

PENNSYLVANIA ASSOCIATION FOR RATIONAL SEXUAL OFFENSE LAWS

POLICY MEMORANDUM

Telephonic Verification System Under Act 10 of 2018: Eight Years of Non-Implementation

TO: Pennsylvania House Judiciary Majority Leadership
FROM: Pennsylvania Association for Rational Sexual Offense Laws (PARSOL)
DATE: 5 March 2026
RE: Failure of the Pennsylvania State Police to Implement Telephonic Verification as Mandated by Act 10 of 2018 (42 Pa.C.S. § 9799.25(a.1) and (a.2))

EXECUTIVE SUMMARY

FOR LEGISLATORS: KEY QUESTIONS FOR PSP BUDGET HEARINGS

Act 10 of 2018 required the Pennsylvania State Police to implement a telephonic verification system for eligible Megan's Law registrants. Eight years after enactment, that system remains dysfunctional.

Before authorizing funding for new PSP programs or budget expansions, legislators should ask:

- **Why has a system mandated by statute in 2018 still not been reliably implemented in 2026 — eight years after enactment?**
- **How does the PSP justify requesting funding for new programs and initiatives when it cannot demonstrate basic compliance with existing statutory mandates?**
- **What accountability mechanisms has the PSP established to prevent future failures to implement legislatively mandated programs?**
- **Why were PSP registration staff unaware of the telephonic system as recently as January 2026 — more than two years after the PSP published notice in the Pennsylvania Bulletin that the system was operational?**

This memorandum documents PARSOL's year-long effort to obtain basic information about this program, the PSP's inadequate responses, and the real-world consequences of this sustained implementation failure.

INTRODUCTION

In 2018, the Pennsylvania General Assembly enacted Act 10 of 2018, amending Megan's Law to provide a meaningful compliance accommodation for registrants who had demonstrated a sustained record of lawful conduct. Under 42 Pa.C.S. § 9799.25(a.1) and (a.2), individuals who had maintained full compliance with registration requirements for three consecutive years — and had not been convicted of any offense carrying a potential sentence of more than one year during that period — were granted an alternative to in-person quarterly appearances: they could satisfy their registration obligations by telephone, with only one annual in-person appearance required for identity verification and photography.

This was a thoughtful, measured reform that recognized the public safety value of incentivizing compliance and reducing unnecessary burdens on low-risk registrants while maintaining robust oversight. The statute placed responsibility for designing and operating the telephonic verification system squarely with the Pennsylvania State Police (PSP), and provided that the system could not be used until the PSP published formal notice of its operational status in the Pennsylvania Bulletin.

The PSP published that notice on June 3, 2023 — five years after the law’s enactment. What followed, however, has been a troubling chronicle of inconsistency, internal miscommunication, and bureaucratic dysfunction that raises serious questions about the PSP’s capacity to implement its responsibilities mandated by statute.

As this memorandum documents, PARSOL members and staff have encountered a system that — even after official notice of its operability — has been so inconsistently administered that Pennsylvania State Troopers have denied its existence to registrants seeking to use it. This is not merely an administrative inconvenience. Because failure to comply with registration requirements is a criminal offense under 18 Pa.C.S. § 4915.1, any individual turned away from or misled about their right to telephonic verification faces potential criminal exposure for conduct that was, in fact, legally permissible.

This memorandum presents a chronological account of PARSOL’s engagement with the PSP on this issue, identifies the policy and legal questions that remain unanswered, and includes the operative statutory text for legislative reference.

BACKGROUND: STATUTORY FRAMEWORK

Act 10 of 2018 created a two-tier verification structure for eligible registrants under Pennsylvania’s Sex Offender Registration and Notification Act (SORNA).

Annual In-Person Appearance (§ 9799.25(a.1)(1))

Registrants who have maintained compliance for three consecutive years and have not been convicted of any offense carrying a potential sentence exceeding one year are required to appear in person only once annually — within ten days prior to their designated date — to verify their registration information and be photographed.

Telephonic Verification (§ 9799.25(a.1) and (a.2))

Remaining appearances may be fulfilled by telephone. The statute requires registrants to call the designated PSP telephone number within three business days of their specified date. The PSP is obligated to develop and operate this system and may not permit its use until the agency publishes a notice of operational status in the Pennsylvania Bulletin.

