

# Social networking and sex offenders: Pennsylvania and New Jersey approach bans differently

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By **Kathryn Brenzel** | **The Express-Times**



AP File

The worth of a Facebook picture hinges on what it says. For a **Phillipsburg** man, one picture spoke volumes.

It was worth six months in the **Warren County jail**.

A picture of **Brian Slack**, 31, holding a beer on the other side of the Delaware River revealed that he broke three rules of his parole: no Facebook, no leaving the state without permission and no alcohol. Slack was sentenced in June for violating the conditions of a community supervision for a life sentence imposed for a 2001 sexual assault conviction, according to court documents.

Social network requirements in New Jersey, for the most part, stop there, but some lawmakers are seeking to expand restrictions to other offenders. Assemblywoman Donna Simon, R-Hunterdon, announced earlier this month plans to propose an identical version of Louisiana's recently passed law that requires Megan's Law offenders to identify themselves as such in their social networking profiles. Simon said the law would serve as an additional protection against offenders veiling their "Anybody who's ever watched, 'To Catch a Predator' knows they don't come to the door anymore," she said.

The question of a sex offender's right to social networking sites has saturated national discussion in the past few months. The Supreme Court recently upheld an Indiana law banning registered offenders from the sites entirely, and Louisiana's law went live Aug.1. State laws tread in varying degrees of prohibition, which is changing as lawmakers address social networks as tools of supervision.

In New Jersey, lifelong parole is imposed on offenders convicted of aggravated sexual assault, endangering the welfare of a child and kidnapping. A ban on social networks or the Internet as a whole is sometimes a condition of probation but is rarely applied in Warren County, said Assistant Chief Probation Officer Brenda Beacham. It's a special condition considered in cases where a computer was used to commit the crime, she said.

The sites can also be useful tools for probation officers to monitor those in their care.

"There are times when it is helpful because you can see something that you can talk to them about," she said.

However, checking sites like Facebook and Twitter isn't, at this point, a major component of an officer's job, she said.

A Web search by officials led to the discovery of Slack's violations. He was granted 99 days in jail credit, to be applied to his six-month sentence.

Slack called the actions leading up to the sentence "foolish." His attorney, John McGuigan, said at the time that his client had started "the process of turning things around."

Facebook and other social networking sites often extend beyond the screen, sometimes permeating professional spheres. Simon said the impact of a person listing "sex offender" in his status is a consideration but ultimately one that is overshadowed by the person's actions.

"The way I look at it, and the way parents look at it, is 'I guess they should have considered that before they committed such a heinous act against a child,'" she said.

If passed in New Jersey, Simon's law would require offenders to identify themselves beyond the online presence currently provided by the state. The state police Megan's Law online registry lists those ruled by the court to be at a high to moderate risk of re-offending. The Pennsylvania State Police registry isn't all-encompassing either but only specifically excludes offenders who are currently incarcerated.

Simon said that because the potential for deceit is boundless on the Internet, requirements for publicizing the offender's Internet identity should exceed the notification provided by authorities.

"There's really no neighborhood standards on the Internet," she said

Pennsylvania's approach to social networks has evolved in the past decade. Like New Jersey probation, crimes that employed a computer are more likely to call for an Internet or social network ban.

The state's parole board, however, applies the condition on a case-by-case basis. Board spokesman Leo Dunn credited the changing role of technology.

"Because the Internet is so much a part of getting a job and living, we don't do a blanket prohibition anymore," said Leo Dunn, board spokesman.

Dunn recalled a time when a drug-related offense meant a confiscated cellphone. Policies have changed gradually in the past eight years, he said.

"Society's changed so much," he said. "Can you imagine not having a cellphone?"

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