

# A Citizen's Guide to Megan's Law



Issued as a public service by the  
N.J. Department of Law and Public Safety  
in conjunction with  
the 21 county prosecutor's offices.



## A MESSAGE FROM THE ATTORNEY GENERAL

Prompted by the tragic murders of Megan Kanka and Amanda Wengert, citizens of this state demanded a law that would let them know when a convicted sex offender is living in their neighborhood. Governor Christine Todd Whitman and state Legislature responded by approving a series of laws collectively known as "Megan's Law."

Megan's Law created a registration and notification procedure to alert law enforcement, schools, community organizations, and neighbors to the presence of a sex offender who authorities believe may pose a risk to the community. This information is designed to enhance public safety and awareness. However, no law can guarantee the protection of our children. There is no substitute for common-sense safety precautions, such as teaching our children whom to trust and knowing where they are at all times.

We are all partners in making this law work. We have an obligation to act responsibly with the information we receive.

No one has the right to take the law into his or her own hands by threatening or harming a sex offender. Vigilante acts will be prosecuted to the full extent of the law.

This brochure answers many of the common questions that people ask about Megan's Law.

Thank you for your interest in this important public safety issue.

A handwritten signature in black ink, appearing to read "Peter C. Harvey". The signature is stylized with large loops and a horizontal line at the bottom.

Peter C. Harvey  
Attorney General

## MEGAN'S LAW

The parents of 7-year-old Megan Kanka of Hamilton Township did not know that a twice-convicted sex offender was living across the street until that neighbor was charged with the brutal rape and murder of their daughter.

The crime -- occurring only months after a similar incident in Monmouth County -- prompted passage of state laws requiring notification about sex offenders who may pose a risk to the community.

New Jersey's law, commonly known as "Megan's Law," requires convicted sex offenders to register with local police.

Megan's Law also establishes a three-tier notification process to provide information about sex offenders to law enforcement agencies and, when appropriate, to the public. The type of notification is based on an evaluation of the risk to the community from a particular sex offender. The Attorney General's Office, in consultation with a special 12-member council, has provided county prosecutors, who must make that evaluation, with the factors to be used in determining the level of risk posed by the sex offender.

Equipped with the descriptions and whereabouts of sex offenders, communities will be better able to protect their children.

## COMMON QUESTIONS ABOUT MEGAN'S LAW

### **Q. What is registration?**

A. Sex offenders must fill out a registration form and submit it to their local police department. The form requests personal information of the sex offender, including home address and place of employment. The accuracy of the information on the form is confirmed. This information is kept by the Division of State Police in a Sex Offender Registry.

### **Q. What types of offenses require registration?**

A. The offenses requiring registration include aggravated sexual assault, sexual assault, aggravated criminal sexual contact, criminal sexual contact if the victim is minor, endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child, endangering the welfare of a child through acts involving pornography featuring a child, promoting prostitution of a child, luring or enticing, kidnapping, criminal restraint, and false imprisonment if the victim is a minor and the offender is not a parent of the victim.

### **Q. Who is required to register?**

A. Sex offenders who have been convicted since Megan's Law went into effect on October 31, 1994, or who were serving a sentence on the effective date of the law are required to register. Sex offenders who have been found to be repetitive and compulsive by experts and the courts, regardless of the date of conviction, are required to register.

### **Q. Are juvenile sex offenders required to register?**

A. A juvenile sex offender is a person who commits a sex offense while under the age of 18. Juvenile sex offenders must register like adults.

**Q. Are sex offenders convicted in another state required to register when they move to New Jersey?**

A. Sex offenders convicted in another state are required to register within 10 days of moving to New Jersey. In addition, sex offenders convicted in another state are required to register even if they are just attending school or are employed in New Jersey.

**Q. Are sex offenders required to report changes of address?**

A. Sex offenders are required to report every change of address. Sex offenders must notify the local police at least 10 days prior to the move. In addition, law enforcement agencies will monitor whether sex offenders are reporting changes of addresses. Some sex offenders must verify their addresses annually. Others must verify their addresses every 90 days.

**Q. How long must sex offenders register?**

A. All sex offenders subject to Megan's Law must register for the remainder of their lives. Sex offenders may apply to the court to be removed from the Sex Offender Registry if they committed only one offense, have not committed another offense for 15 years, and prove that they are not likely to pose a threat to the safety of others. Juvenile sex offenders may also apply to the court to be removed from the Sex Offender Registry if they were under the age of 14 at the time of their offense but are now over the age of 18.

**Q. What if a sex offender fails to register?**

A. Failure to comply in any way with Megan's Law is a fourth degree crime. If you know someone has been convicted of a crime requiring registration, you can always provide that information to the local police or county prosecutor. However, they will not be able to advise you whether or not that particular sex offender is registered.

**Q. Once sex offenders are registered, how does the notification process work?**

A. The county prosecutors receive the registration forms from the local police. The prosecutors then must determine the risk to the community -- the likelihood that the sex offender will commit another crime. In making that determination, the prosecutors weigh many factors set by statutes and the Attorney General's Guidelines. The prosecutors classify sex offenders in one of three tiers based on the degree of risk they pose to the public: low risk (Tier 1), moderate risk (Tier 2), or high risk (Tier 3). Classification in a tier determines who will receive notification.

**Q. Who will receive notification?**

A. If the risk level is low (Tier 1), law enforcement agencies are notified. If the risk level is moderate (Tier 2), in addition to law enforcement agencies, schools, licensed day care centers, summer camps, and registered community organizations are notified of sex offenders that they are likely to encounter because of the possibility that pedophiles and sexual predators will be drawn to these places. If the risk level is high (Tier 3), in addition to law enforcement agencies, schools, licensed day care centers, summer camps, registered community organizations, and members of the public are notified.

