

111TH CONGRESS
1ST SESSION

S. 1146

To direct the Attorney General to provide grants and access to information and resources for the implementation of the Sex Offender Registration Tips and Crime Victims Center Programs.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2009

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To direct the Attorney General to provide grants and access to information and resources for the implementation of the Sex Offender Registration Tips and Crime Victims Center Programs.

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 “Sex Offender Registra-
5 tion Tips Program Act of 2009” or the “SORT Act of
6 2009”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) Parents for Megan’s Law, Inc., a nonprofit
2 corporation described in section 501(c)(3) of the In-
3 ternal Revenue Code of 1986 and headquartered in
4 New York, has since 1998 educated and supported
5 the community, law enforcement, criminal justice,
6 and government agencies on issues related to sex of-
7 fender registration, notification, responsible use of
8 information, sexual abuse and abduction prevention,
9 Internet Safety, and crime victim support.

10 (2) Parents for Megan’s Law, Inc., established
11 and operates the National Megan’s Law Helpline, a
12 free confidential telephone helpline that provides in-
13 formation, support, and criminal justice referrals,
14 nationally and internationally, on sex offender man-
15 agement issues. Parents for Megan’s Law, Inc. is a
16 certified rape crisis center and provides support and
17 assistance to child and adult victims of sexual abuse
18 and all victims of violent crime. Research suggests
19 that sexual assault victims who receive counseling
20 support are more likely to report their attack to the
21 police and participate in the prosecution of the of-
22 fender.

23 (3) The National Megan’s Law Helpline has
24 generated over 70,000 requests for assistance, infor-
25 mation, or follow-up contacts on sex offender man-

1 agement, crime victim support, and prevention edu-
2 cation issues. Helpline requests utilize the Helpline's
3 resources and often entail coordination with outside
4 resources, follow-up calls, or actual referrals to any
5 or all of the following: law enforcement and other
6 criminal justice agencies, state and local crime vic-
7 tims assistance agencies and organizations, social
8 service and human service providers, and other serv-
9 ice provider organizations.

10 (4) The Internet website of Parents for
11 Megan's Law, Inc., serves as a clearinghouse and
12 national resource for information related to sex of-
13 fender registration, notification, sexual abuse and
14 abduction prevention, and crime victims' support
15 and referrals. Such Internet website is also utilized
16 by the public to anonymously report Internet child
17 pornography and child sex tourism and as a resource
18 for Internet Safety education. Reports are forwarded
19 to local law enforcement for appropriate follow-up.

20 (5)(A) With limited resources, the National
21 Megan's Law Helpline has provided the public with
22 a resource for confidentially reporting registered sex
23 offenders failing to comply with registration require-
24 ments, supervision, or employment restrictions or
25 who are in positions of trust where potential child

1 victims can be accessed. Confidential tips are
2 triaged, crime victim support is provided, and refer-
3 rals are made to the appropriate criminal justice
4 agency for follow-up action.

5 (B) In fact, because of anonymous tips to the
6 Helpline, actions have been taken to mitigate poten-
7 tially dangerous situations, including—

8 (i) sending a registered sex offender back
9 to prison after he was identified as residing in
10 a registered child day care center where he
11 could access potential child victims;

12 (ii) preventing a convicted former middle
13 school teacher required to register as a sex of-
14 fender and give up his teacher's license, from
15 gaining employment as an in home children's
16 tutor for a reputable tutoring company where
17 he could gain unsupervised access to potential
18 child victims;

19 (iii) having a registered sex offender who
20 targeted a child, and subsequently was barred
21 from using the Internet to develop online rela-
22 tionships, removed from an Internet Dating
23 service where he attempted to develop a rela-
24 tionship with whom he believed was a single
25 woman with children;

1 (iv) sending a registered sex offender, who
2 was on parole for a weapons charge and re-
3 stricted from entering school grounds, back to
4 prison for entering school grounds and drug
5 possession;

6 (v) identifying and reporting a registered
7 sex offender, convicted of sexually victimizing a
8 4-year-old boy while baby-sitting, who had ab-
9 scended and failed to register; and

10 (vi) identifying, locating and reporting reg-
11 istered sex offenders in violation of conditions
12 of probation, parole, local employment or other
13 restriction laws.

14 (6) A national Sex Offender Registration Com-
15 pliance survey conducted by Parents for Megan's
16 Law, Inc., in 2003, indicated that, 24 percent of (or
17 over 100,000) registered sex offenders were not com-
18 plying with sex offender registration laws. Sex of-
19 fender registry information provides parents and
20 community members an opportunity to protect them-
21 selves, their children, and their communities from
22 sexual victimization, but that information, in order
23 to be of value, requires labor intensive follow-up
24 intervention and proactive maintenance to be kept
25 current.

