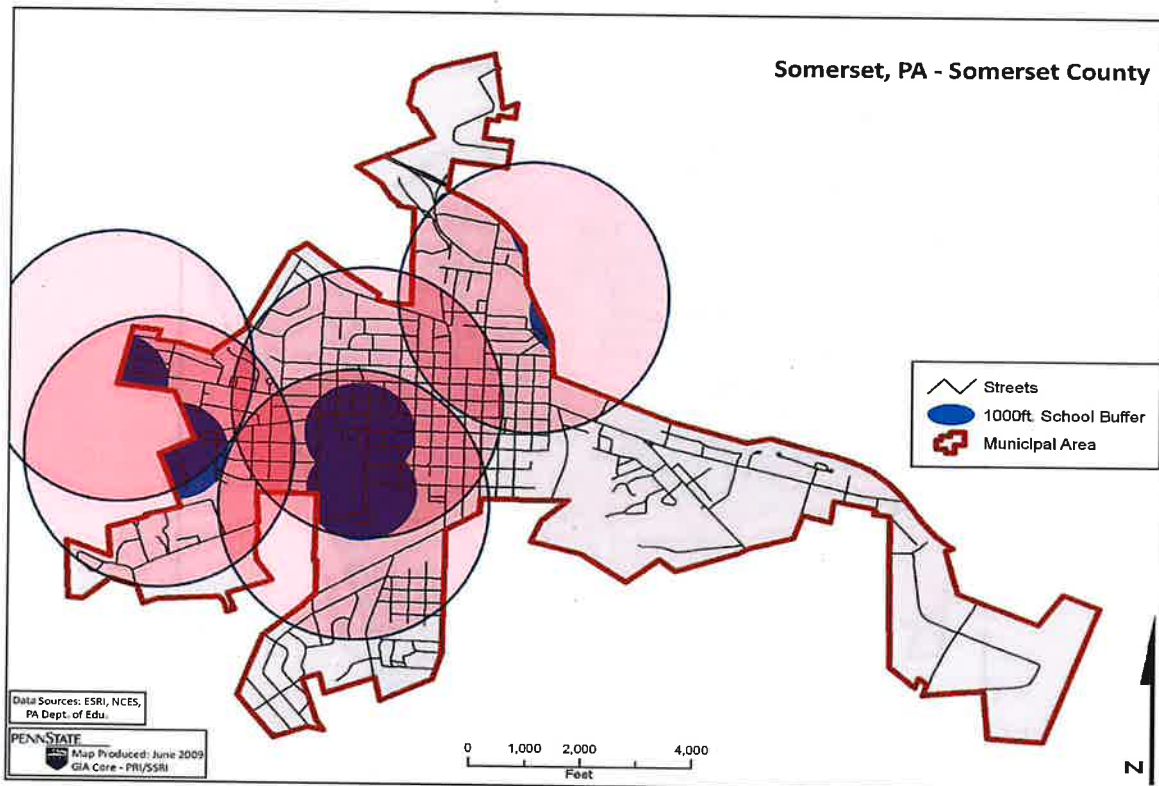
Area Within 1,000 Feet of Schools



Area Within 2,500 Feet of Schools



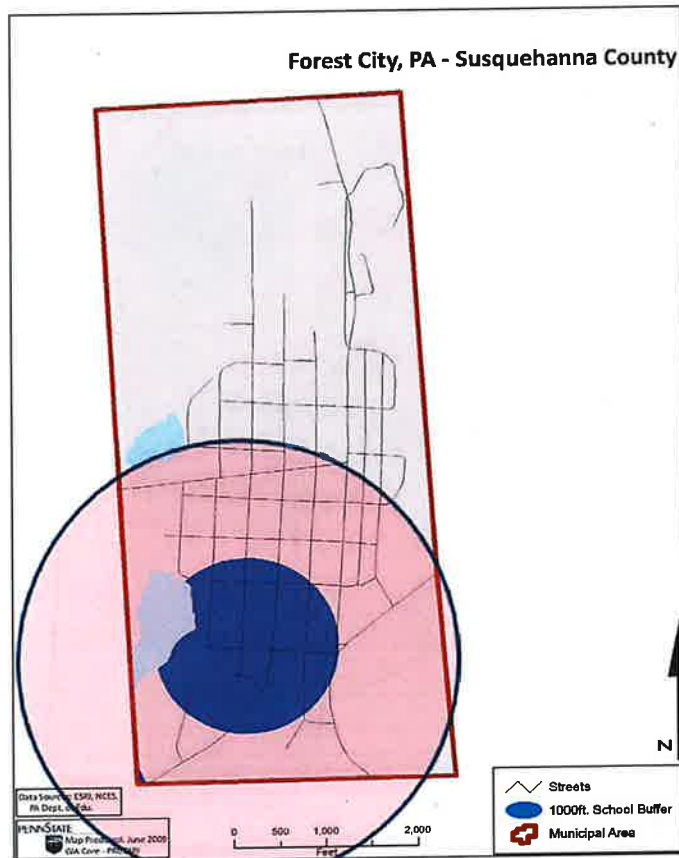
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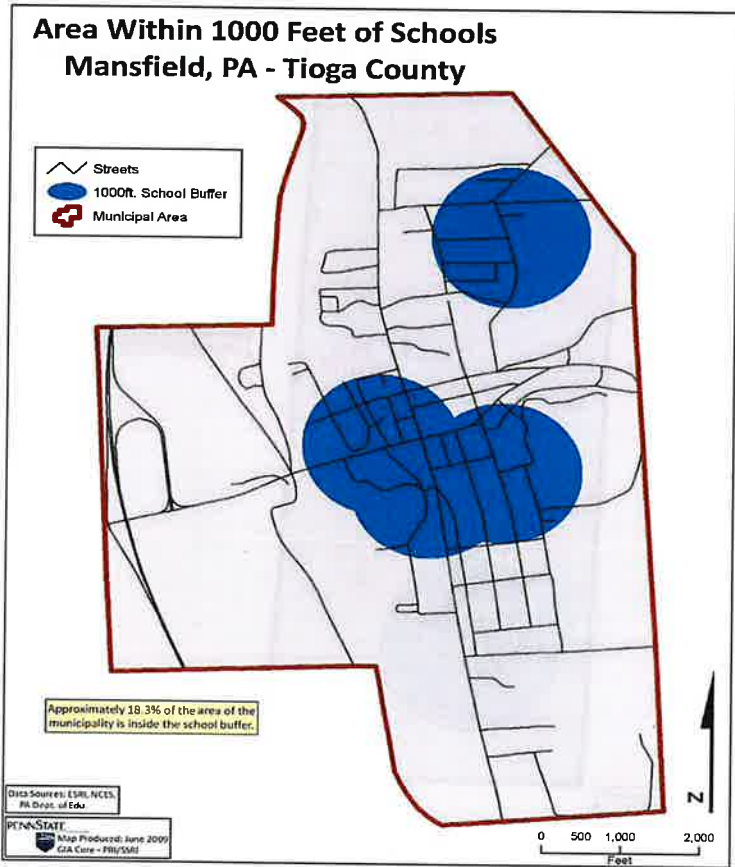
