

TO THE DEFENDANT:

PLEASE READ AND THEN REVIEW THE FOLLOWING INFORMATION WITH YOUR LAWYER IF YOU DO NOT UNDERSTAND ANYTHING CONTAINED ON THIS DOCUMENT, ASK YOUR LAWYER OR THE JUDGE TO EXPLAIN IT TO YOU. DO NOT SIGN THIS DOCUMENT UNTIL YOU UNDERSTAND IT FULLY.

SEX OFFENDER REGISTRATION AND NOTIFICATION COLLOQUY

ACT 29 SUBCHAPTER (I¹)

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA)	CASE NUMBER (S):	_____
)		
VS)		_____
)		
_____)		_____

A. OFFENSES MARKED APPLY IN YOUR CASE:

Ten Year Registration:

- _____ Kidnapping, 18 Pa.C.S. §2901 (where the victim is a minor)
- _____ Indecent Assault, 18 Pa.C.S. §3126 (where the offense is graded as a misdemeanor of the first degree or higher)
- _____ Incest, 18 Pa.C.S. §4302 (where the victim is 12 years of age or older by under 18 years of age)
- _____ Prostitution and related offenses, 18 Pa.C.S §5902(b) or (b.1) (where the actor promotes the prostitution of a minor)
- _____ Obscene Materials, 18 Pa.C.S. §5903(a)(3), (4), (5), or (6) (where the victim is a minor)
- _____ Sexual Abuse of Children, 18 Pa.C.S. §6312
- _____ Unlawful Contact with Minor, 18 Pa.C.S. §6312
- _____ Sexual Exploitation of Children, 18 Pa.C.S §6320
- _____ Luring a Child into a Motor Vehicle or Structure, 18 Pa.C.S §2910²
- _____ Institutional Sexual Assault, 18 Pa.C.S. §3124.2³
- _____ An attempt, solicitation, or conspiracy to commit any of the above-listed offenses
- _____ An attempt, solicitation, or conspiracy to commit any offense requiring a lifetime registration period

Lifetime Registration:

- _____ Rape, 18 Pa.C.S. §3121
- _____ Involuntary Deviate Sexual Intercourse, 18 Pa.C.S.A. §3123
- _____ Sexual Assault, 18 Pa.C.S.A. §3124.1
- _____ Aggravated Indecent Assault, 18 Pa.C.S. §3125
- _____ Incest, 18 Pa.C.S. §4302 (where the victim is less than 12 years of age)
- _____ Two or more convictions of any of the offenses requiring a ten year registration period

¹ Individuals convicted of offenses committed on or after April 22, 1996 but before December 20, 2012

² Only applicable if offense committed on or after January 26, 2005, but before December 20, 2012

³ Only applicable if offense committed on or after January 26, 2005, but before December 20, 2012

B. PLEA COLLOQUY

I understand that I am entering a plea that will trigger the requirements of Act 29 under 42 Pa.C.S.A. §9799.51 et seq. _____ **initial**

I understand that I must undergo an Assessment from the Sexual Offender's Assessment Board. _____ **initial**

I understand that this Assessment will be used to make a recommendation to the Court as to whether or not I meet the criteria of a Sexually Violent Predator. _____ **initial**

I understand that if the Commonwealth files a Notice seeking to classify me as a Sexually Violent Predator, that I have the right to contest said classification in a hearing. _____ **initial**

I understand that I have the right to hire my own expert to contest the classification of Sexually Violent Predator, and that if I cannot afford my own expert that I may ask the Court for funds to hire an expert. _____ **initial**

I understand that in order to be classified as a Sexually Violent Predator the Commonwealth has the burden to prove, by clear and convincing evidence, that I meet the statutory criteria for Sexually Violent Predator. _____ **initial**

I understand that I will be classified by the Court as either a Ten year offender, Lifetime offender, or a Sexually Violent Predator. _____ **initial**

I understand that my obligations and duties under Act 29 will depend on my classification. _____ **initial**

I understand that I shall register all my required information under Act 29 for 10 years, or for the rest of my life, depending upon my classification. _____ **initial**

I understand that my obligation to register may continue even after my sentence has expired. _____ **initial**

I understand that I shall be required to provide all the following information to my Registering Official, and that all of the following information will be disseminated to law enforcement agencies and posted on the internet.

