

109TH CONGRESS
1ST SESSION

H. R. 95

To establish a National sex offender registration database, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2005

Mr. GILLMOR (for himself, Mr. POMEROY, and Mr. KENNEDY of Minnesota) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a National sex offender registration database,
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 “Dru Sjodin National
5 Sex Offender Public Database Act of 2005” or “Dru’s
6 Law”.

7 **SEC. 2. DEFINITION.**

8 In this Act:

9 (1) **CRIMINAL OFFENSE AGAINST A VICTIM WHO**
10 **IS A MINOR.**—The term “criminal offense against a

1 victim who is a minor” has the same meaning as in
2 section 170101(a)(3) of the Jacob Wetterling
3 Crimes Against Children and Sexually Violent Of-
4 fender Registration Act (42 U.S.C. 14071(a)(3)).

5 (2) MINIMALLY SUFFICIENT SEXUAL OF-
6 FENDER REGISTRATION PROGRAM.—The term
7 “minimally sufficient sexual offender registration
8 program” has the same meaning as in section
9 170102(a) of the Jacob Wetterling Crimes Against
10 Children and Sexually Violent Offender Registration
11 Act (42 U.S.C. 14072(a)).

12 (3) SEXUALLY VIOLENT OFFENSE.—The term
13 “sexually violent offense” has the same meaning as
14 in section 170101(a)(3) of the Jacob Wetterling
15 Crimes Against Children and Sexually Violent Of-
16 fender Registration Act (42 U.S.C. 14071(a)(3)).

17 (4) SEXUALLY VIOLENT PREDATOR.—The term
18 “sexually violent predator” has the same meaning as
19 in section 170102(a) of the Jacob Wetterling Crimes
20 Against Children and Sexually Violent Offender
21 Registration Act (42 U.S.C. 14072(a)).

22 **SEC. 3. AVAILABILITY OF THE NSOR DATABASE TO THE**
23 **PUBLIC.**

24 (a) IN GENERAL.—The Attorney General shall—

1 (1) make publicly available in a registry (in this
2 Act referred to as the “public registry”) from infor-
3 mation contained in the the National Sex Offender
4 Registry, via the Internet, all information described
5 in subsection (b); and

6 (2) allow for users of the public registry to de-
7 termine which registered sex offenders are currently
8 residing within a radius, as specified by the user of
9 the public registry, of the location indicated by the
10 user of the public registry.

11 (b) INFORMATION AVAILABLE IN PUBLIC REG-
12 ISTRY.—With respect to any person convicted of a crimi-
13 nal offense against a victim who is a minor or a sexually
14 violent offense, or any sexually violent predator, required
15 to register with a minimally sufficient sexual offender reg-
16 istration program within a State, including a program es-
17 tablished under section 170101 of the Jacob Wetterling
18 Crimes Against Children and Sexually Violent Offender
19 Registration Act (42 U.S.C. 14071(b)), the public registry
20 shall provide, to the extent available in the National Sex
21 Offender Registry—

22 (1) the name and any known aliases of the per-
23 son;

24 (2) the date of birth of the person;

1 (3) the current address of the person and any
2 subsequent changes of that address;

3 (4) a physical description and current photo-
4 graph of the person;

5 (5) the nature of and date of commission of the
6 offense by the person;

7 (6) the date on which the person is released
8 from prison, or placed on parole, supervised release,
9 or probation; and

10 (7) any other information the Attorney General
11 considers appropriate.

12 **SEC. 4. RELEASE OF HIGH RISK INMATES.**

13 (a) CIVIL COMMITMENT PROCEEDINGS.—

14 (1) IN GENERAL.—Any State that provides for
15 a civil commitment proceeding, or any equivalent
16 proceeding, shall issue timely notice to the attorney
17 general of that State of the impending release of any
18 person incarcerated by the State who—

19 (A) is a sexually violent predator; or

20 (B) has been deemed by the State to be at
21 high-risk for recommitting any sexually violent
22 offense or criminal offense against a victim who
23 is a minor.

24 (2) REVIEW.—Upon receiving notice under
25 paragraph (1), the State attorney general shall con-

1 sider whether or not to institute a civil commitment
2 proceeding, or any equivalent proceeding required
3 under State law.

4 (b) MONITORING OF RELEASED PERSONS.—

5 (1) IN GENERAL.—Each State shall intensively
6 monitor, for not less than 1 year, any person de-
7 scribed under paragraph (2) who—

8 (A) has been unconditionally released from
9 incarceration by the State; and

10 (B) has not been civilly committed pursu-
11 ant to a civil commitment proceeding, or any
12 equivalent proceeding under State law.

13 (2) APPLICABILITY.—Paragraph (1) shall apply
14 to—

15 (A) any sexually violent predator; or

16 (B) any person who has been deemed by
17 the State to be at high-risk for recommitting
18 any sexually violent offense or criminal offense
19 against a victim who is a minor.

20 (c) COMPLIANCE.—

21 (1) COMPLIANCE DATE.—Each State shall have
22 not more than 3 years from the date of enactment
23 of this Act in which to implement the requirements
24 of this section.

1 (2) INELIGIBILITY FOR FUNDS.—A State that
2 fails to implement the requirements of this section,
3 shall not receive 25 percent of the funds that would
4 otherwise be allocated to the State under section
5 20106(b) of the Violent Crime Control and Law En-
6 forcement Act of 1994 (42 U.S.C. 13706(b)).

7 (3) REALLOCATION OF FUNDS.—Any funds
8 that are not allocated for failure to comply with this
9 section shall be reallocated to States that comply
10 with this section.

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