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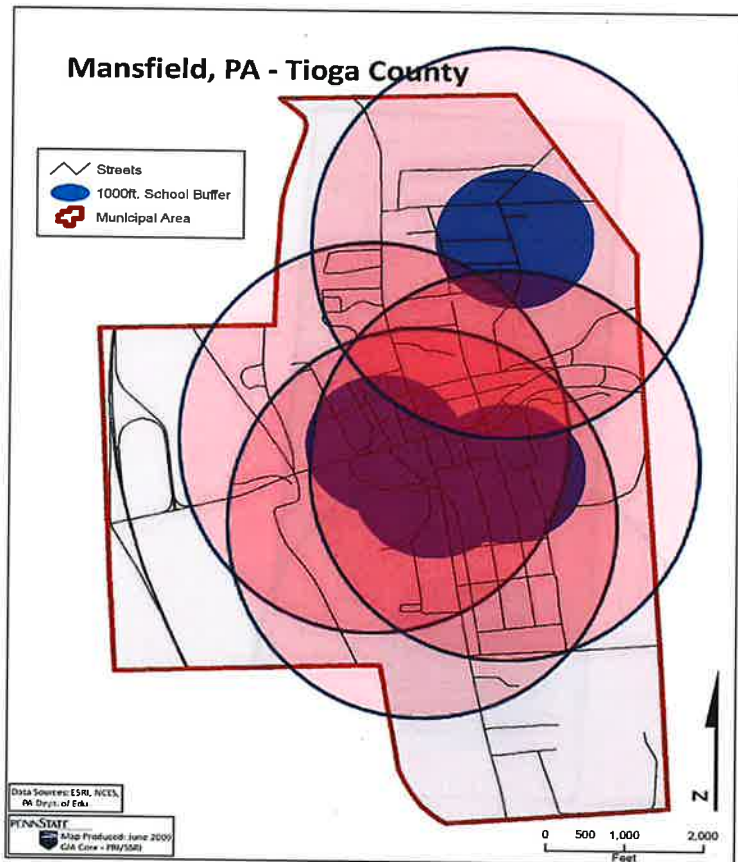
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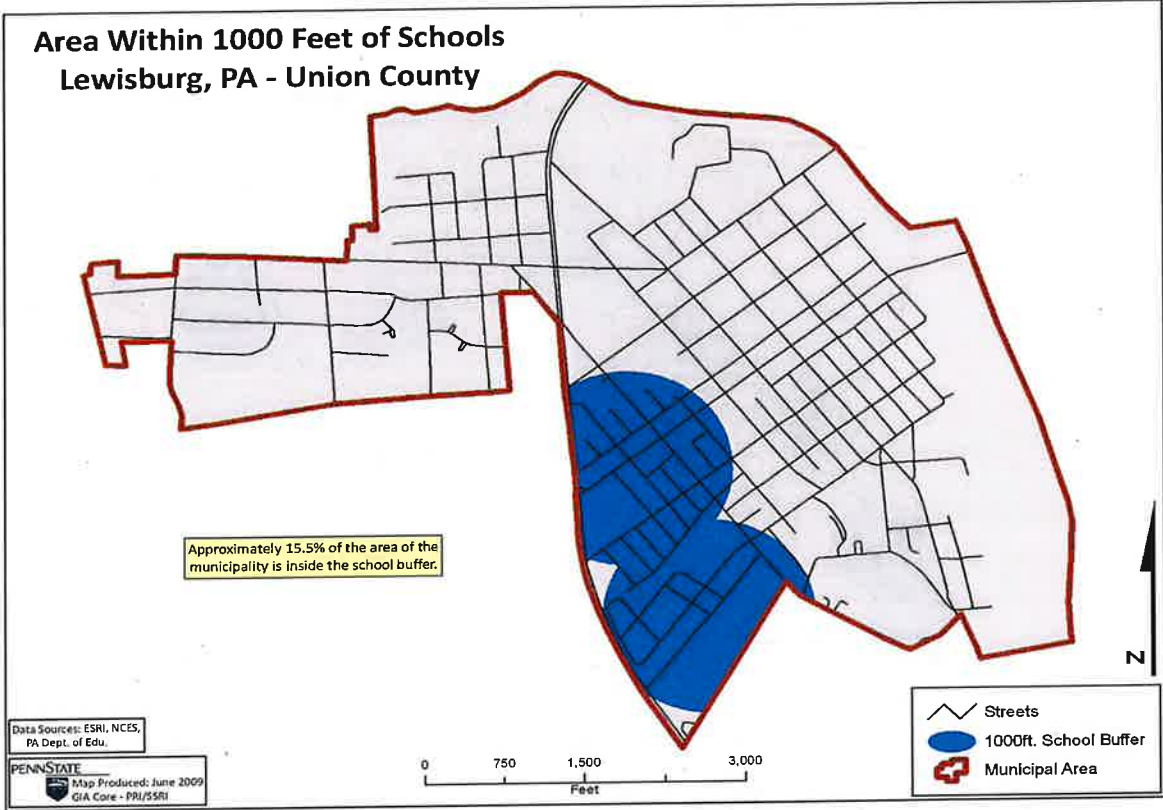
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