

What is Megan's Law and What does it mean for you?

Megan's Law was enacted on May 17th, 1996. Megan's Law mandates that a county be notified of child offenders residing there and residents have access to that information.

On Friday July 29, 1994, 7-year old Megan Nicole Kanka disappeared. With the promise of a puppy, her neighbor lured her into his home where he raped, strangled and suffocated her. Her body was stuffed into a plastic toy chest and dumped in a nearby park . Megan had been killed by a two-time convicted child offender who lived across the street from the Kanka home and was sharing his house with two other convicted sex offenders he met in prison.

This brutal attack is what prompted the first local state legislation and what is attributed for the federal involvement in creating the law now referred to as Megan's Law. This legislation was a landmark event and was a great move forward toward securing the protection of our children.

Q. Do all people convicted of a sex offense have to register?

A. Only offenders who were convicted after 1970 and were still under some type of supervision on September 1, 1997. Many people convicted of sex crimes before this date do not have to register. Judges may exempt some if the law allows.

Q. What restrictions do sex offenders have?

A. Offenders only have restrictions if they are under supervision (probation or parole). These are conditions set by the court or parole board and may restrict where they can live, work, and who they may have contact with. These conditions may vary by each individual offender.

Q. What is the difference between probation and parole?

A. Probation is when a person has been convicted of a crime but is not sent to prison (TDCJ). They have a probation officer that makes sure they are abiding by the rules the Judge stipulated to them. If a person cannot abide by these conditions then the Judge will revoke the probation and send them to prison. Parole is when a person has been convicted of a crime and goes to prison (TDCJ). A parole officer supervises offender and makes sure they abide by the rules the parole board has stipulated. If offender does not abide by the rules they can be sent back to prison.

Q. Can sex offenders live anywhere?

A. If the offender is under supervision their residence must be approved by the supervising officer. If they are not under supervision there is no restrictions as to where they can live.

Q. Can they go to school grounds, parks or community centers?

A. If under probation supervision they will have child safety zones stating they cannot go within a certain distance of school grounds, parks or other places children gather. Offenders under parole will have some conditions on them. All conditions vary by each individual offender.

Q. Do sex offenders have to post signs at their homes?

A. Some offenders have to put signs on their homes if the Court has ordered them to do so. This condition of supervision is very limited. Most offenders do not have signs.

Q. How often do sex offenders have to register?

A. Most offenders have to register once a year and this is around their birth date. If an offender has two convictions of a violent offense they have to register every 90 days.

Q. Is it a crime for an offender to not live where they are registered?

A. Yes. It is a felony for an offender to be living someplace other than where they say they are living.

Q. What information can I get on a sex offender?

A. You may get all public information on them. This is a picture, full name, age, gender, DOB, street address, city, state, zip code, victim sex and age, shoe size and supervision status. Also a brief description of the crime committed.

Q. Are schools notified of sex offenders?

A. If the victim of the offender was under 17 years of age then a notice is sent to schools in the area where offender lives.

Q. Will the Sheriff's Department come out and talk to groups about sex offenders and child abuse?

A. Yes, you just have to call and request someone to come out.

Q. How many sex offenders live in Harris County?

A. This number changes on a daily basis, however, Harris County does have the largest numbers of sex offenders in the State.

Q. Can I search for sex offenders on line?

A. Yes, the Texas Department of Public Safety has a web site you can search free of charge.

Q. Do sex offenders have to register in other States?

A. Each State is different but all 50 states have some type of sex offender registration law. A good source to find out about other states is: <http://www.klaaskids.org>

Q. Isn't someone supposed to let us know when a sex offender moves in?

A. If a sex offender has a High-risk level the Department of Public Safety is to mail out post cards to the community he has moved to.

Q. What does the risk level mean?

A. Offenders convicted after September 1, 1999 are given a Static 99 test. This is a simple test about the offender's criminal history and refers to the crime committed. The offender will be given a high, moderate or low risk assignment. This level is used for public notification purposes only.

Q. If a sex offender has a low risk does that mean they are not too dangerous?

A. No. A test cannot tell us for sure if a sex offender will offend again. It is known sex offenders do have a high recidivism rate. There is no real way to tell if an offender will offend again.

Q. Do some offenders get away with not registering?

A. Some offenders are not required to register by law because of when they committed their offense. Judges exempts some sex offenders from registration, however the law is very specific on whom a Judge can exempt from registration.

Q. Do we (civilians) have the right to print out flyers from the DPS website of sex offenders and pass them out in the community?

A. There is no criminal law saying you cannot put out public information on sex offenders. We do not recommend this action. Our recommendation is to invite out the police agency that registers the offender and have a community meeting so correct information can be given out.

Q. Do sex offenders have rights?

A. Yes offenders have rights.

Q. Can we report a sex offender that is acting suspicious?

A. Yes, you may report him to your local law enforcement agency.

Q. Can sex offenders live with children?

A. If the offender is under supervision they will most likely have restrictions about being around children under 17. Each offender's conditions are set to their needs.

Q. Are all sex offenders printed in the newspaper?

A. No. Only sex offenders who were convicted after September 1, 1995 and their victim was under 17 years of age are printed in the newspaper. If an offender has received a LOW risk level he is only published in the paper for the very first time he is required to register. No juvenile offenders are published in the paper.

Q. Do juveniles adjudicated of a sexual crime have to register as a sex offender?

A. Maybe. A Judge can exempt juveniles adjudicated for a sex crime from registration.

1. A juvenile Judge can make an offender register as an adult sex offender would.
 2. They can have them register with law enforcement and registration is not public information, or they can exempt them from registration all together.
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Q. How long does a sex offender have to register?

A. If he was convicted of a sexually violent offense they will register for the rest of their life. If it was for a non-sexually violent offense they will register for the duration of their supervision plus ten years. Juveniles adjudicated for any sex crime will register for ten years past their supervision.