

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3990

To provide protection from sexual predators.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 1994

Ms. SLAUGHTER (for herself, Mr. ABERCROMBIE, Ms. DELAURO, Mr. EVANS, Mr. FROST, Mr. HOCHBRUECKNER, Mr. KING, Mr. KLUG, Mrs. MALONEY, Mr. STUPAK, Mr. TOWNS, and Mr. ENGLE) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide protection from sexual predators.

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 “Protection from Sexual  
5 Predators Act of 1994”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that.—

8 (1) rape and sexual assaults continue to be seri-  
9 ous threats to the safety of communities across  
10 America;

1           (2) sexual offenders are much more likely than  
2 any other category of criminals to repeat their  
3 crimes again and again, even after serving time in  
4 prison; and

5           (3) the average rape sentence is just 10½  
6 years, and the average time served is half of that,  
7 approximately 5 years.

8           (b) SENSE OF CONGRESS.—It is the sense of Con-  
9 gress that—

10           (1) States should more seriously consider the  
11 relatively high recidivism rate of sexual offenders  
12 when deciding whether to plea bargain with a first-  
13 time sexual offender and whether to grant parole to  
14 sexual offenders; and

15           (2) States should review their treatment and  
16 parole supervision programs for sexual offenders to  
17 assure that these programs are fulfilling their goals,  
18 and, if they are not, these programs should be im-  
19 mediately replaced or abandoned.

20 **SEC. 3. FEDERAL JURISDICTION OVER RAPE AND SEXUAL**  
21 **ASSAULT CASES.**

22           Section 2241 of title 18, United States Code, is  
23 amended by adding at the end the following:

1       “(e) PUNISHMENT FOR SEXUAL PREDATORS.—(1)  
2 Whoever, in a circumstance described in paragraph (2) of  
3 this subsection—

4               “(A) violates this section; or

5               “(B) engages in conduct, in or affecting inter-  
6 state or foreign commerce, that would be a violation  
7 of subsection (a), (b), or (c) of this section, if the  
8 offense had occurred in the special maritime and ter-  
9 ritorial jurisdiction of the United States;

10 shall be imprisoned for life.

11       “(2) The circumstance referred to in paragraph (1)  
12 of this subsection is that the defendant has previously  
13 been convicted of another State or Federal offense for con-  
14 duct which—

15               “(A) is an offense under this section or section  
16 2242 of this title; or

17               “(B) would have been an offense under either  
18 of such sections if the offense had occurred in the  
19 special maritime or territorial jurisdiction of the  
20 United States.”.

21 **SEC. 4. REGISTRATION PROGRAM.**

22       (a) IN GENERAL.—

23               (1) STATE GUIDELINES.—

1 (A) GENERALLY.—The Attorney General  
2 shall establish guidelines for State programs re-  
3 quiring—

4 (i) any person who is convicted of a  
5 sex offense to register and keep up to date  
6 a current address with a designated State  
7 law enforcement agency for 10 years after  
8 release from prison, or being placed on pa-  
9 role, supervised release, or probation; and

10 (ii) each State to provide information  
11 obtained about the registered person to the  
12 Attorney General on a prompt and regular  
13 basis and in a uniform format.

14 (B) REQUIRED CONTENT OF GUIDE-  
15 LINES.—Such guidelines shall require the inclu-  
16 sion of such data about—

17 (i) the registered person, including  
18 fingerprints and photographs; and

19 (ii) that person's offenses and modus  
20 operandi;

21 as the Attorney General deems useful for assist-  
22 ing law enforcement investigations by Federal,  
23 State, and other law enforcement authorities.

1           (2) DEFINITION.—For purposes of this sub-  
2           section, the term “sex offense” means any State or  
3           Federal offense that—

4                   (A) is an offense under section 2241 or  
5                   2242 of title 18, United States Code; or

6                   (B) would have been an offense under ei-  
7                   ther of such sections if the offense had occurred  
8                   in the special maritime and territorial jurisdic-  
9                   tion of the United States.

10          (b) AVAILABILITY OF INFORMATION.—The Attorney  
11          General shall maintain on-line availability of information  
12          obtained under this section for use by authorized law en-  
13          forcement agencies in carrying out their functions. The  
14          Attorney General shall by rule provide for the privacy of  
15          the information so maintained.

16          (c) COMPLIANCE.—

17                  (1) COMPLIANCE DATE.—Each State shall have  
18                  3 years from the date of the enactment of this Act  
19                  in which to implement this section.

20                  (2) INELIGIBILITY FOR FUNDS.—The allocation  
21                  of funds under title I of the Omnibus Crime Control  
22                  and Safe Streets Act of 1968 received by a State not  
23                  complying with the guidelines issued under this sec-  
24                  tion 3 years after the date of enactment of this Act  
25                  may be reduced by 10 percent and the unallocated

1 funds shall be reallocated to the States in compli-  
2 ance with this section.

3 **SEC. 5. STUDY OF PERSISTENT SEXUAL PREDATORS.**

4 The National Institute of Justice, either directly or  
5 through grant, shall carry out a study of persistent sexual  
6 predators. Not later than one year after the date of the  
7 enactment of this Act, such Institute shall report to Con-  
8 gress and the President the results of such study. Such  
9 report shall include—

10 (1) a synthesis of current research in psychol-  
11 ogy, sociology, law, criminal justice, and other fields  
12 regarding persistent sexual offenders, including—

13 (A) common characteristics of such offend-  
14 ers;

15 (B) recidivism rates for such offenders;

16 (C) treatment techniques and their effec-  
17 tiveness;

18 (D) responses of offenders to treatment  
19 and deterrence; and

20 (E) the possibility of early intervention to  
21 prevent people from becoming sexual predators;  
22 and

23 (2) an agenda for future research in this area.

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