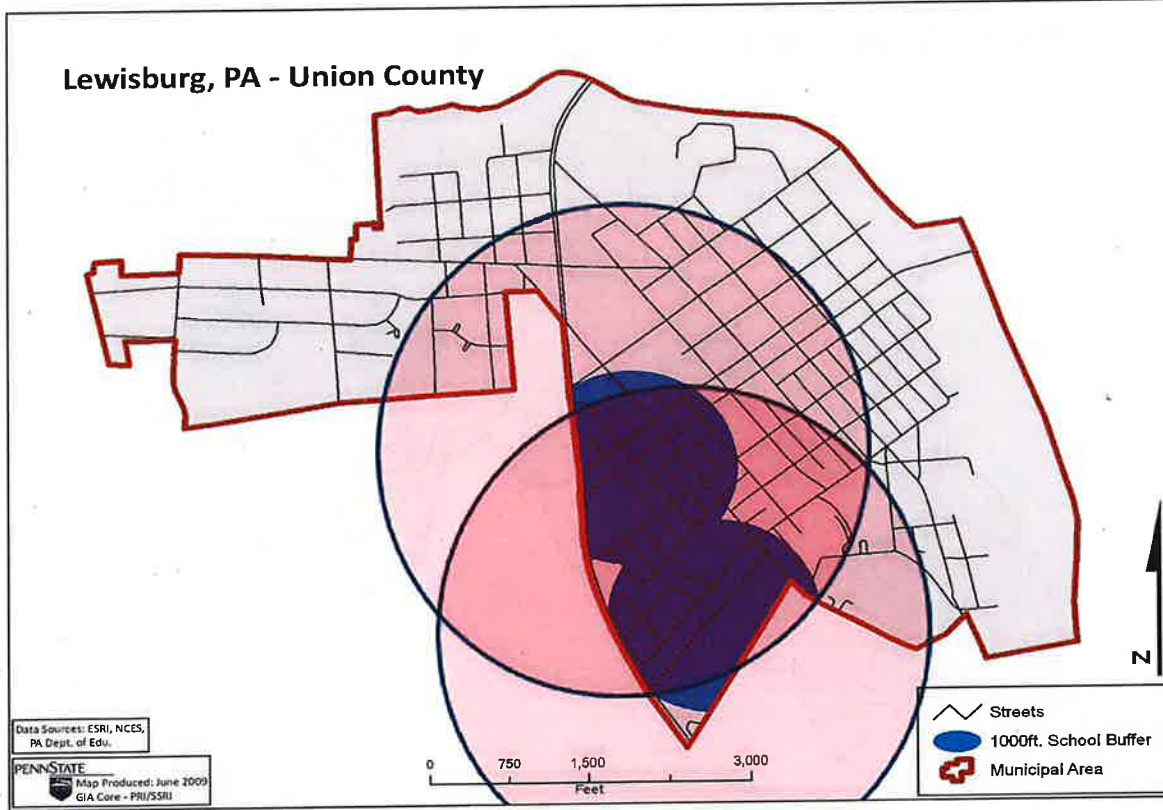
Area Within 1,000 Feet of Schools



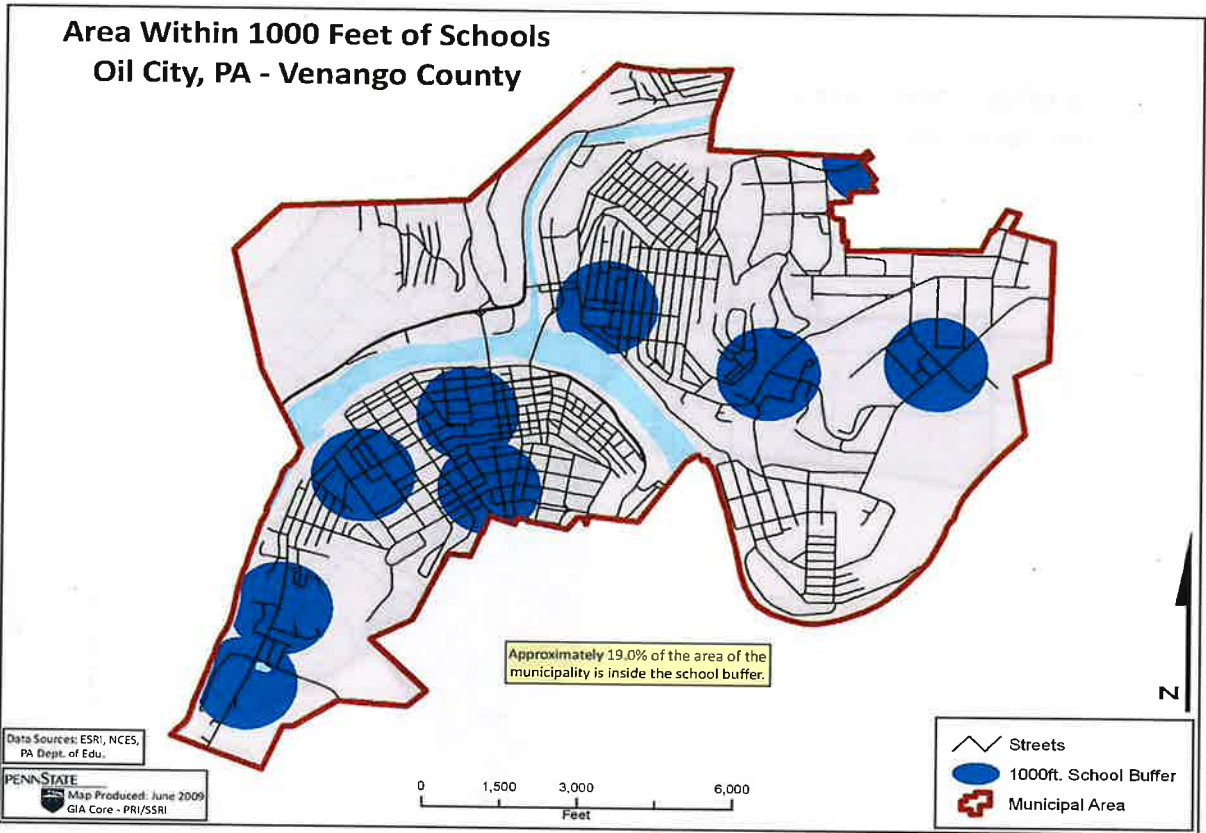
Area Within 2,500 Feet of Schools



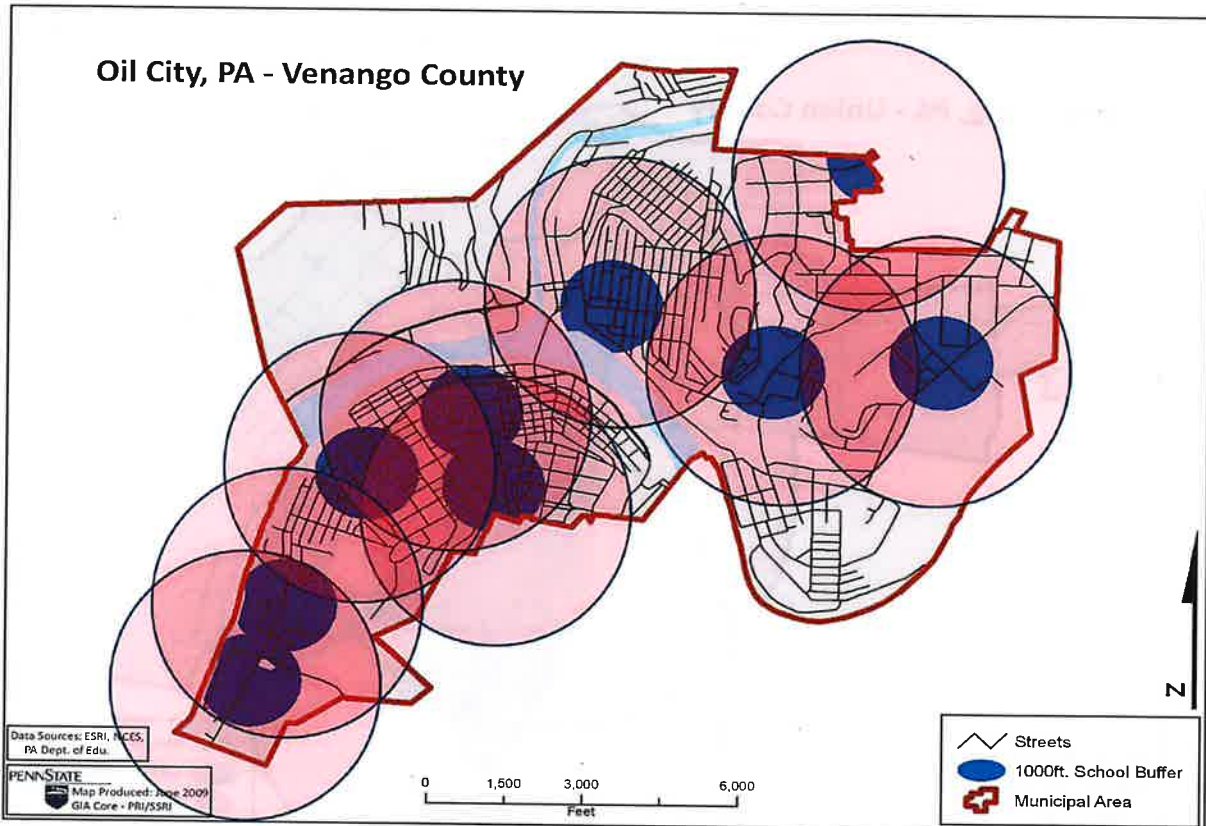