**Q. What information is provided in a notification?**

A. In all three levels of notification, the information provided includes the offender's name, description and photograph, address, place of employment or school if applicable, a description of the offender's vehicle and license plate number, and a brief description of the offense.

**Q. How will I be informed?**

A. You will receive personal notification of the location of all high risk (Tier 3) offenders that you are likely to encounter in your neighborhood. A law enforcement officer, such as

a police officer, state police trooper, or investigator from your county prosecutor's office, will come to your door and deliver a notice to an adult member of your household.

**Q. May I share information with friends?**

A. You may share and discuss the information you have received with those residing in your household or with anyone caring for your children at your residence in your absence. You may NOT share this information with anyone outside your household or not in your care. You may NOT copy or post the notice. Law enforcement will notify all appropriate community members, schools, organizations, residences, and businesses.

**Q. What if I move to a new neighborhood?**

A. Megan's Law information is only given to persons already living in the neighborhood. This information will NOT be given by law enforcement agencies to persons who are considering moving into the neighborhood. Also, the seller may NOT be required as a condition of the sale to tell the buyer about Megan's Law notifications. However, once a home is actually purchased, the new owner may request Megan's Law notifications from the local police department.

**Q. Is information available on the Internet?**

A. Information is available on the Internet at the following website: [www.njsp.org](http://www.njsp.org). Click onto the Sex Offender Registry icon. The law limits the information to be placed on the Internet to all high risk (Tier 3) offenders and some moderate risk (Tier 2) offenders. The law excludes juvenile sex offenders, most moderate risk offenders whose crimes were committed against members of their families or households, and most moderate sex offenders whose crimes were considered statutory because of age.

**Q. What should I do if I receive a notification?**

A. Reinforce general precautions about staying away from strangers and ask your children to tell you or their caretakers

where they will be at all times. Use the information responsibly. Talk to your children. Tell them to treat the sex offender as a stranger. Tell them where the sex offender lives, what he or she looks like, and what to do if they encounter or are approached by that person. If you believe that a crime is being committed by a sex offender, contact your local law enforcement agency immediately as you would do in any case of suspected criminal activity.

**Q. Are there any other steps I can take to protect my family?**

A. There is no law that can ever completely protect us. Adults need to teach children about basic safety precautions. Check with your child's school to determine whether a program is in place to teach children about strangers. Also, check with the school and other locations where your child spends time on a regular basis to determine whether safety precautions are in place.

**Q. What am I prohibited from doing?**

A. Any actions taken against the individual named in the notification, including vandalism or property, verbal or written threats of harm, or physical violence against this person, his or her family, or employer, will result in arrest and prosecution for criminal acts. Vigilantism is not only a crime, it is an action that will undermine the efforts of those who have worked hard to enact this law.

*For further information on Megan's Law or for additional copies of this publication, contact your county prosecutor's office at the phone number or address listed below.*

**Atlantic**

4997 Unami Boulevard  
Mays Landing, New Jersey  
08330  
609/909-7800

**Bergen**

Bergen County Justice Center  
10 Main Street  
Hackensack, New Jersey  
07601  
201/646-2300

**Burlington**

County Courts Complex  
49 Rancocas Road  
P.O. Box 6000  
Mount Holly, New Jersey  
08060  
609/265-5035

**Camden**

25 North 5<sup>th</sup> Street  
Camden, New Jersey 08102-  
1231  
856/225-8400

**Cape May**

4 Moore Road  
Cape May Court House, New  
Jersey 08210  
609/465-1135

**Cumberland**

43 Fayette Street  
Bridgeton, New Jersey  
08302  
856/453-0486

**Essex**

Essex County Courts Building  
50 West Market Street  
Newark, New Jersey 07102  
973/621-4700

**Gloucester**

Justice Complex  
Hunter & Euclid Streets  
P.O. Box 623  
Woodbury, New Jersey  
08096  
856/384-5500

**Hudson**

595 Newark Avenue  
Admin. Building  
Jersey City, New Jersey  
07306  
201/795-6400

**Hunterdon**

Justice Complex  
65 Park Avenue  
P. O. Box 756  
Flemington, New Jersey  
08822  
908/788-1129

**Mercer**

Court House  
P. O. Box 8068  
Trenton, NJ 08650-0068  
609/989-6309

**Middlesex**

25 Kirkpatrick Street  
New Brunswick, New  
Jersey 08901  
732/745-3333

**Monmouth**

71 Monument Park  
Freehold, New Jersey  
07728-1789  
732/431-7160

**Morris**

6 Court Street  
Admin. & Records Bldg.  
P. O. Box 900  
Morristown, New Jersey  
07963-0900  
973/285-6200

**Ocean**

119 Hooper Avenue  
P. O. Box 2191  
Toms River, New Jersey  
08754  
732/929-2027

**Passaic**

401 Grand Street  
Paterson, New Jersey  
07505  
973/881-4800

**Salem**

87 Market Street  
Fenwick Building  
P. O. Box 462  
Salem, New Jersey 08079-  
0462  
856/935-7510

**Somerset**

40 North Bridge Street  
P. O. Box 3000  
Somerville, New Jersey  
08876  
908/231-7100

**Sussex**

19-21 High Street  
Newton, New Jersey 07860  
973/383-1570

**Union**

32 Rahway Avenue  
Elizabeth, New Jersey  
07202-2115  
908/527-4500

**Warren**

Court House  
413 2<sup>nd</sup> Street  
Belvidere, New Jersey  
07823  
908/475-6287

*Prepared by the Division of  
Criminal Justice, New  
Jersey  
Department of Law & Public  
Safety*