

Docket No.: _____

"Megan's Law/SORNA Colloquy"

Do you understand that by pleading guilty to _____
that you are subject to the provisions of Title 42 Pa.C.S.A. §9799.10 et. seq. entitled
"Registration of Sexual Offenders" which is Pennsylvania's version of "Megan's
Law/SORNA"?

Yes _____ No _____

Do you understand that as a result of your plea of guilty to _____
that you will be required to register with the Pennsylvania State Police for a period of:
_____ 15 years _____ 25 years _____ Lifetime

from your release from incarceration and that it will be your responsibility to obtain the
information required for registration?

Yes _____ No _____

Do you understand that while you are registered that it will be your duty to inform the
Pennsylvania State Police within 48 hours of any change of residence and that it is your
duty to register with a new law enforcement agency if you move to another state no later
than 48 hours after you establish residence in another state?

Yes _____ No _____

Do you understand that periodically a residence verification form will be sent to your
registered address and that you shall personally appear at any Pennsylvania State Police
Station to complete the form and be photographed and that this verification form will not
be forwarded to any address?

Yes _____ No _____

Initials _____

Do you understand that if you fail to register or verify your residence as set out above, you will be committing a felony of the third degree?

Yes _____ No _____

Do you understand that at sentencing the Court will inform you of your duty to register and obtain information required for each registration, inform you of your duty to inform the Pennsylvania State Police within 48 hours if you change address, inform you of your duty to register with a new law enforcement agency if you move to another state within 48 hours of establishing a residence, order your fingerprints and photograph to be provided to the Pennsylvania State Police and require you to read and sign a form stating your duty to register has been explained to you and, if you are not capable of reading and writing, certifying that such duty was explained to you by the Court?

Yes _____ No _____

Do you understand that if you fail to establish a residence as defined in 42 Pa.C.S.A. §9799.12, you shall inform the Pennsylvania State Police of:

- The location of your temporary habitat or other temporary place of abode or dwelling, including a homeless shelter or park, where you are lodged;
- The places that you eat, frequent and engage in leisure activities and any planned destinations, including those outside this Commonwealth; and
- The place you receive mail, including a post office box.

Yes _____ No _____

Initials _____

Do you understand that prior to sentencing you will be assessed to determine whether or not you are a sexually violent predator?

Yes _____ No _____

Do you understand that by pleading guilty to the charge of _____, this Court must order you to be assessed by the Sexual Offender Assessment Board, which is the State Board created by Megan's Law/SORNA?

Yes _____ No _____

Do you understand that the Court must send the order for assessment to the administrative officer of the Board within ten (10) days of your guilty plea?

Yes _____ No _____

Do you understand that a member of the Board shall be selected by the administrative officer of the Board to conduct an assessment of you to determine whether you are a sexually violent predator?

Yes _____ No _____

Do you understand that the Board shall submit a written report containing its assessment to the District Attorney within ninety (90) days of the date of your guilty plea?

Yes _____ No _____

Do you understand that the assessment shall include, but not be limited, by such factors as (1) your age, (2) your prior criminal record including sexual offenses as well as other offenses, (3) age of the victim and the mental capacity of the victim, (4) whether there were multiple victims, (5) the use of illegal drugs by you, (6) whether you have completed any prior sentence and whether you have participated in available programs for sexual offenders, (7) any mental illness, mental disability or mental abnormality you may have, (8) the nature of the sexual contact with the victim, (9) whether there was a display of unusual cruelty by you during the commission of the offense, (10) your relationship to the victim, (11) whether you exceeded the means necessary to achieve the offense, (12) any behavioral characteristics that contributed to your conduct, and (13) factors that are supported in a sexual offender assessment filed as criteria reasonably related to the risk of re-offense?

Yes _____ No _____

Initials _____

Do you understand that the member of the Board conducting the assessment will need to speak to you in making his determination and you will need to speak with him to enable the Board to make a proper assessment?

Yes _____ No _____

Do you understand that a hearing to determine whether you are a sexually violent predator shall be scheduled upon a praecipe being filed by the District Attorney?

Yes _____ No _____

Do you understand that the Court shall determine whether the Commonwealth has proved by clear and convincing evidence that you are a sexually violent predator?

Yes _____ No _____

Do you understand that if you are found to be a sexually violent predator that upon your release from incarceration your neighbors and other members of your community will be notified of your address, given a photograph of you and informed of the fact that you are a sexually violent predator?

Yes _____ No _____

Do you understand that if you are found to be a sexually violent predator you shall be required to attend at least monthly counseling sessions in a program approved by the Board and be financially responsible for all fees assessed from such counseling sessions?

Yes _____ No _____

Do you understand that you will be required to register for life under 42 Pa.C.S.A. §9799.15 if:

- (1) you have two or more convictions of any sexual offenses listed as Tier I or Tier II offenses under 42 Pa.C.S.A. §9799.14(b) or (c),
- (2) you have a conviction of any sexual offense or the attempt to commit any sexual offense listed as a Tier III offense under 42 Pa.C.S.A. §9799.14(d),
- (3) you have, as a juvenile, been adjudicated delinquent in the Commonwealth of Pennsylvania or in another jurisdiction or foreign country of an offense which would require you to register for life under the laws of the Commonwealth of Pennsylvania, or
- (4) you have been declared to be a Sexually Violent Predator or a Sexually Violent Delinquent Child?

