

HOUSE No. 01390

The Commonwealth of Massachusetts

PRESENTED BY:

Donald Wong

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 sexual deviants.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Donald Wong</i>	<i>9th Essex</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>
<i>Paul Adams</i>	<i>17th Essex</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Carlo Basile</i>	<i>1st Suffolk</i>
<i>Richard Bastien</i>	<i>2nd Worcester</i>
<i>Matthew Beaton</i>	<i>11th Worcester</i>
<i>Nick Collins</i>	<i>4th Suffolk</i>
<i>Edward Coppinger</i>	<i>10th Suffolk</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Kevin Kuros</i>	<i>8th Worcester</i>
<i>Marc Lombardo</i>	<i>22nd Middlesex</i>
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>

<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>Joyce A. Spiliotis</i>	<i>12th Essex</i>
<i>David M. Torrisi</i>	<i>14th Essex</i>
<i>Daniel K. Webster</i>	<i>6th Plymouth</i>

HOUSE No. 01390

By Mr. Donald Wong of Saugus, petition (accompanied by bill, House, No. 01390) of Daniel K. Webster and others relative to increasing the penalty for persons convicted of certain sexual crimes.. Joint Committee on the Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to sexual deviants.

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. Chapter 265 of the General Laws as appearing in the 2008 Official Edition, is
2 hereby amended by inserting after section 22C the following new section:

3 Section 22D. Whoever is convicted three or more times, whether subsequent or prior violations
4 of section 13B, 13B½, 13H, 13F, 22, 22A, 22B, 22C, 23, 23A, 23B, 24, 24B, or 26C of chapter
5 265, section 3, 4, 4A, 4B, 28, 29A, 29B, 29C, 35, or 35A of chapter 272, or like violations of the
6 laws of another state, the United States or a military, territorial or Indian tribal authority shall be
7 punished by imprisonment in the state prison for life. The sentence imposed on such person shall
8 not be reduced, or suspended, nor shall any person convicted under this section be eligible for
9 probation, parole, work release, or furlough or receive any deduction from his sentence for good
10 conduct. Prosecutions commenced under this section shall neither be continued without a
11 finding, sealed nor placed on file.

12 In any prosecution commenced pursuant to this section, introduction into evidence of a prior
13 adjudication or conviction or a prior finding of sufficient facts by either certified attested copies
14 of original court papers, or certified attested copies of the defendant's biographical and
15 informational data from records of the department of probation, any jail or house of correction or
16 the department of correction shall be prima facie evidence that the defendant before the court had
17 been convicted previously by a court of the commonwealth or any other jurisdiction. Such
18 documentation shall be self-authenticating and admissible, after the commonwealth has
19 established the defendant's guilt on the primary offense, as evidence in any court of the
20 commonwealth to prove the defendant's commission of any prior conviction described therein.
21 The commonwealth shall not be required to introduce any additional corroborating evidence of
22 live witness testimony to establish the validity of such prior conviction.