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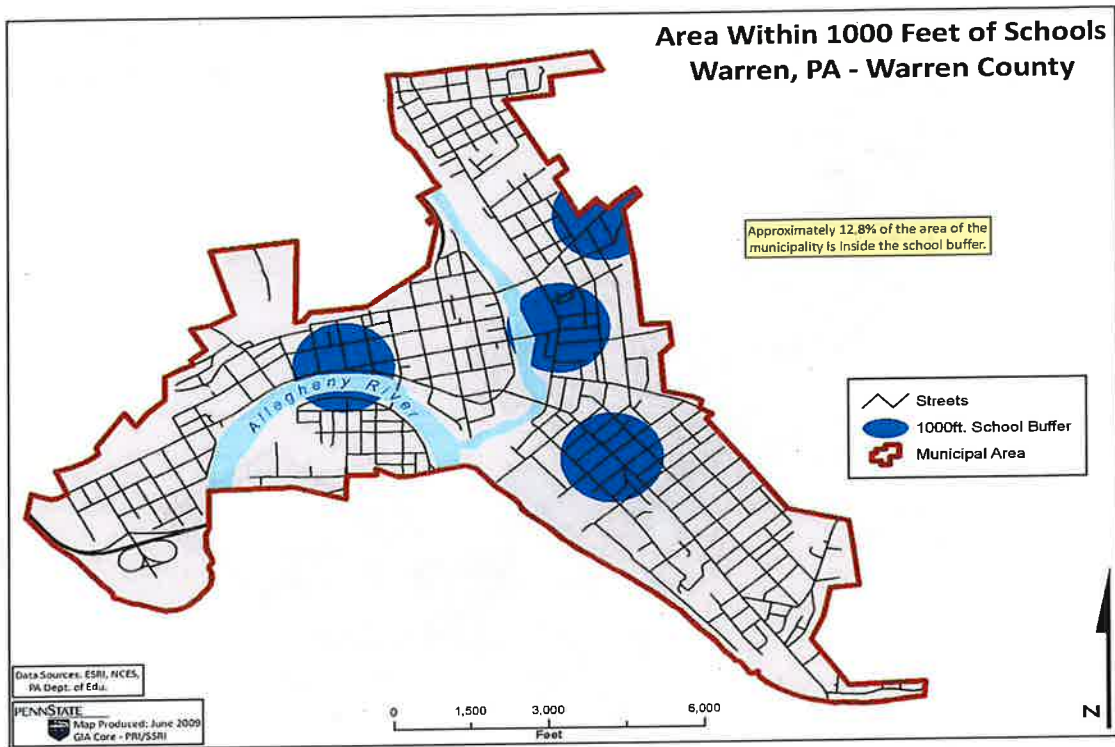
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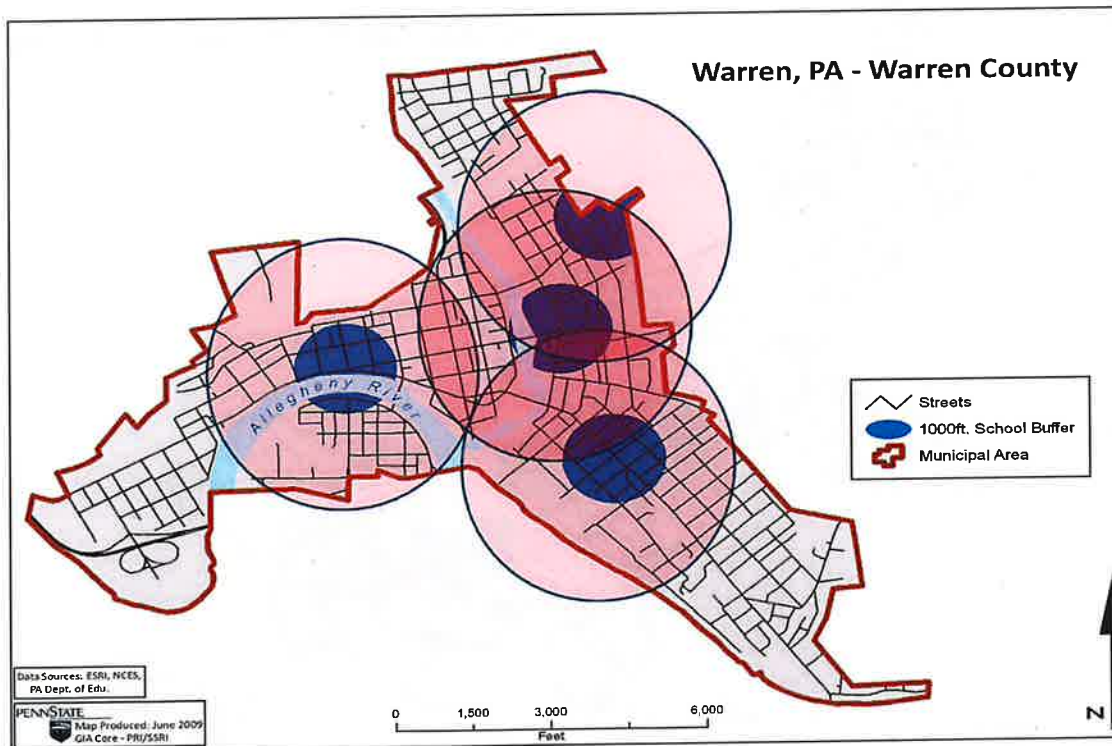
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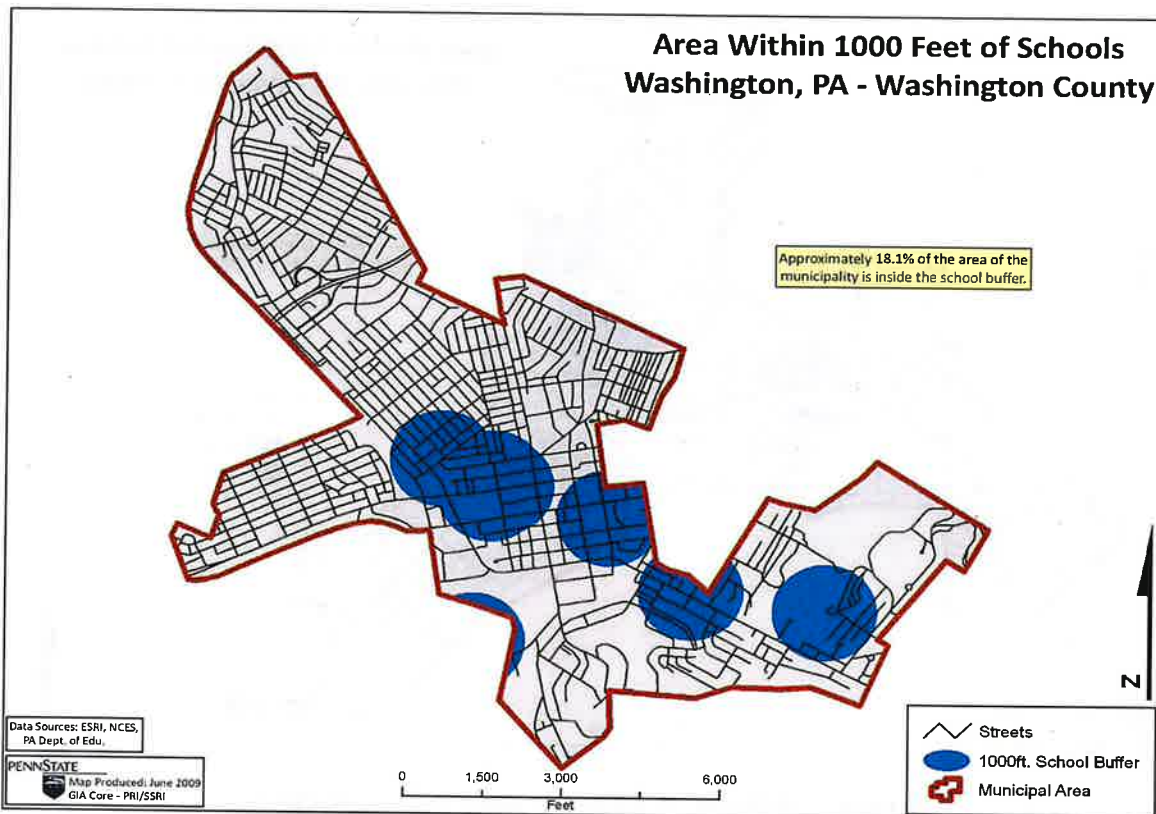