1 (7) Access to the National Criminal Informa-
2 tion databases is necessary for Parents for Megan's
3 Law, Inc., to effectively evaluate the veracity of tips
4 received, proactively research noncompliant reg-
5 istrants or registrants engaged in criminal activities
6 and provide law enforcement with viable accurate in-
7 formation for follow-up action.

8 (8) The Sex Offender Registration Tips
9 (SORT) Program will reduce sexual victimization
10 and increase sex offender registration compliance
11 through community tips and proactive maintenance.

12 (9) Authorizing federal funds for the SORT
13 Program will reduce criminal sexual victimization
14 by—

15 (A) supporting crime victims seeking as-
16 sistance;

17 (B) supporting sex offender registration,
18 notification, and sexual abuse and abduction
19 prevention education and Internet Safety in-
20 quiries; and

21 (C) providing the public two interactive
22 confidential resources, the Helpline and Inter-
23 net website, for the public to provide informa-
24 tion—

1 (i) about registered sex offenders who
2 are believed to be out of compliance with
3 registration requirements, supervision, or
4 employment restrictions and who are in po-
5 sitions of trust where potential child vic-
6 tims can be accessed; or

7 (ii) concerning sex offender activities
8 that indicate a heightened risk of re-of-
9 fending.

10 (10)(A) The SORT program will serve as a
11 powerful national tool supporting communities and
12 crime victims while assisting and advancing the mis-
13 sion of Federal, state, and local law enforcement in
14 combating sexual victimization.

15 (B) The SORT program and the National
16 Megan's Law Helpline is unique in the following
17 ways:

18 (i) It provides up to date sexual abuse pre-
19 vention information, deters vigilantism, and re-
20 inforces responsible use of information.

21 (ii) It provides victims who come forth with
22 needed information with an infrastructure of
23 advocacy, enforcement, and therapeutic support.

24 (iii) It maximizes law enforcement's al-
25 ready strained resources by screening anony-

1 mous tips promptly and effectively through the
 2 use of trained investigators with access to pub-
 3 lic, private and law enforcement databases.

4 **SEC. 3. GRANTS FOR IMPLEMENTATION OF SEX OFFENDER**
 5 **REGISTRATION TIPS PROGRAM.**

6 (a) IN GENERAL.—Subject to the availability of the
 7 funds authorized to be appropriated under subsection (d),
 8 the Attorney General shall provide grants and access to
 9 information and resources to the not-for-profit community
 10 and victim’s rights organization, Parents for Megan’s
 11 Law, Inc., to implement the Sex Offender Registration
 12 Tips Program described in subsection (b).

13 (b) SEX OFFENDER REGISTRATION TIPS PROGRAM
 14 DESCRIBED.—For purposes of subsection (a), the Sex Of-
 15 fender Registration Tips Program is a program to reduce
 16 sexual victimization and support victims of violent crime
 17 by—

18 (1) providing up-to-date and accurate sex of-
 19 fender registry information to Federal, State, and
 20 local law enforcement entities through the National
 21 Megan’s Law Helpline staffed by Parents for
 22 Megan’s Law, Inc., and the Internet website of such
 23 organization;

24 (2) enabling the analysis and coordination of
 25 community tips relating to sex offenders who fail to

1 register in the sex offender registry maintained by
2 the jurisdiction involved or who engage in activities
3 in violation of conditions of their probation or parole
4 or other criminal activities;

5 (3) using existing Internet sex offender reg-
6 istries, public information, and the National Crimi-
7 nal Information databases to compare and contrast
8 information and proactively identify high-risk reg-
9 istrants who are out of compliance, in violation of
10 conditions of supervision, and identify the location of
11 wanted registrants in order to ascertain the need for
12 follow-up action by law enforcement;

13 (4) providing crime victims support, informa-
14 tion, and referrals; and

15 (5) supporting community members with up-to-
16 date sex offender registration, notification, and sex-
17 ual abuse and abduction prevention and Internet
18 Safety information.

19 (c) ACCESS.—Notwithstanding any other provision of
20 law, the Attorney General shall ensure access by Parents
21 for Megan’s Law, Inc., to the National Crime Information
22 Center databases operated by the Federal Bureau of In-
23 vestigation pursuant to section 534 of title 28, United
24 States Code, to the extent that such access is only for pur-
25 poses within the scope of the organization’s duties and re-

1 sponsibilities to assist or support law enforcement agencies
2 in administration of criminal justice functions.

3 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated \$1,000,000 for grants
5 under subsection (a) for each of the fiscal years 2010
6 through 2014.

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