

**SENATE . . . . . No. 1033**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Bruce E. Tarr*

*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 adoption of the accompanying bill:

An Act relative to sexually violent predators.

PETITION OF:

NAME:

*Bruce E. Tarr*

DISTRICT/ADDRESS:

*First Essex and Middlesex*

**SENATE . . . . . No. 1033**

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By Mr. Tarr, a petition (accompanied by bill, Senate, No. 1033) of Bruce E. Tarr for legislation relative to sexually violent predators. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 950 OF 2017-2018.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
\_\_\_\_\_

An Act relative to sexually violent predators.

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

1 SECTION 1. Section 178C of Chapter 6 is hereby amended by inserting in after the lines  
2 153-161 the definition of “sexually violent predator” and inserting in place thereof the  
3 following:-

4 “Sexually Violent Predator”, as determined by the board pursuant to 803 CMR 1.31 or if  
5 the offender meets any of the following criteria:

6 (1)A person who has been convicted of a sexually violent offense or who has been  
7 adjudicated as a youthful offender or as a delinquent juvenile by reason of a sexually violent  
8 offense, or a person released from incarceration, parole, probation supervision or commitment  
9 under chapter 123A or custody with the department of youth services for such a conviction or  
10 adjudication, whichever last occurs, or after August 1, 1981, and who suffers from a mental

11 abnormality or personality disorder that makes such person likely to engage in predatory  
12 sexually violent offense; or

13 (2)An offender who has finally been given a level 3 classification who has been  
14 convicted of a sex offense involving a child as defined in this section and or a sexually violent  
15 offense as defined in this section, or sexually violent offense pursuant to the Jacob Wetterling  
16 Crimes Against Children and Sexually Violent Offender Registration Act, 42 U.S.C. section  
17 14071; or

18 An offender deemed a sexually violent predator and in addition to annual verification,  
19 shall appear in person every 90 calendar days at the local police department to verify the  
20 registration data on file as established under 803 CMR 1.31.

21 SECTION 2. Section 178M of Chapter 6 is hereby amended in line 1 by inserting after  
22 the word, “offender” the following:-

23 Or the Board’s General Counsel or its designee

24 SECTION 3. Chapter 6 is hereby amended by inserting after section 178Q the following  
25 new section:-

26 6:178R. Audit of the Sex Offender Registry Board

27 Section 178R. The auditor of the commonwealth shall annually conduct an audit of the  
28 operations of the sex offender registry board, and shall examine elements including but not  
29 limited to: (1) prioritization of cases, (2) criteria for assignment of cases; (3) manner of keeping  
30 and maintaining records pertaining to past violations for registration; (4) the manner and process

31 for the scheduling of cases; and (4) their performance in security timely process and adjudication  
32 of classifications.

33 SECTION 4. Section 3 shall expire on January 1, 2023.