

Sex Offense Registration Quick sheet

Offenses Requiring Registration

<u>Statute</u>	<u>Offense</u>	<u>Registration</u>
18 – 2901 (a.1)	Kidnapping (of a minor)	Tier III (Life)
18 – 2902(b)	Unlawful Restraint (Minor victim and offender not parent or guardian)	Tier I (15 Years)
18 – 2903(b)	False Imprisonment (Minor victim and offender not parent or guardian)	Tier I (15 Years)
18 – 2904	Interference with Custody of Children	Tier I (15 years)
18 – 2910	Luring Child into Motor Vehicle	Tier I (15 Years)
18 – 3121	Rape	Tier III (Life)
18 – 3122.1(a)(2)	Statutory Sexual Assault	Tier II (25 Years)
18 – 3122.1(b)	Statutory Sexual Assault (11 or more years older than victim)	Tier III (Life)
18 – 3123	Involuntary Deviant Sexual Intercourse	Tier III (Life)
18 – 3124.1	Sexual Assault	Tier III (Life)
18 – 3124.2(a)	Institutional Sexual Assault	Tier I (15 Years)
18 – 3124.2(a.1)	Institutional Sexual Assault	Tier III (Life)
18 – 3124.2(a.2-a.3)	Institutional Sexual Assault	Tier II (25 Years)
18 – 3125	Aggravated Indecent Assault	Tier III (Life)
18 – 3126(a)(1)	Indecent Assault (without consent)	Tier I (15 Years)
18 – 3126(a)(2-6, 8)	Indecent Assault	Tier II (25 Years)
18 – 3126(a)(7)	Indecent Assault (victim under 13)	Tier III (Life)
18 – 4302(b)	Incest (involving minor)	Tier III (Life)
18 – 5902(b.1)	Promoting Prostitution of a Minor	Tier II (25 Years)
18 – 5903(a)	Minor Victim - (a)(3)(ii), ((4)(ii), (5)(ii), (6)	Tier II (25 Years)
18 - 6301(a)(1)(ii)	Corruption of Minors (committing or inducing sexual offense)	Tier I (15 Years)
18 – 6312(b)(c)	Sexual Abuse of Children	Tier II (25 Years)
18 – 6312(d)	Sexual Abuse of Children (child Pornography)	Tier I (15 Years)
18 – 6318	Unlawful Contact with a Minor	Tier II (25 Years)
18 – 6320	Sexual Exploitation of Children	Tier II (25 Years)
18 – 7507.1	Invasion of Privacy	Tier I (15 Years)

- In addition to the above, Sexually Violent Predators, Offenders with two or more Tier I or Tier II convictions, and Tier II offenders subsequently convicted of felony offense are subject to Tier III
- All attempts, conspiracies and solicitations fall under the tier of their principal offenses

<u>Required Registration Information</u>	<u>Information Made Publicly Available</u>
<ul style="list-style-type: none"> • Name & Any Online Alias • Email, IP Address, All Phone Numbers • Address (including any temporary address) • Place of Employment • Passports, Immigration Paperwork & SSN 	<ul style="list-style-type: none"> • Name & Alias • Home, Work & School address • License Plater & Vehicle Information • Physical Description & Photo • Criminal Record

Offenses That Do NOT Require Registration

<u>Statute</u>	<u>Offense</u>	<u>Registration</u>
18 – 3122.1(a)(1)	Statutory Sexual Assault (Less than 8-year age difference)	No Registration
18 – 2709.1	Stalking	No Registration
18 – 2714	Unauthorized Administration of Intoxicant	No Registration
18 – 3127	Indecent Exposure	No Registration
18 – 5901	Open Lewdness	No Registration
18 – 6301(a)(1)(i), (a)(2)	Corruption of Minors	No Registration

Lie Detector & Polygraph Tests

What is a Polygraph (Lie Detector) Test?

A polygraph is a machine that records the body's involuntary responses to an examiner's questions to ascertain deceptive behavior. A polygraph measures physiological data from three or more systems of the human body (usually the respiratory, cardiovascular, and sweat gland systems).

What equipment is used during a polygraph test?

- a. A rubber tube is placed over examinees chest/abdominal area to record respiratory activity.
- b. Electrodes are attached to fingers to record sweat gland activity.
- c. Blood pressure cuff is applied to record cardiovascular activity.
- d. A computer monitors the results of the above equipment.
- e. The examiner video records the test and interprets the results

What are the phases or stages of a polygraph?

Pre-Test Phase – examiner completes required paperwork and talks with the examinee about the test, answering any questions the examinee might have.

Chart Collecting Phase – Examiner administers and collects several polygraph charts. The examiner asks a series of relevant and irrelevant questions, some requiring untruthful answers, to establish a baseline to be compared against later.

Test Data Analysis Phase – Examiner analyzes the charts and render's an opinion as to the truthfulness of the examinee. This is done by comparing the physiological data of the examinee when they are answering questions that the examiner knows are true/false and comparing this to the physiological data of questions where the examiner does not know whether the examinee is telling the truth or not.

Post-Conviction Sex Offender Polygraph Testing (PCSOT)	5th Amendment
<p>Sexual History Polygraph Examination (SHPE) Used to gain information about the offender's lifetime history of sexual offending and other sexually deviant behaviors.</p> <p>It is believed that having a complete history of the offender's deviant behaviors will improve the quality of treatment delivered as well as provide information to the probation officer to manage the risk of the offender.</p> <p>Procedure</p> <ol style="list-style-type: none"> 1. Offender required to fill out a lengthy questionnaire of his/her prior sexual behaviors and list all victims. 2. Once the therapist determines that the offender has adequately filled out the questionnaire, the offender undergoes polygraph examination. 	<p>To the extent that a SHPE examiner requires an examinee to divulge or admit to other offenses, their use is not permissible pursuant to the fifth amendment of the United States Constitution. An examinee must be permitted to exert his 5th amendment right against self-incrimination.</p> <p>In all other aspects, SHPEs requirements are constitutionally permissible. <u>Commonwealth v. Shrawder</u>, 940 A.2d 436 (Pa. Super. 2007)</p>
<p>Maintenance Examinations Used to assess the offender's compliance with treatment and supervision over a limited period (usually 6 months)</p>	<p>Effects of assertion of 5th amendment privilege is unclear. Assertion may lead to VOP.</p>
<p>Monitoring Examination Cover any sexual re-offending an any other illegal activity since being on probation/parole</p>	<p>Effects of assertion of 5th amendment privilege is unclear. Assertion may lead to VOP.</p>
<p>Disclosure over Instant Offense Covers instant offenses; Verifies full and complete disclosure of the instant offense.</p>	<p>No 5th amendment privilege if post-conviction. Assertion will lead to VOP.</p>