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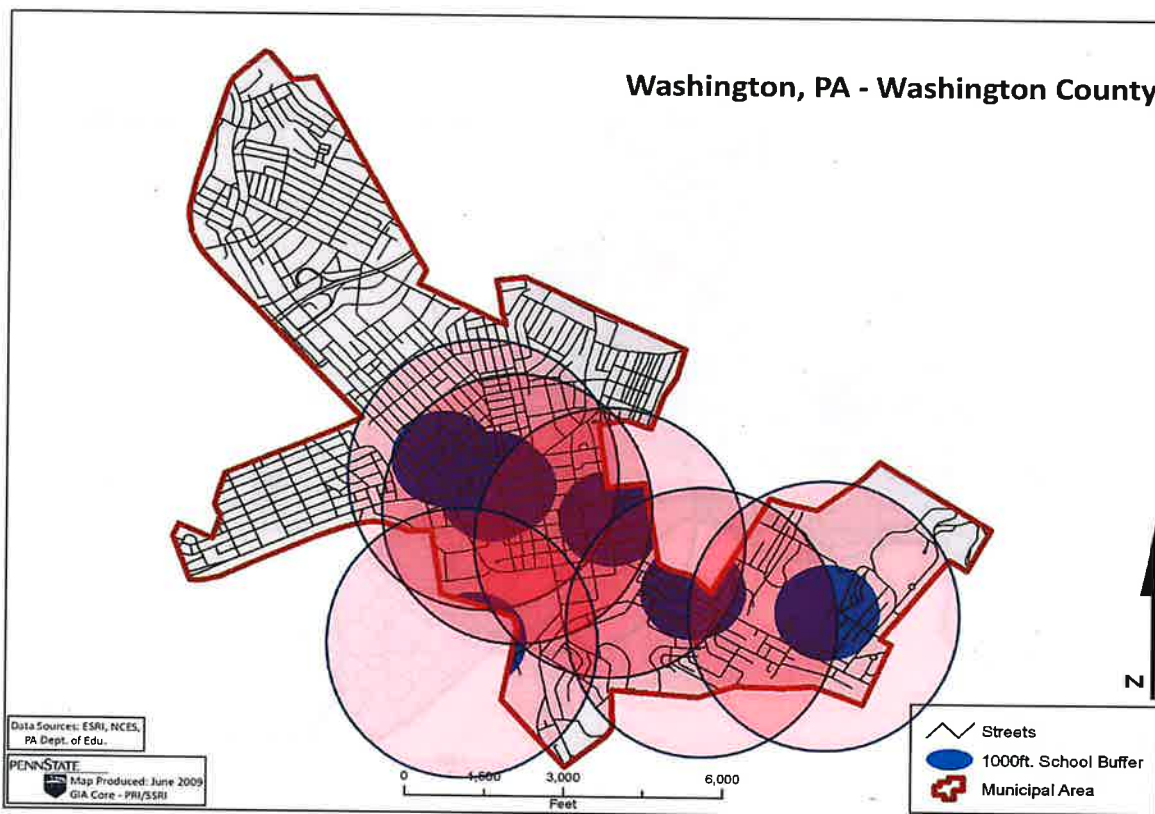
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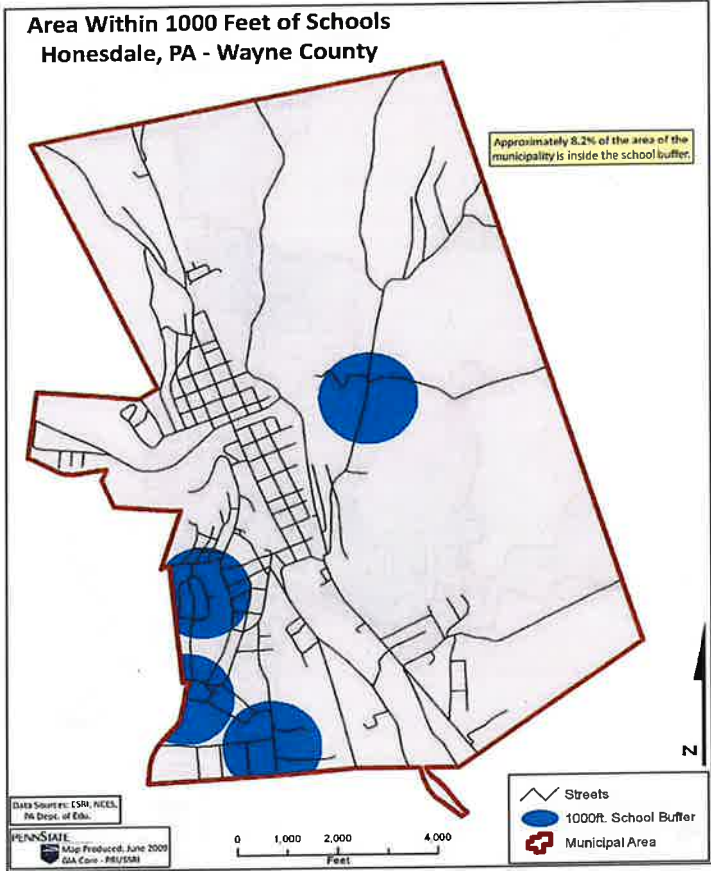
