

109TH CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

Mr. DORGAN introduced the following bill; which was read twice and referred to the Committee on _____

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
11 victim who is a minor” has the same meaning as in

1 section 170101(a)(3) of the Jacob Wetterling
2 Crimes Against Children and Sexually Violent Of-
3 fender Registration Act (42 U.S.C. 14071(a)(3)).

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

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

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

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

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

24 (1) make publicly available in a registry (in this
25 Act referred to as the “public registry”) from infor-

1 mation contained in the National Sex Offender Reg-
2 istry, via the Internet, all information described in
3 subsection (b); and

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

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

20 (1) the name and any known aliases of the per-
21 son;

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

23 (3) the current address of the person and any
24 subsequent changes of that address;

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

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

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

8 (7) any other information the Attorney General
9 considers appropriate.

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

11 (a) CIVIL COMMITMENT PROCEEDINGS.—

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

17 (A) is a sexually violent predator; or

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

22 (2) REVIEW.—Upon receiving notice under
23 paragraph (1), the State attorney general shall con-
24 sider whether or not to institute a civil commitment

1 proceeding, or any equivalent proceeding required
2 under State law.

3 (b) MONITORING OF RELEASED PERSONS.—

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

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

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

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

14 (A) any sexually violent predator; or

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

19 (c) COMPLIANCE.—

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

24 (2) INELIGIBILITY FOR FUNDS.—A State that
25 fails to implement the requirements of this section,

1 shall not receive 25 percent of the funds that would
2 otherwise be allocated to the State under section
3 20106(b) of the Violent Crime Control and Law En-
4 forcement Act of 1994 (42 U.S.C. 13706(b)).

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