

108TH CONGRESS
2D SESSION

S. 2154

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2004

Referred to the Committee on the Judiciary

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Dru Sjodin National
3 Sex Offender Public Database Act of 2004” or “Dru’s
4 Law”.

5 **SEC. 2. DEFINITION.**

6 In this Act:

7 (1) **CRIMINAL OFFENSE AGAINST A VICTIM WHO**
8 **IS A MINOR.**—The term “criminal offense against a
9 victim who is a minor” has the same meaning as in
10 section 170101(a)(3) of the Jacob Wetterling
11 Crimes Against Children and Sexually Violent Of-
12 fender Registration Act (42 U.S.C. 14071(a)(3)).

13 (2) **MINIMALLY SUFFICIENT SEXUAL OF-**
14 **FENDER REGISTRATION PROGRAM.**—The term
15 “minimally sufficient sexual offender registration
16 program” has the same meaning as in section
17 170102(a) of the Jacob Wetterling Crimes Against
18 Children and Sexually Violent Offender Registration
19 Act (42 U.S.C. 14072(a)).

20 (3) **SEXUALLY VIOLENT OFFENSE.**—The term
21 “sexually violent offense” has the same meaning as
22 in section 170101(a)(3) of the Jacob Wetterling
23 Crimes Against Children and Sexually Violent Of-
24 fender Registration Act (42 U.S.C. 14071(a)(3)).

25 (4) **SEXUALLY VIOLENT PREDATOR.**—The term
26 “sexually violent predator” has the same meaning as

1 in section 170102(a) of the Jacob Wetterling Crimes
2 Against Children and Sexually Violent Offender
3 Registration Act (42 U.S.C. 14072(a)).

4 **SEC. 3. AVAILABILITY OF THE NSOR DATABASE TO THE**
5 **PUBLIC.**

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

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

12 (2) allow for users of the public registry to de-
13 termine which registered sex offenders are currently
14 residing within a radius, as specified by the user of
15 the public registry, of the location indicated by the
16 user of the public registry.

17 (b) INFORMATION AVAILABLE IN PUBLIC REG-
18 ISTRY.—With respect to any person convicted of a crimi-
19 nal offense against a victim who is a minor or a sexually
20 violent offense, or any sexually violent predator, required
21 to register with a minimally sufficient sexual offender reg-
22 istration program within a State, including a program es-
23 tablished under section 170101 of the Jacob Wetterling
24 Crimes Against Children and Sexually Violent Offender
25 Registration Act (42 U.S.C. 14017(b)), the public registry

1 shall provide, to the extent available in the National Sex
2 Offender Registry—

3 (1) the name and any known aliases of the per-
4 son;

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

6 (3) the current address of the person and any
7 subsequent changes of that address;

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

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

12 (6) the date on which the person is released
13 from prison, or placed on parole, supervised release,
14 or probation; and

15 (7) any other information the Attorney General
16 considers appropriate.

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

18 (a) CIVIL COMMITMENT PROCEEDINGS.—

19 (1) IN GENERAL.—Any State that provides for
20 a civil commitment proceeding, or any equivalent
21 proceeding, shall issue timely notice to the attorney
22 general of that State of the impending release of any
23 person incarcerated by the State who—

24 (A) is a sexually violent predator; or

1 (B) has been deemed by the State to be at
2 high-risk for recommitting any sexually violent
3 offense or criminal offense against a victim who
4 is a minor.

5 (2) REVIEW.—Upon receiving notice under
6 paragraph (1), the State attorney general shall con-
7 sider whether or not to institute a civil commitment
8 proceeding, or any equivalent proceeding required
9 under State law.

10 (b) MONITORING OF RELEASED PERSONS.—

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

14 (A) has been unconditionally released from
15 incarceration by the State; and

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

19 (2) APPLICABILITY.—Paragraph (1) shall apply
20 to—

21 (A) any sexually violent predator; or

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

1 (c) COMPLIANCE.—

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

6 (2) INELIGIBILITY FOR FUNDS.—A State that
7 fails to implement the requirements of this section,
8 shall not receive 25 percent of the funds that would
9 otherwise be allocated to the State under section
10 20106(b) of the Violent Crime Control and Law En-
11 forcement Act of 1994 (42 U.S.C. 13706(b)).

12 (3) REALLOCATION OF FUNDS.—Any funds
13 that are not allocated for failure to comply with this
14 section shall be reallocated to States that comply
15 with this section.

Passed the Senate November 19, 2004.

Attest: EMILY J. REYNOLDS,
Secretary.