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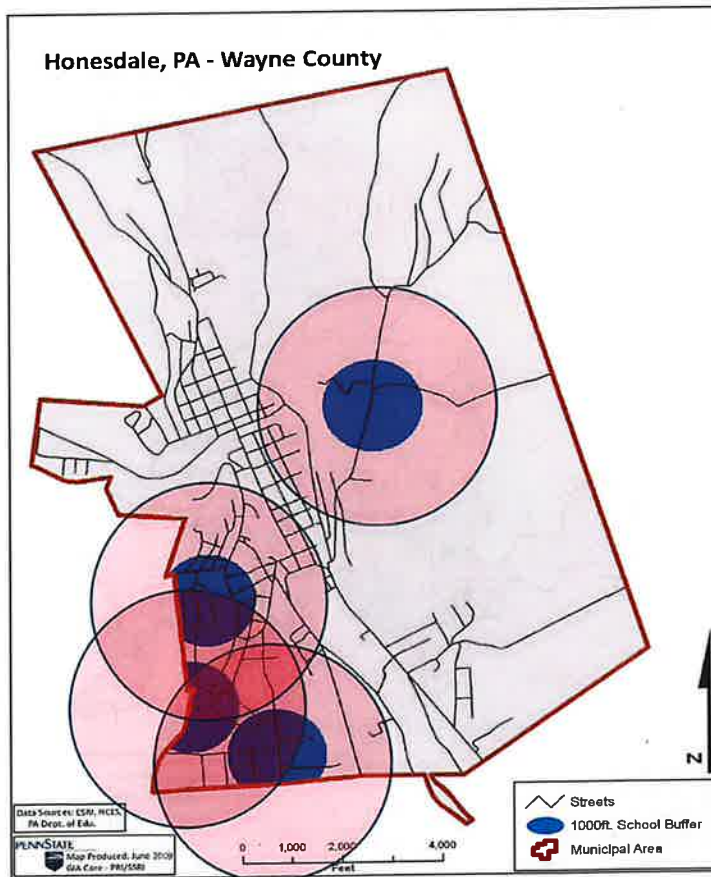
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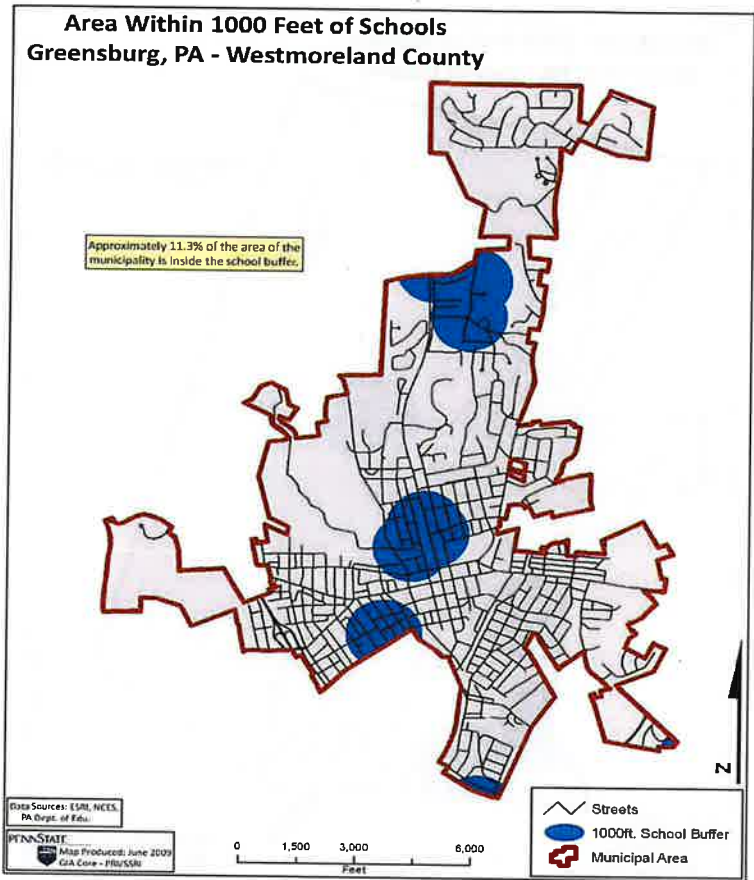
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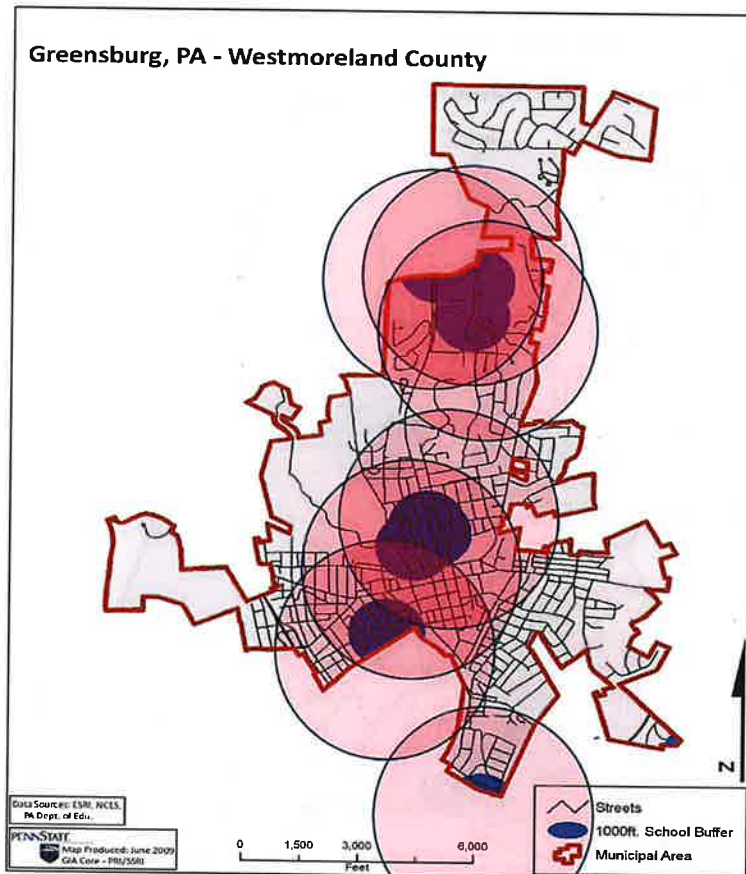