Criminal Consequences of Non-Compliance (§ 9799.25(a.1)(3))

Failure to comply with these requirements may result in conviction under 18 Pa.C.S. § 4915.1, which automatically voids telephonic verification privileges and reinstates the full in-person registration schedule.

Advance Notice to Registrants (§ 9799.25(c)(1))

The PSP is required to send advance notice to registrants no more than thirty and not fewer than fifteen days before each required registration date. That notice must include the designated telephone number for telephonic verification.

CHRONOLOGY OF EVENTS

The following timeline documents PARSOL’s engagement with the PSP regarding the telephonic verification system from January 2025 through January 2026.

DATE	EVENT
January 13, 2025 — 8:33 a.m.	PARSOL emails Sgt. William Foutz of the PSP Megan's Law Division requesting information on the implementation status of the telephonic verification system mandated under Act 10 of 2018.
January 13, 2025 — 10:03 a.m.	Megan's Law Section Supervisor Sgt. Eric Matiskella responds, referring PARSOL to Corporal Thomas Grove.
January 13, 2025 — 10:57 a.m.	Cpl. Grove replies: "Yes, we are aware of the statute."
January 13, 2025 — 11:14 a.m.	PARSOL clarifies that the inquiry concerns the status of implementation — not awareness of the statute — noting that nearly seven years had passed since enactment.
January 13, 2025 — 11:31 a.m.	Cpl. Grove instructs PARSOL to submit a Right-to-Know Law (RTKL) request for any additional information.
February 18, 2025	PARSOL receives written notice from PSP Open Records Officer William Rozier, J.D., requesting a 30-day extension to compile the requested information.
March 19, 2025	PARSOL receives a response from PSP Open Records Legal Assistant Rachel Zeltmann stating that the request falls outside the scope of the Pennsylvania Right-to-Know Law and directing PARSOL to contact the PSP Bureau of Records and Identification.
April 2, 2025	PARSOL sends a formal letter to Cpl. Grove and then-Commissioner Christopher Paris, as well as the Governor's Office, the Lieutenant Governor's Office, and the House and Senate Appropriations and Judiciary Committee leadership, documenting the failure to implement the telephonic system seven years after enactment.
April 9, 2025 — 2:57 p.m.	Sgt. Marc A. Kunes, Megan's Law Section Commander, contacts PARSOL's Legislative Director by telephone and states that the PSP published notice in the Pennsylvania Bulletin on June 3, 2023, that the telephonic system was operational.
April 9, 2025 — 3:35 p.m.	PARSOL staff calls the designated telephonic registration number. The receptionist states that they are "unable to process any telephonic registrations" as they have not received procedures on how to do so — despite the PSP's representation that the system had been operational for nearly two years.
August 1, 2025	A PARSOL member receives a letter from PSP regarding telephonic registration and successfully completes the registration.
November 8, 2025	A PARSOL member attempts telephonic verification and is told it cannot be accommodated, with no explanation provided. PARSOL staff call the registration number and receive no answer after ringing for over two minutes.
January 3, 2026	A PARSOL member attempting telephonic verification is told the system is unavailable and that it may take years to process registrants, as the PSP is manually reviewing each one. When the same individual appears in person and inquires about telephone verification, PSP troopers deny that any such process exists.

OUTSTANDING POLICY AND LEGAL QUESTIONS

Despite more than a year of engagement with the PSP, the following fundamental questions remain unanswered:

1. Transient registrants are required to register monthly. Does successful use of the telephonic system allow for only one annual in-person appearance with all remaining appearances completed by telephone — provided the registrant's information has not changed?
2. Section 9799.25(a.1)(2) specifies that telephonic verification must be completed "within three business days" of the designated date, while in-person registration must occur "within ten days before" the specified date. Does this mean that a registrant who calls within three days after the date is in compliance — not in violation? This question has direct implications for the legal sustainability of any criminal charges arising from non-compliance.
3. When will the PSP update its registration reminder notices to inform eligible registrants of their right to telephonic verification the designated telephone number, and — if the system is temporarily unavailable — written notice to that effect?
4. When will the PSP Megan's Law website be updated to include telephonic verification information, eligibility criteria, and a publicly accessible FAQ?
5. How can individuals who register by telephone obtain confirmation of their compliance? Unlike in-person appearances, which generate a paper record, telephonic verifications appear to leave no verifiable documentation accessible to the registrant — creating a significant due process concern if compliance is later disputed.

