

109TH CONGRESS
1ST SESSION

H. R. 1355

To improve the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program by providing new protections for children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2005

Mr. POE (for himself, Mr. FOLEY, Mr. McCAUL of Texas, Mr. FRANKS of Arizona, Mr. GENE GREEN of Texas, Mr. WILSON of South Carolina, Mr. DENT, Mr. ALEXANDER, Mr. CULBERSON, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. BRADY of Texas, Mr. GINGREY, Mr. MILLER of Florida, Mr. CANTOR, Mr. WAMP, Mr. ADERHOLT, Mr. HOSTETTLER, Mr. COLE of Oklahoma, Mr. WESTMORELAND, and Mr. BARTLETT of Maryland) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To improve the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program by providing new protections for children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Predator Act
5 of 2005”.

1 **SEC. 2. AMENDMENTS TO JACOB WETTERLING CRIMES**
2 **AGAINST CHILDREN AND SEXUALLY VIOLENT**
3 **OFFENDER REGISTRATION PROGRAM.**

4 (a) IN GENERAL.—Section 170101 of the Violent
5 Crime Control and Law Enforcement Act of 1994 (42
6 U.S.C. 14071) is amended as follows:

7 (1) DEFINITION.—Subparagraph (A) of sub-
8 section (a)(3) of such section is amended to read as
9 follows:

10 “(A) The term ‘criminal offense against a
11 victim who is a minor’ includes every offense
12 (whether Federal, State, local, tribal, foreign, or
13 otherwise), when committed against a victim
14 who is a minor, that involves any one or more
15 of the following:

16 “(i) Kidnapping (unless committed by
17 a parent of the minor).

18 “(ii) False imprisonment (unless com-
19 mitted by a parent of the minor).

20 “(iii) Sexual conduct.

21 “(iv) Solicitation to engage in sexual
22 conduct.

23 “(v) Use in a sexual performance.

24 “(vi) Solicitation to practice prostitu-
25 tion.

1 “(vii) Production or distribution of
2 child pornography (including an offense
3 under section 2251, 2252, or 2252A of
4 title 18, United States Code).

5 “(viii) Any other conduct that by its
6 nature is a sexual offense.

7 “(ix) Any other wrongful conduct des-
8 ignated by the Attorney General.

9 “(x) Any attempt or conspiracy to
10 commit an offense under this subpara-
11 graph.”.

12 (2) NEW DEFINITION.—Subsection (a)(3) is
13 further amended by adding at the end the following
14 new subparagraph:

15 “(H) The term ‘child predator’ means a
16 person who is convicted of a criminal offense
17 against a victim who is a minor, if the offense
18 is sexual in nature and the minor is age 13 or
19 younger.”.

20 (3) REGISTRATION REQUIREMENTS.—Sub-
21 section (b) of such section is amended by adding at
22 the end the following new paragraph:

23 “(8) SPECIAL RULES APPLYING TO CHILD
24 PREDATORS.—In the case of a child predator, the

1 following requirements shall (in addition to any
2 other requirements under this section) apply:

3 “(A) CHANGE OF ADDRESS.—State proce-
4 dures shall specify the period in which the child
5 predator must report a change of address, but
6 the period shall not exceed 10 days after the
7 change of address takes effect.

8 “(B) NOTIFICATION OF SCHOOLS AND
9 OTHER ENTITIES.—State procedures shall re-
10 quire (in addition to any other requirements a
11 State may impose) that, whenever the child
12 predator is required to provide registration in-
13 formation—

14 “(i) the child predator also provides
15 the same information to appropriate enti-
16 ties within the child predator’s community,
17 including—

18 “(I) schools;

19 “(II) public housing; and

20 “(III) at least 2 media outlets
21 (such as newspapers, television sta-
22 tions, or radio stations) covering that
23 community; and

1 “(ii) an appropriate law enforcement
2 agency shall supervise and verify the child
3 predator’s compliance with clause (i).

4 “(C) INTERPRETATION OF COMMUNITY.—
5 For the purposes of subparagraph (B), the At-
6 torney General shall interpret the term ‘commu-
7 nity’ in a broad and flexible manner and give
8 deference to a State’s interpretation of that
9 term so long as it is reasonable.

10 “(D) PENALTIES.—Whenever a child pred-
11 ator knowingly fails to comply with a require-
12 ment of this paragraph, the child predator shall
13 be imprisoned not more than 2 years or fined
14 under title 18, United States Code, or both.”.

15 (4) PENALTIES.—Subsection (d) of such section
16 is amended by adding at the end the following new
17 sentence: “In the case of a child predator, the child
18 predator shall also be considered to have committed
19 a Federal offense and, by reason of committing that
20 offense, shall be imprisoned not more than 2 years
21 or fined under title 18, United States Code, or
22 both.”

23 (b) FBI DATABASE.—Section 170102 of that Act (42
24 U.S.C. 14072) is amended by adding at the end the fol-
25 lowing new subsection:

1 “(1) RELEASE BY INTERNET.—The FBI shall dis-
2 close to the public, on a free-access internet site, all infor-
3 mation collected by the FBI under this section, that re-
4 lates to child predators (as defined in section 170101).
5 The disclosure shall include, for each child predator, a re-
6 cent photograph. The site—

7 “(1) shall include a feature under which a
8 member of the public can specify an address and be
9 provided with the registration information of all
10 such child predators within a radius of that address;

11 “(2) shall include other searching and sorting
12 capabilities; and

13 “(3) shall, whenever the site displays the infor-
14 mation relating to a child predator along with other
15 information relating to other individuals, display the
16 information with respect to the child predator in a
17 manner that clearly—

18 “(A) indicates that the person is a child
19 predator; and

20 “(B) sets forth the statutory definition of
21 the term ‘child predator’.”.

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