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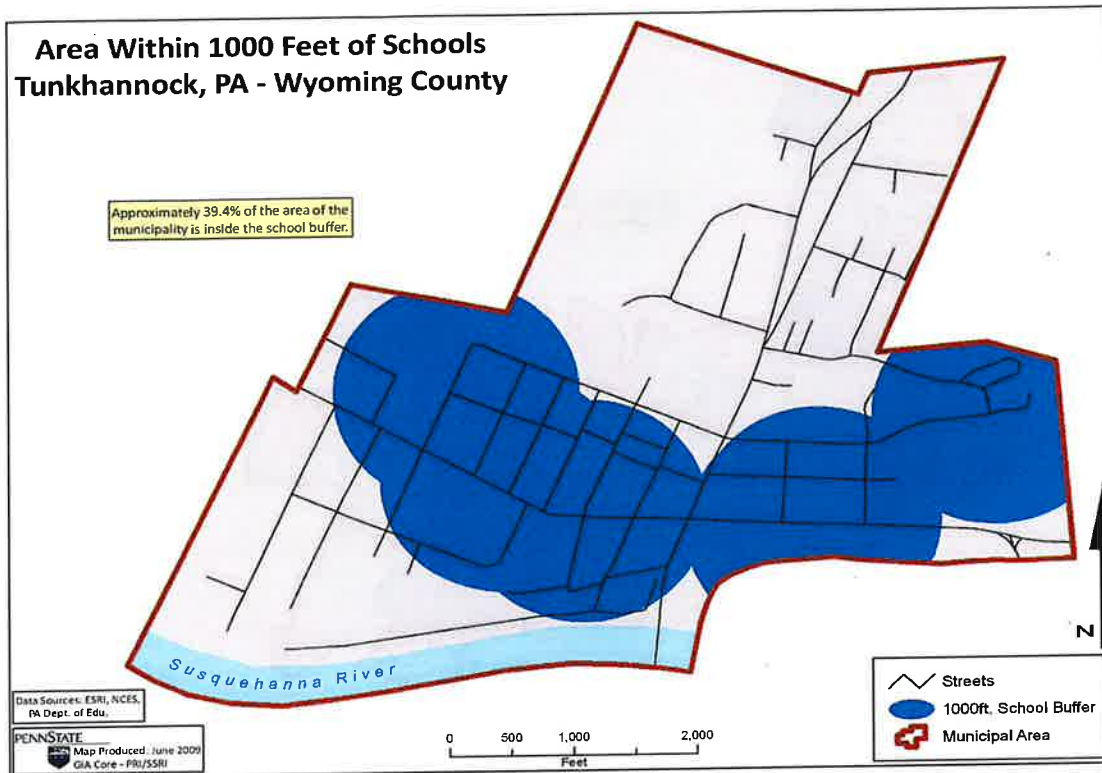
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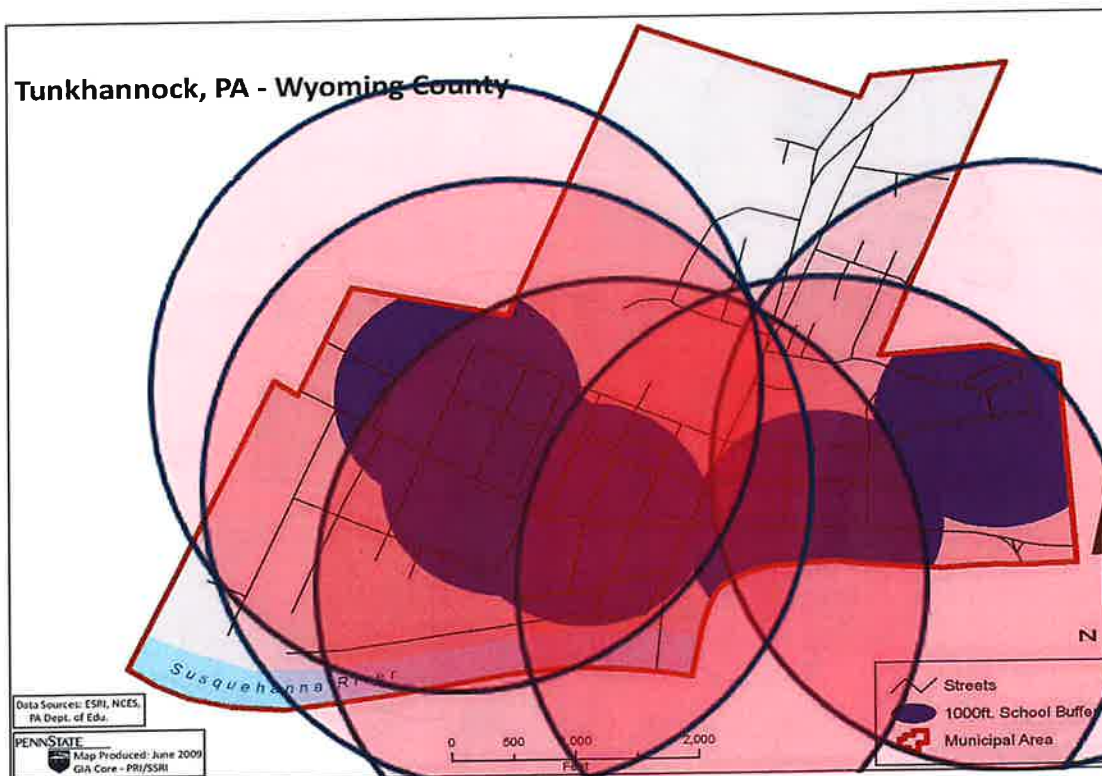
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