- my name, any aliases I have, year of birth, my full address, including the street address of where I reside, and/or attend school, municipality, county, and zip code and employment location, description of me including scars, birth marks and tattoos, a current photograph of me, a description of my offense, the date of my offense, whether my victim was a minor, a description of any cars I own or that are registered to me, my license plate information, and whether I am compliant with my registration. _____ **initial**

I understand that a DNA sample will be taken from me and uploaded into the combined DNA index system (CODIS) and that law enforcement agencies shall have access to said database. _____ **initial**

I understand that if I am classified as a Sexually Violent Predator some of the aforementioned information will be directly disseminated to all of the following:

- my neighbors, _____ **initial**
- the Director of the county's Children and Youth Services in my County, _____ **initial**
- the Superintendent of each school and the equivalent official for each private school and parochial school in my municipality and within a one mile radius of my residence, _____ **initial**
- the owner of each certified day-care center, licensed preschool program, and registered family day-care center, _____ **initial**
- and the President of each College and/or University located within 1,000 feet of my residence. _____ **initial**

I understand that if I am found to be a Sexually Violent Predator that I will be required to attend monthly counseling sessions at a program approved by the Sexual Offender's Assessment Board for the rest of my life. _____ **initial**

I understand that I must notify the Pennsylvania State Police if I change my residence within three business days of moving. _____ **initial**

I understand that I must notify the Pennsylvania State Police of any change in my employment or termination of employment within three business days of said change. _____ **initial**

I understand that I must register with the appropriate law enforcement agency of another state within three business days of moving outside the Commonwealth of Pennsylvania. _____ **initial**

I understand that if I fail to provide any of the required information to my Registering Official that I will be committing a Felony Offense and may be subject to prosecution. _____ **initial**

I understand that if I provide any false information to my Registering Official that I will be committing a Felony Offense and may be subject to prosecution. _____ **initial**

C. REGISTRATION REQUIREMENTS:

You have been convicted of a Sexually Violent Offense, as defined in 42 Pa.C.S.A. §9799.53. You shall register all required information under Act 29, with the Pennsylvania State Police for 10 years, or for the rest of your natural life, depending upon your classification. _____ **initial**

Based on the charges you are pleading guilty to, you have been classified as a:

- _____ 10 year offender
- _____ Lifetime offender
- _____ **initial**

If you are a 10 year offender, you shall register all required information for the next 10 Years and you shall appear at an Approved Registration Site annually to verify and update all of your required information. _____ **initial**

If you are a Lifetime offender, you shall register all required information for the rest of your natural life and you shall appear at an Approved Registration Site annually to verify and update all of your required information. _____ **initial**

If you are found to be a Sexually Violent Predator, you shall register all required Information for the rest of your natural life and you shall appear at an Approved Registration Site quarterly to verify and update all of your required information. _____ **initial**

You shall provide all of the following information to your Registering Official:

- Your name, alias, nickname, street name, any designation used by you for the internet or electronic communication of any kind, and any other designation used for identification; _____ **initial**
- Any and all phone numbers where you may be reached, including but not limited to your home number, your work number, and your mobile number; _____ **initial**
- Your social security number and your birth date; _____ **initial**
- Addresses of any and all residences you have or intend to reside at in the future, including the location where you receive your mail, and you must also provide the dates and locations of any and all temporary residences; _____ **initial**
- Addresses of any and all work locations and if work is not in a fixed location, any and all travel routes and the general area where you work; _____ **initial**
- Addresses of any and all locations where you attend school. _____ **initial**

If you have no current address, you shall provide all of the following information to your Registering Official:

- The location where you are staying, including but not limited to, a homeless shelter or park; _____ **initial**
- The location where you receive your mail; _____ **initial**
- A list of places you eat, frequent, and engage in any leisure activities. _____ **initial**

