

Megan's Law Internet Registry: Public Hearing before the House Republican Policy Committee

Testimony by Diane Moyer Legal Director, Pennsylvania Coalition Against Rape

Good Morning Chairman Saylor, Representative Helm, Representative Oberlander, members of the committee.

Thank you for inviting me to testify in response to the Auditor General's Special Report on Pennsylvania's Internet Website.

The Pennsylvania Coalition Against Rape, the oldest anti-sexual violence organization in the country, and its network of 51 rape crisis centers providing services for victims of sexual violence and their families have been in existence for 35 years. One of the issues which we have prioritized has been the protection of children from sexual predators. PCAR has worked collaboratively and tirelessly with the Pennsylvania State Police and the Sexual Offenders Assessment Board to ensure that policies and programs protect our most vulnerable citizens.

We acknowledge that clearly, as are all state funded agencies and programs, the Pennsylvania State Police has to do more with less. We all recognize the stressed resources of the Commonwealth while maintaining a commitment to ensure a safe community, law enforcement and victim service agencies alike.

With this acknowledgement in mind, I would like to take this opportunity to respond to the assessments provided in the Auditor General's Report.

1. Sex offender photographs are inconsistent and sometimes unrecognizable.

Clearly this is a serious issue in identifying predators. Having looked at the photographs in the report, the offenders should be discouraged from wearing any clothing item that will serve to obscure their identity. Also, law enforcement needs to be provided with the state of the art digital equipment which will provide accurate representations of the criminals on the registry. A further drawback to the photographs is as follows: they reinforce the stereotype of the stranger in the bushes, the unkempt, odd looking predator. As advocates we are bound to point out that 80 per cent of offenders are known to the victims. These offenders look like your average Pennsylvanian, working, with a family and a participating community member.

We also agree with the common sense notion that the date of the photograph would ensure the accurate identification of perpetrators. With the proliferation of media, community members are one of the best resources for identifying criminals to inform law enforcement for capture.

2. **Changes to Megan's law Site should provide useful information**

We concur with the Auditor General's report with regard to listing *all* sex offenses for which each offender was convicted. The public deserves to know the complexity of sex offending. It is also validating for victims and their families to see, after the rigors of the criminal justice system, that the offender is identified with *all* the offenses which the prosecution assiduously pursued. Also, since Pennsylvania is the only state that does not provide for viewing a complete compilation of online statutes, a list of statutes could be more informative to the reader.

The public has a right to know the verification dates of offenders who are not compliant with the law due to the hard fought improvements to Megan's Law in Pennsylvania. In order to guarantee the most possible information to the most citizens, the language used on the website needs to be clear and consistent, and to the extent possible, in plain language.

3. **Search Functions**

The website should be as functional as feasible, given the current technological state of the art, including programming that will recognize and compensate for common variation in spelling and punctuation. The public has become accustomed to such features in the use of the Internet. It is also critical that the data that is entered on the site be without error, as the utility of the site depends on its complete accuracy. The site should clearly inform users about offenders who have left the area and/or Pennsylvania and who are non-compliant. This information is critical in assessing the threat of the offender in terms of recidivism and the public's ability to identify and report to police should the offender appear in their neighborhood. The non-compliant offender also therefore needs to be accurately displayed in the photograph which emphasizes the need for premium photographic depictions.

The public should be able to search for offenders who live near their residence. This is probably the primary reason that Pennsylvanians access the Megan's law site. Other useful knowledge includes information about the offenders incarceration or other type of supervision, e.g. half-way house, electronic monitoring.

4. **Features and Tools**

We wholeheartedly agree that the site should be equipped with a mapping tool which users would expect to find on a public safety website. The site should be as accessible and functional as the Internet that most people use on a daily basis.

An email notification system would enhance the notification of the public and should relieve the burden on state and local police to do in person notification about sexually violent predators, in particular.

The Megan's law website should fulfill the requirements of the law according to the best technology available. It is also a venue that could be enhanced by providing information to the public that is not a legal requirement. Because the site may be accessed by victims

and survivors, I would suggest linking the site to our website at www.pcar.org which will provide citizens with links to service providers in their county. We would be happy to assist our law enforcement colleagues in developing substantive safety information which would serve to better protect Pennsylvanians who deserve to be free from predation.

Thank you for the opportunity to provide comment on this important issue. I would like to commend the Pennsylvania State Police for their collaboration with PCAR over the years to provide a victim centered approach to apprehending predators and for keeping our communities safe. I welcome any questions at this time.

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