OPERATIVE STATUTORY LANGUAGE

The following provisions of 42 Pa.C.S. § 9799.25 are directly relevant to the matters described in this memorandum:

§ 9799.25. Verification by sexual offenders and Pennsylvania State Police.

* * *

(a.1) Alternate requirements regarding verification.—The following apply to an individual required to appear in person under subsection (a) (2) or (3):

(1) If the individual has been in compliance with the requirements of this subchapter for the first three years of the individual's period of registration and, during the same three-year period, the individual has not been convicted in this Commonwealth or any other jurisdiction or foreign country of an offense punishable by imprisonment of more than one year, the individual shall appear at an approved registration site annually. The individual shall appear within 10 days before the date designated by the Pennsylvania State Police to verify information in section 9799.16(b) and be photographed.

(2) The other appearances required of the individual under this section may be completed by contacting the Pennsylvania State Police by telephone at a telephone number designated by the Pennsylvania State Police. The individual shall call the Pennsylvania State Police within three business days of the date designated by the Pennsylvania State Police.

(3) If the individual fails to comply with the provisions of this subsection and the individual is subsequently convicted under 18 Pa.C.S. § 4915.1 (relating to failure to comply with registration requirements), any relief granted under this subsection shall be void, and the petitioner shall automatically and immediately again be subject to the provisions of this subchapter, as previously determined by this subchapter.

(a.2) Telephonic verification system.—The Pennsylvania State Police shall develop a mechanism to permit individuals to utilize the telephonic verification system established in this section. No individual may utilize the telephonic verification system until the Pennsylvania State Police publishes notice in the Pennsylvania Bulletin that the system is operational.

(b) Deadline.—The following apply:

* * *

(2) In the case of a sexual offender who fails to appear in person or telephonically as required under this section, the Pennsylvania State Police shall notify the municipal police department where the sexual offender has a residence, is employed or is enrolled as a student. The municipal police shall locate the sexual offender and arrest the sexual offender for violating this section.

(3) In the case of a sexual offender who fails to appear in person or telephonically as required under this section, the Pennsylvania State Police shall notify the United

States Marshals Service in accordance with section 9799.22(b)(3) (relating to enforcement).

(c) Facilitation of verification.—The Pennsylvania State Police shall administer and facilitate the process of verification of information... by:

(1) Sending a notice by first class United States mail to each sexual offender at the last reported location where the offender receives mail. The notice shall be sent not more than 30 days nor less than 15 days prior to the date a sexual offender is required to appear pursuant to subsection (a) or (a.1). The notice shall remind the sexual offender of the sexual offender's responsibilities under this subchapter... and provide a list of approved registration sites and the telephone number to contact the Pennsylvania State Police under subsection (a.1).

CONCLUSION

The Pennsylvania State Police's failure to reliably implement the telephonic verification system is not a minor administrative deficiency. It represents an eight-year departure from a clear statutory mandate — one that carries real consequences for registrants who are legally entitled to use the system but are unable to do so because PSP staff receive inconsistent training, internal procedures have not been uniformly disseminated, and the agency's own troopers have, on at least one documented occasion, denied the system's existence.

Individuals turned away from the telephone verification system face a perilous choice: return to in-person registration on potentially short notice, or risk criminal prosecution for a violation they did not commit. The prospect that the PSP would arrest or refer for prosecution individuals who failed to use a system the PSP itself cannot consistently operate raises serious constitutional and due process concerns that the General Assembly should not ignore.

PARSOL calls upon the General Assembly to exercise its oversight authority to demand a full accounting of the telephonic verification system's operational status; to require the PSP to update all registrant communications and public-facing materials to reflect telephonic verification rights and eligibility; and to ensure that no individual suffers criminal consequences as a result of the PSP's own sustained institutional failures.