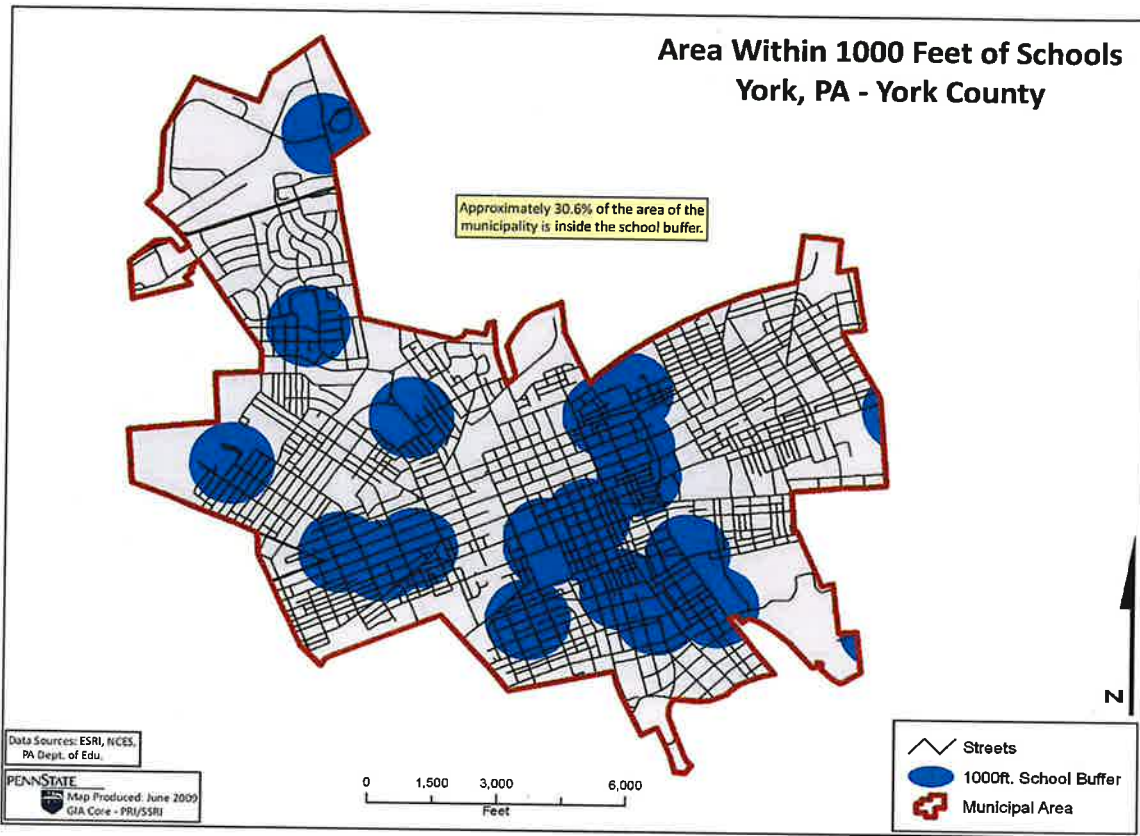
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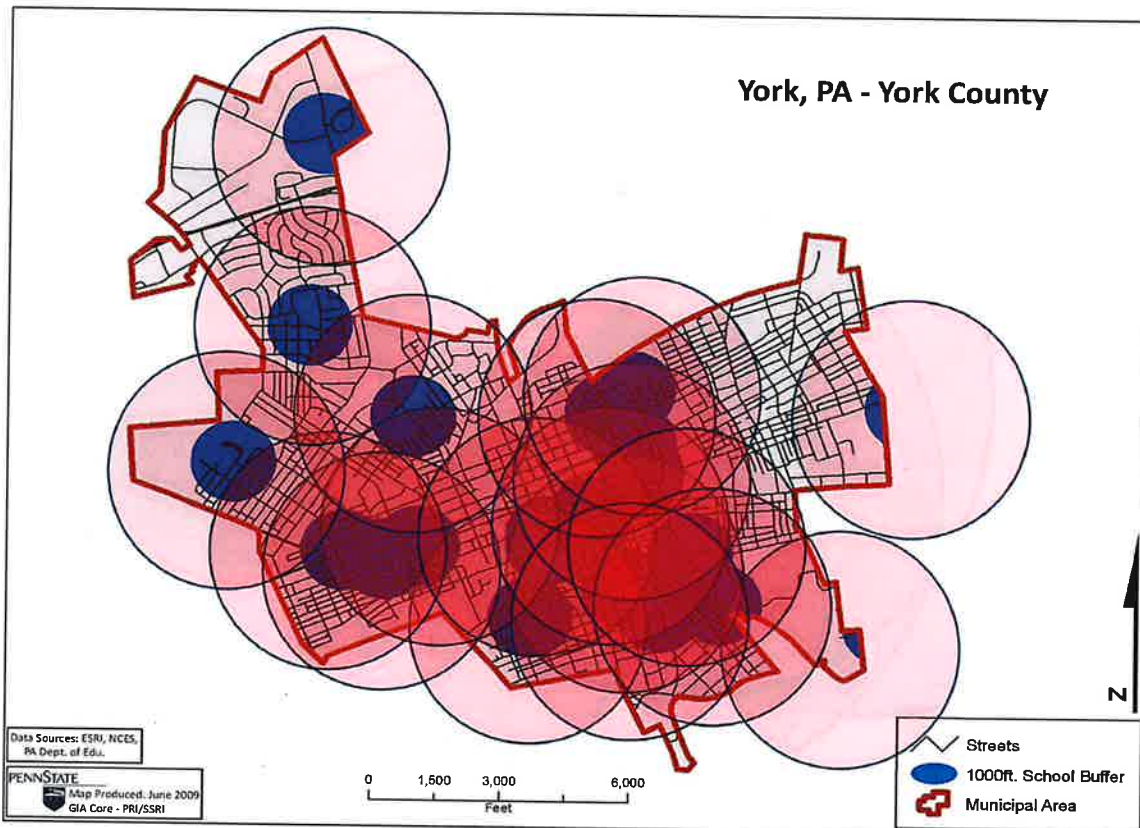
Area Within 1,000 Feet of Schools



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