

109TH CONGRESS
1ST SESSION

H. R. 3382

To provide state and local governments with financial assistance that will increase their ability and effectiveness in monitoring convicted sex offenders by developing and implementing a program using global positioning systems to monitor convicted sexual offenders or sexual predators released from confinement.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2005

Mr. HASTINGS of Florida introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide state and local governments with financial assistance that will increase their ability and effectiveness in monitoring convicted sex offenders by developing and implementing a program using global positioning systems to monitor convicted sexual offenders or sexual predators released from confinement.

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 “Sexual Predator Effective Monitoring Act of 2005”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) in recent years we have seen multiple cases
4 of convicted sexual offenders serving probation ab-
5 ducting and murdering young children;

6 (2) several states have begun the development
7 and implementation of outfitting convicted sexual of-
8 fenders with Global Positioning Systems to track
9 their movements while on probation;

10 (3) the employment of these devices will assist
11 law enforcement in tracking the movements and lo-
12 cation of probationers in real time to within 10 ft.
13 of their location;

14 (4) Global Positioning System tracking will per-
15 mit law enforcement to ensure that convicted sex of-
16 fenders do not go to areas restricted according to
17 the terms of their probation;

18 (5) Global Positioning Systems will serve to
19 deter sexual predators from re-offending as they will
20 know that their movements are monitored and
21 tracked by law enforcement; and

22 (6) in the event that a convicted sexual offender
23 commits an additional sex offense while on probation
24 and monitored with a Global Positioning System, the
25 Global Positioning System technology will aid law
26 enforcement in the investigation of these crimes by

1 quickly determining the location of sexual offenders
2 within the area of the suspected crime.

3 **SEC. 3. SEXUAL PREDATOR MONITORING PROGRAM.**

4 (a) GRANTS AUTHORIZED.—

5 (1) IN GENERAL.—The Attorney General is au-
6 thorized to award grants and contracts to State and
7 local governments to assist such States and local
8 governments in—

9 (A) carrying out programs to outfit sexual
10 offenders with electronic monitoring units; and

11 (B) the employment of law enforcement of-
12 ficials necessary to carry out such programs.

13 (2) DURATION.—The Secretary shall award
14 grants under this Act for a period not to exceed 3
15 years.

16 (b) APPLICATION.—

17 (1) IN GENERAL.—Each State or local govern-
18 ment desiring a grant under this Act shall submit an
19 application to the Attorney General at such time, in
20 such manner, and accompanied by such information
21 as the Attorney General may reasonably require.

22 (2) CONTENTS.—Each application submitted
23 pursuant to paragraph (1) shall—

24 (A) describe the activities for which assist-
25 ance under this Act is sought; and

1 (B) provide such additional assurances as
2 the Attorney General determines to be essential
3 to ensure compliance with the requirements of
4 this Act.

5 **SEC. 4. PROPORTIONAL SHARE.**

6 The Attorney General shall ensure that each State
7 with eligible programs receives a proportional share of
8 funding under this Act based on the total number of eligi-
9 ble States and the population of sex offenders to be mon-
10 itored with global positioning systems in those States.

11 **SEC. 5. DEFINITION.**

12 In this Act, the term “sexual offender” means an of-
13 fender 18 years of age or older who commits a sexual of-
14 fense against a minor.

15 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) IN GENERAL.—There are authorized to be appro-
17 priated \$10,000,000 for fiscal year 2006 and \$20,000,000
18 for fiscal year 2007 to carry out this Act.

19 (b) REPORT.—Not later than April 1, 2007, the At-
20 torney General shall report to Congress—

- 21 (1) assessing the effectiveness and value of this
- 22 Act; and
- 23 (2) making recommendations for continuing
- 24 funding and the appropriate levels for such funding.