Community Notification Laws (Megan's Law)

The original impact of the Wetterling Act was to provide law enforcement authorities the means to track and locate convicted sex offenders. Community notification laws have adapted the idea to make information about sex offenders available to the public. Community notification laws, commonly referred to as sex offender registries, are most often associated with the 1994 rape and murder of seven-year-old Megan Kanka. She died just thirty yards from her own front door in Hamilton Township, New Jersey. On July 29, 1994, a neighbor lured the little girl to his house with the promise that she could see his new puppy. The neighbor was a convicted sex offender who had served time in prison for aggravated assault and attempted sexual assault against a child.

The outcry over Megan's death spurred the New Jersey Legislature to quick action. Within three months, the legislature passed the community notification law known as Megan's Law. Less than two years later, on May 17, 1996, President William Jefferson Clinton signed a federal version of the law, amending the Wetterling Act. The amendment required each state to provide public notification and information about sexual offenders living in the area. The resulting state laws became collectively known as Megan's Law. The federal law applies to all sex offenders whether their victims were children or adults.

Sex offender registry requirements vary by state, but share common characteristics. Convicted sexual offenders are required to register with their local law enforcement or corrections agency. This information is forwarded to a central location, such as the state police or state bureau of investigation. Information required for the registry typically includes name, address, date of birth, social security information, physical description, fingerprints, and photographs. Conviction information may also be required, as well as samples for DNA identification.

A court or registering agency informs offenders of their duty to register. Offenders typically must register within days of their release from prison or placement on supervision. Placement on the registry usually lasts ten years. Lifetime registration may be required, particularly if an offender has been denounced a "sexual predator" or where an offender has been convicted of a subsequent sexual offense.

According to the Department of Justice’s Bureau of Justice Statistics, in February 2001, approximately 386,000 convicted sex offenders were registered in 49 states and the District of Columbia (excluding Massachusetts). In April 1998, 277,000 offenders were registered. California led the way with more than 88,000 registrants; Texas was next with almost 30,000. Thirty-two states collected DNA information from registrants. The FBI maintains a web site with links to all state sex offender registry web sites. The site is located at http://www.fbi.gov/hq/cid/cac/states.htm.

Every state has a sex offender registry, but states vary greatly in how they release information to the public, and what information is released. Some states require interested citizens to access registry information at their local law enforcement agencies. For example, in South Dakota only a few communities have placed specific offender information online; in most communities interested citizens must request the information from authorities. In the neighboring state of Iowa, anyone can access information online about any person on its sex offender registry in a number of ways. Searches can be conducted by name, geographic location, or gender of the offender or victim. Iowa provides photos, physical descriptions, addresses, and details of convictions.

Law enforcement authorities may also have the obligation to disseminate information about registered sex offenders. Notification may extend to prior victims, neighbors, schools, youth organization, and other relevant individuals or groups. In some cases, community-wide notification may be required. Newspapers, television, radio, and community meetings are some of the methods used to provide community notification.

Critics of sex offender registries claim that they do little to protect most victims of sexual offenses, because most victims know the perpetrator. According to the Department of Justice, about seven of every ten female rape or sexual assault victims reported that the perpetrator was an intimate, relative, friend, or acquaintance.
The U.S. Supreme Court has addressed the constitutionality of sex offender registries. In *Connecticut Department of Safety v. Doe*, and in *Smith v. Doe*, both decided March 5, 2003, the court found that sex offender registries do not violate sex offenders' constitutional rights.
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