

HOUSE REPUBLICAN POLICY COMMITTEE
TESTIMONY ABOUT MEGAN'S LAW WEBSITE

Department of the Auditor General
Stephanie Maurer, Deputy Auditor General for Performance Audits

August 17, 2010

Good morning, Chairman Saylor and committee members. My name is Stephanie Maurer, Deputy Auditor General for Performance Audits at the Department of the Auditor General. Thank you for the opportunity to discuss the Pennsylvania Megan's Law website maintained by the State Police. The address of that website is www.pameganslaw.state.pa.us.

Auditor General Jack Wagner regrets he could not be here. Repeatedly he has said that children are among our most vital citizens. He has always placed a high priority on making sure government fulfills its role of protecting children -- especially from sexual predators. He knows the problem is not going away.

Our Department has conducted 3 audits and produced 2 special reports related to Megan's Law over the past 7 years. At the time of the Department's first audit in 2004, there were 6,900 registered sex offenders and 27 sexually violent predators.

(By way of explanation, sexually violent predators are a subset of sex offenders; the predators are deemed by the courts to be the most dangerous type of sex offender because, according to the legislative intent of our Megan's Law, predators "pose a high risk of engaging in further offenses even after being released from incarceration or commitments.")

Currently, there are 9,929 offenders, up from the original 6,900. That's an increase of 44 percent. The number of predators has grown from 27 to 402 -- an increase of more than 1,000 percent. In short, the problem is getting worse.

As a government, we must devote more resources and do a better job with Megan's Law. The State Police did improve its performance, and many improvements came from our audit recommendations, including changes to law.

For example, in early 2004, the website listed only names and addresses for the few violent predators. Later that year, the website listed the names and towns of the other offenders, but not street addresses. After our May 2006 audit, the law required the listing of full residential street addresses for all sex offenders. In November 2006, the law was further amended to require the website to include information such as height, weight, make and model of car, and -- for offenders convicted after November 2006 -- whether the victim was a minor.

Another early audit finding was that the website used outdated addresses for at least 700 registrants. The problem of wrong or outdated addresses still exists because convicted sex offenders themselves are responsible for keeping their addresses current. To the State Police's credit, the website now makes it easier to tell which registrants check in on time and which ones don't, but it still takes way too much work for the public to figure that out.

Our special report that brought us here today was released just eight weeks ago on June 22 and focused solely on the Megan's Law website. The 14-page report is an easy read. We monitored the site from August 2009 through January 2010 and gave it a C-minus based on 4 elements: How good were photographs? How current and accurate was information? How easily could the public search for offenders and predators? And did the website offer useful features and tools?

I have a brief PowerPoint presentation that covers most of these elements visually. I can summarize Auditor General Wagner's 13 recommendations for improvement into 5 bullet points:

- The website needs multiple clear and color photographs, including profile views, and the date each photograph was taken.

- The website needs a listing of *all* sex offenses for which each offender was convicted, and a clearer way to see which offenders are current in verifying their information with the police -- including accurate addresses.
- The website needs more options for the public to search for registrants, and more features and tools -- like mapping options to show where selected offenders live and e-mail options to get alerts when the offenders move.
- The website needs to make allowances if the public makes spelling errors or spells things inconsistently.
- Finally, the State Police needs to do better monitoring of its own data entry errors and inconsistencies.

We believe that only 5 of our 13 recommendations require amendments to Megan's Law, but we also believe it's important for the General Assembly to consider enacting all the recommendations into law. Doing so would require the State Police to make the necessary changes.

We can work with you on appropriate statutory language to improve the law. Much more can be done administratively, too. For instance, once or twice a year there should be an unannounced address verification check statewide for all sex offenders. This check could be coordinated by State Police with local police, probation and parole officers, county sheriffs, and constables statewide. If offenders are in violation of providing a valid address, they should be incarcerated.

Thank you again for working to improve Megan's Law, and for recognizing the importance of our efforts. We are grateful, and parents are grateful. Let me assure you that we will continue monitoring the performance of those who administer the law. In that way, we help to keep children safe and to ensure that parents get information that enables them to take appropriate precautions in protecting themselves and their families.

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As Pennsylvania's fiscal watchdog, the Department of the Auditor General is dedicated to finding and eliminating the waste, fraud, and abuse of taxpayer dollars. Our auditors are in all 67 counties every day, auditing school districts, volunteer firefighters' relief associations, liquor stores, county welfare offices, and many other agencies and organizations that receive either state money or federal funds that pass through state government.