If you have no current address, you shall also report to an Approved Registration Site every 30 days to verify and update all required information until you have established a residence. _____ **initial**

You shall provide your passport and/or any and all immigration documents to your Registering Official to be copied and attached to our file. The originals shall be returned to you. _____ **initial**

You shall provide your driver's license and/or identification card to your Registering Official to be copied and attached to your file. The originals shall be returned to you. _____ **initial**

If you have a professional license, you shall provide it to your Registering Official to be copied and attached to your file. The original shall be returned to you. _____ **initial**

You shall notify the Pennsylvania State Police if you change your residence within three business days of moving. Change of address forms may be obtained at, and submitted to, any Approved Registration Site at a Pennsylvania State Police Station. _____ **initial**

You shall notify the Pennsylvania State Police of any change in your employment or termination of employment within three business days of said change. _____ **initial**

You shall register with the appropriate law enforcement agency of another state within three business days of moving outside the Commonwealth of Pennsylvania. _____ **initial**

All of the following will be disseminated to law enforcement agencies and posted on the internet:

- my name, any aliases I have, year of birth, my full address, including the street address of where I reside, and/or attend school, municipality, county, and zip code and employment location, description of me including scars, birth marks and tattoos, a current photograph of me, a description of my offense, the date of my offense, whether my victim was a minor, a description of any cars I own or that are registered to me, my license plate information, and whether I am compliant with my registration. _____ **initial**

If you are found to be a Sexually Violent Predator, all of this information will also be directly disseminated to all of the following:

- my neighbors, _____ **initial**
- the Director of the county's Children and Youth Services in my County, _____ **initial**
- the Superintendent of each school and the equivalent official for each private school and parochial school in my municipality and within a one mile radius of my residence, _____ **initial**
- the owner of each certified day-care center, licensed preschool program, and registered family day-care center, _____ **initial**
- and the President of each College and/or University located within 1,000 feet of my residence. _____ **initial**

Furthermore, if you are found to be a Sexually Violent Predator, you shall attend monthly counseling sessions for the rest of your natural life, in a program approved by the Sexual Offender Assessment Board. _____ **initial**

I AFFIRM THAT I HAVE READ THE ABOVE STATEMENT COMPLETELY AND I UNDERSTAND ITS FULL MEANING AND I STILL WANT TO ENTER A PLEA OF GUILTY TO THE CRIMES SPECIFIED. I ACKNOWLEDGE THE ABOVE REQUIREMENTS AS SET FORTH BY APPLICABLE PROVISIONS OF 42 Pa.C.S.A. §9799.51 et seq. I UNDERSTAND I WILL BE COMMITTING A CRIMINAL OFFENSE SHOULD I FAIL TO FULFILL ANY REQUIREMENT. I FURTHER AFFIRM THAT MY SIGNATURE AND INITIALS IN EACH PAGE OF THIS STATEMENT ARE TRUE AND CORRECT.

OFFENDER SIGNATURE

DATE

I, _____, ESQUIRE, ATTORNEY FOR _____ STATE THAT I HAVE ADVISED MY CLIENT OF THE MEANING OF THIS STATEMENT; THAT IT IS MY BELIEF THAT HE/SHE COMPREHENDS AND UNDERSTANDS WHAT IS SET FORTH ABOVE; AND THAT THE DEFENDANT UNDERSTANDS WHAT HE/SHE IS DOING BY PLEADING GUILTY. I FURTHER CERTIFY THAT I HAVE EXPLAINED TO THE OFFENDER THE REQUIREMENTS AS SET FORTH ABOVE.

ATTORNEY FOR OFFENDER

DATE

I, _____, RESIDING AT _____, AFFIRM THAT I HAVE FULLY AND CORRECTLY TRANSLATED THE ENTIRE FOREGOING STATEMENT TO THE DEFENDANT IN THE _____ LANGUAGE AND THAT THE DEFENDANT STATED THAT HE/SHE UNDERSTOOD EACH OF THE QUESTIONS BEFORE ANSWERING THEM.

NAME OF TRANSLATOR

DATE