HOUSE DOCKET, NO. FILED ON: 1/16/2009

**HOUSE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Peter J. Koutoujian (BY REQUEST)**

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*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 bill:

An Act Relative to Public Safety.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Rhonda Bourne | 10th Middlesex |

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

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An Act Relative to Public Safety.

 *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 133 of chapter 127 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following paragraph:—

As a further condition for parole, any individual convicted of a sex offense, a sex offense involving a child or a sexually violent offense, as those terms are defined in section 178C of chapter 6, shall be required to wear a global positioning system device, or any comparable device as determined by the executive office of public safety, at all times for the length of any determined parole or other court ordered term of post-release supervision. The GPS and its tracking shall be administered by the parole board. The parole board, in addition to any other conditions of parole or post-release supervision, must establish defined geographic exclusion zones including, but not limited to the areas in and around the complainant’s residence, place of employment, and the complainant’s child’s school, as well as other areas defined to minimize contact with children. If the parolee enters a board defined exclusion zone, the parolee’s location data shall be immediately transmitted to the police and the parole board, through an appropriate means including, but not limited to, the telephone, an electronic beeper or a paging device. If the board finds that the parolee entered a geographic exclusion zone, the parole board shall issue a warrant for temporary custody pursuant to section 149A, and begin revocation proceedings. The fees incurred by installing, maintaining and operating this device shall be paid by the individual who is issued the device. Where a parolee can establish his inability to pay such fees, the board may waive them. In cases where the convicted individual has been classified as a level 1 sex offender pursuant to section 178K of chapter 6, the provisions of this paragraph shall not apply.

SECTION 2. Notwithstanding any general or special law to the contrary, any person convicted of any sex offense shall be sentenced to lifetime probation or parole, in addition to receiving any other sentence.