SENATE DOCKET, NO. FILED ON: 1/14/2009

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

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Steven A. Baddour**

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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 Requiring Police Supervision of Level Two and Three Sex offenders.

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

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Steven A. Baddour | First Essex |

The Commonwealth of Massachusetts

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

**In the Year Two Thousand and Nine**

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

An Act Requiring Police Supervision of Level Two and Three Sex offenders.

 *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 178E of chapter 6 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following subsection:-

 (r) A sex offender required to register shall acknowledge that sex offenders classified by the board as level 2 or 3 offenders shall be supervised by a police officer to ensure compliance with sex offender registration requirements and any probationary or parole terms that apply to such offender. Such supervision shall include, but not be limited to, searching the offender’s residence for violations of such terms without prior notice to the offender and recording any significant alterations in such offender’s appearance including, but not limited to, photographing the offender. Any offender in violation of registration requirements under this chapter or of his probationary or parole terms is subject to arrest therefore.

SECTION 2. Section 178P of said chapter 6, as so appearing, is hereby amended by adding the following paragraph:-

 Whenever a police officer designated by the head of his department or by the colonel of state police to supervise level 2 or 3 sex offenders has probable cause to believe that a sex offender has failed to comply with the requirements of his probation or parole, such officer shall have the right to arrest such sex offender without a warrant and to keep such sex offender in custody.

 SECTION 3. Chapter 22C of the General Laws is hereby amended by inserting after section 23 the following section:-

 Section 23A. There shall be designated, within the department of state police, at least 1 officer to directly supervise level 2 and level 3 sex offenders who, pursuant to chapter 6, are registered in municipalities for which the state police serve as local law enforcement. Such designated officers shall: supervise those sex offenders to which he is assigned to ensure that such offenders abide by their registration requirements and probationary or parole terms; record any significant alterations in such offenders’ appearance; and take such offenders into custody for any violation of section 178P of chapter 6.

SECTION 4. Chapter 41 of the General Laws is hereby amended by inserting after section 99A the following section:-

 Section 99A½. There shall be designated, within city and town police departments and within regional police districts, at least 1 officer to directly supervise level 2 and level 3 sex offenders who, pursuant to chapter 6, are registered in such city, town or district. Such designated officers shall: supervise those sex offenders to which he is assigned to ensure that such offenders abide by their registration requirements and probationary or parole terms; record any significant alterations in such offenders’ appearance; and take such offenders into custody for any violation of section 178P of chapter 6.