HOUSE DOCKET, NO. 1388 FILED ON: 1/20/2011

HOUSE . . . . . No. 2795

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer E. Benson

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to safer neighborhoods.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jennifer E. Benson	*37th Middlesex*
Martin J. Walsh	*13th Suffolk*
William N. Brownsberger	☐ *[District]* ☐
James B. Eldridge	☐ *[District]* ☐
Jennifer L. Flanagan	☐ *[District]* ☐
Kate Hogan	*3rd Middlesex*

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By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 2795) of Jennifer E. Benson and others for legislation to require police departments in cities and towns to provide information to residents of the location of certain sex offenders. The Judiciary.

The Commonwealth of Massachusetts

An Act relative to safer neighborhoods.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 178D of chapter 6 the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in lines 31-32, the words “or level 2”.

SECTION 2. Section 178K of chapter 6 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word “Investigation.”, in line 124, the following 2 sentences:- The police department in the municipality where a level 2 offender’s primary residence, and secondary residence if any, is located shall provide notice to all immediate abutters of the following information: the name of the offender, his home address, work address, the offense(s) and date(s) for which the offender was convicted or adjudicated, the offender’s age, sex, race, height, weight, eye and hair color and a photograph of the offender, if available. Such notice shall include a warning regarding the criminal penalties for use of sex offender registry information to commit a crime or to engage in illegal discrimination or harassment of an offender and the punishment for threatening to commit a crime under section 4 of chapter 275.

SECTION 3. Chapter 27 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following after section 4:-

Section 4A. The parole board shall establish in each region a mandatory intensive parole sex offenders program for all sex offenders classified as level 2 or level 3 by the sex offender registry board. Such programs shall be established subject to appropriation, and shall be modeled upon the current program operated by the board in regions 4, 5, 6 and 9, and shall include conditions such as unannounced visits, counseling, electronic monitoring, random drug testing, polygraph testing and other aspects of intensive supervision. The board shall determine the length of such program and the conditions to be applied.

23 The board shall, within 60 days before the conclusion of an offender's intensive parole,
24 conduct a hearing to determine whether or not the offender's further participation in the program
25 is in the best interest of public safety. The board shall establish notification procedures and
26 guidelines to provide for witness testimony at such hearing. In conducting a hearing, the board
27 may hear testimony from witnesses including but not limited to: victims, family, friends, parole
28 officers and neighbors.

29 SECTION 4. Chapter 276 of the General Laws, as appearing in the 2008 Official
30 Edition, is hereby amended by adding the following after section 87A:-

31 Section 87B. The conditions of probation imposed by a court upon a person pursuant to
32 sections one seventy-eight C to one seventy-eight P of chapter six shall include a mandatory
33 intensive sex offender supervision program for all convicted sex offenders who are classified as
34 level 2 or level 3 by the sex offender registry board. Such programs shall be established subject
35 to appropriation, and shall be modeled upon the current program operated by the parole board in
36 regions 4, 5, 6 and 9, and shall include conditions such as unannounced visits, counseling,
37 electronic monitoring, random drug testing, polygraph testing and other aspects of intensive
38 supervision. The court shall determine the length of such program and the conditions to be
39 applied.

40 The court shall, within 60 days before the conclusion of an offender's intensive
41 supervision, conduct a hearing to determine whether or not the offender's further participation in
42 the program is in the best interest of public safety. The court shall establish notification
43 procedures and guidelines to provide for witness testimony at such hearing. In conducting such
44 hearing, the board may hear testimony from witnesses including but not limited to: victims,
45 family, friends, probation officers and neighbors of the offender.