The Department produces approximately 5,000 audits each year, and the public can see those audits online at www.auditor.gen.state.pa.us. Taxpayers can also call our Taxpayer Advocate toll-free at 1-800-922-8477 to get help in cutting through bureaucratic red tape or to request copies of our reports.

Eyes shut

In Pennsylvania, bad photos or no photos hinder the public's ability to recognize convicted sex offenders listed on the State Police's Internet registry at www.pameganslaw@state.pa.us
(Examples found 6-18-2010)



Montgomery County
Involuntary deviate sexual intercourse



Montgomery County
Indecent assault



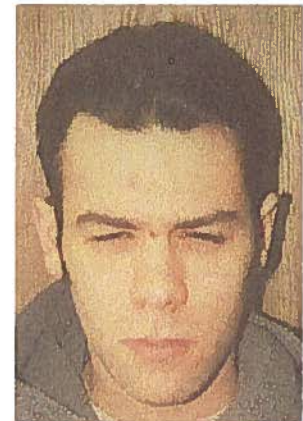
Monroe County
Sex offense against child



Monroe County
Incest



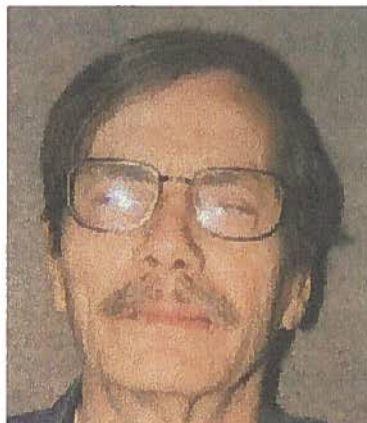
Schuylkill County
Indecent assault



Mercer County
Obscene and sexual materials and performance



Cambria County
Sexual indecency with a child



Mifflin County
Sexual solicitation

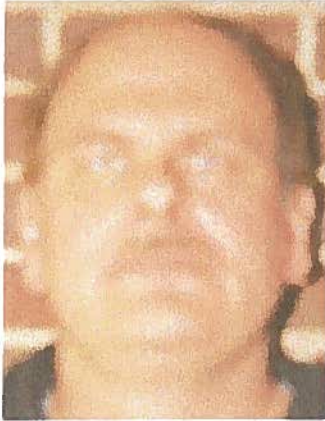


Montgomery County
Rape

The Pennsylvania Department of the Auditor General compiled these photos prior to the release of its special report, *Pa. Auditor General gives C- to state's Internet registry for sex offenders; says it's improved but still not making the grade.* Report available at www.auditorgen.state.pa.us

Blurred

In Pennsylvania, bad photos or no photos hinder the public's ability to recognize convicted sex offenders listed on the State Police's Internet registry at www.pameganslaw.state.pa.us
(Examples found 6-18-2010)



Cambria County
Involuntary deviate sexual intercourse



Bucks County
Indecent assault



Centre County
Indecent assault



Bucks County
Indecent assault



Clearfield County
Unlawful contact or communication with minor



Centre County
*Sexual assault**



Clearfield County
Endanger welfare/child



Wyoming County
Obscene materials—possession



Clearfield County
Sexual offense with certain victims

The Pennsylvania Department of the Auditor General compiled these photos prior to the release of its special report. Pa. Auditor General gives C- to state's Internet registry for sex offenders; says it's improved but still not making the grade. Report available at www.auditorgen.state.pa.us

Too light

In Pennsylvania, bad photos or no photos hinder the public's ability to recognize convicted sex offenders listed on the State Police's Internet registry at www.pameganslaw.state.pa.us

(Examples found 6-18-2010)



Venango County
Indecent assault



Clarion County
Involuntary deviate sexual intercourse



Westmoreland County
Indecent assault



Bucks County
Aggravated indecent assault



Montgomery County
Aggravated indecent assault



Clearfield County
Involuntary deviate sexual intercourse



Bucks County
Indecent assault



Cambria County
Aggravated indecent assault



Mercer County
Involuntary deviate sexual intercourse

The Pennsylvania Department of the Auditor General compiled these photos prior to the release of its special report, *Pa. Auditor General gives C- to state's Internet registry for sex offenders; says it's improved but still not making the grade.* Report available at www.auditorgen.state.pa.us