

Offender bill will help protect children

By Rep. Christopher G. Fallon/ Sitting In

Malden Observer (MA), Friday, September 22, 2006

The commonwealth, in what only can be categorized as a historic occasion, enacted a bill that extends the statute of limitations (the time allowed) on bringing sexual abuse charges against sexual predators that target children. Additionally, this bill regulates the registration, classification and monitoring of convicted sex offenders in Massachusetts. To ensure all victims of childhood sexual abuse can pursue justice, this legislation increases the amount of time district attorneys have to prosecute such heinous crimes from 15 years to 27 years after the victim first reports the abuse, or 27 years after the victim turns 16.

In further efforts to protect Massachusetts residents, the bill mandates that within five days of receiving a sentence, the agency that has custody over the sex offender must transmit to the sex offender registry board the sex offender's registration data, which includes identifying factors, anticipated future residence, offense history, the official version of any sex offenses and the projected maximum release date and the earliest possible release date for the sex offender.

Upon receiving said information, the board must classify such sex offenders as a level 2 or level 3 sex offender at least 10 days prior to the earliest possible release date. All custodial agencies must contact the board immediately if any sex offenders are transferred so that the board may keep in contact with the sex offender.

Additionally, this bill specifies that any person convicted as a sex offender and who is defined as a level 2 or level 3, upon release from authorized imprisonment, must be punished by a term of community parole supervision for life, which is to be served under the jurisdiction of the parole board. Any individual convicted of a sex offense, a sex offense involving a child or a sexually violent offense, and who is classified as a level 2 or level 3 sex offender, must wear a global positioning system device, or any comparable device, at all times for the length of any determined court-ordered term of post-release supervision.

In addition to administering the tracking systems, the commissioner of probation shall establish defined geographic exclusion zones, including, but not limited to, areas in and around the complainant's residence, place of employment and a child's school, or any other area defined to minimize contact with children. Due to the tracking system, if a sex offender enters such an exclusion zone, the appropriate authorities are immediately notified.

This legislation also proves to assist in the safety of the homeless, disabled and elderly populations. Under this bill, if a sex offender lists a homeless shelter as his primary address, the sex offender must verify his registration data with the board every 45 days rather than the 90 days that the former legislation required. A sex offender classified as a level 3 offender is not permitted to establish living conditions within, be placed in, or be transferred to any convalescent or nursing home, infirmary maintained in a town, rest home, charitable home for the aged, and/or any intermediate care facility for the mentally retarded. Any sex offender who achieves this undesirable end will be punished accordingly.

Through the enactment of this bill, the commonwealth has, yet again, made a big stride toward protecting its people, especially with regard to our children. Not only does this bill nearly double the statute of limitations on filing charges against an individual for sexually abusing a child, but it has added further regulations and restrictions for level 2 and level 3 sex offenders so that agencies, police departments, and the board are always informed of a sex offender's location in order to keep in contact with the sex offender and to track his/her whereabouts.

Better tracking and surveillance systems and registration processes will deter, and hopefully, disallow future predatory actions, which will help keep our citizens safe.

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