Yes _____ No _____

Initials _____

Do you understand that the law defines a sexually violent predator to be a person who has pleaded guilty to the charge(s) to which you are pleading guilty and has a mental abnormality or personality disorder that makes it likely that you will engage in predatory sexual offenses?

Yes _____ No _____

Do you understand that a predatory sexual offense is defined in the law as a sexual act directed at a stranger or at a person with whom a relationship has been established or promoted for the primary purpose of victimization?

Yes _____ No _____

Do you understand that at the hearing you will be given an opportunity to be heard, call witnesses, call expert witnesses, and you are entitled to representation by a lawyer who can present evidence on your behalf, cross-examine or question any witnesses presented against you and if you cannot afford an attorney one will be appointed to represent you free of charge?

Yes _____ No _____

Do you understand that at the hearing the district attorney's office has a right to call any witnesses it may choose, present evidence and have the right to cross-examine or question any evidence or witness which you may present?

Yes _____ No _____

Do you understand that the Court after the hearing will determine whether or not the Commonwealth has proved by clear and convincing evidence that you are a sexually violent predator?

Yes _____ No _____

Initials _____

Do you understand that if the Court makes a determination that you are a sexually violent predator that you may appeal that determination to the Superior Court in the same way as you appeal your sentence as set forth in other areas of this guilty plea colloquy?

Yes _____ No _____

Do you understand that if the Court determines you not to be a sexually violent predator the Commonwealth may have rights to appeal that decision to the Superior Court?

Yes _____ No _____

Do you understand that if the Court makes a determination that you are a sexually violent predator you may not petition the Court for reconsideration of that determination, except under circumstances of a conviction that is subsequently vacated or a subsequent acquittal.

Yes _____ No _____

Do you understand that if the Court determines you to be a sexually violent predator, you must abide by the previously stated registration requirements and, in addition to your address being made available to the State police and the local law enforcement agency, the local law enforcement agency is required to give written notice of your name, address, offense convicted of, the statement of your designation as a sexually violent predator and your photograph to all of your neighbors, the director of the children and youth service agency in the county of residence, the superintendent of each school district and the equivalent official for private and parochial schools enrolling students through grade 12 in the municipality where you reside, the superintendent of each school district and the equivalent official for each private and parochial school located within a one-mile radius of where you reside, the licensee of each certified day care center and licensed preschool program and owner/operator of each registered family day care home in the municipality where you reside, and the president of each college, university or community college located within 1,000 feet of your address?

Yes _____ No _____

Initials _____

Do you understand that if the Court determines you to be a sexually violent predator, the Pennsylvania State Police and/or local law enforcement department shall give written notice to the victim within 72 hours after you register or change your address and even if the Court does not determine you to be a sexually violent predator, the victim shall have the rights that other victims in the criminal justice system have in regard to being timely informed of developments in this case?

Yes _____ No _____

Do you understand that if the Court determines you to be a sexually violent predator that at sentencing the Court will inform you of your duty to register and obtain information required for each registration, inform you of your duty to inform the Pennsylvania State Police within 48 hours if you change address, inform you of your duty to register with a new law enforcement agency if you move to another state within 48 hours of establishing a residence, order your fingerprints and photograph to be provided to the Pennsylvania State Police and require you to read and sign a form stating your duty to register has been explained to you and, if you are not capable of reading or writing, certifying that such duty was explained to you by the Court?

Yes _____ No _____

Do you understand that if the court determines that you are not a sexually violent predator, the Pennsylvania State Police shall verify annually your address by a residence verification form which you must return in person, in ten (10) days and be photographed?

Yes _____ No _____

Do you understand if you fail to register or enter your address under the provisions of the law, you will be committing a felony of the third degree?

Yes _____ No _____

Do you understand that if the Court determines you to be a sexually violent predator, the Pennsylvania State Police shall verify your address every ninety (90) days by sending a non-forwardable verification form to your last reported address which you must return in person within ten (10) days and be photographed?

Yes _____ No _____

Initials _____

Do you understand if you are convicted of an offense under lifetime registration and fail to register or verify your address under the provisions of the law you will be committing a felony of the first degree and shall be sentenced to a mandatory minimum sentence of probation for the remainder of your lifetime and that you may be sentenced to a period of incarceration of up to your lifetime?

Yes _____ No _____

Do you understand all of the duties that may and/or will be imposed upon you by pleading guilty to the charge of _____ which falls within the provisions of Megan's Law/SORNA?

Yes _____ No _____

Initials _____

I affirm that I have read or _____ has read to me, this "Megan's Law/SORNA Colloquy Form" in its entirety and understand the contents therein. The answers to the questions are my own and are true and correct.

Defendant

Date

I, _____, Esquire, Attorney for _____

_____, Defendant, have reviewed this questionnaire in its entirety with my client; and that it is my belief that my client fully understands the import and ramifications of same.

Esquire

Date

Revised
May, 2013