

HOUSE No. 1643

The Commonwealth of Massachusetts

PRESENTED BY:

John C. Velis

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 to establish a child neglect registry.

PETITION OF:

NAME:

John C. Velis

DISTRICT/ADDRESS:

4th Hampden

HOUSE No. 1643

By Mr. Velis of Westfield, a petition (accompanied by bill, House, No. 1643) of John C. Velis for legislation to establish a child neglect registry. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act to establish a child neglect registry.

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. Persons found to have abused or neglected a child by the family court, a
2 criminal court, as a result of an administrative appeals process, or as a result of an investigation
3 into abuse outside of the child’s home setting, shall be recorded on the Massachusetts Central
4 Registry of Child Abuse and Neglect, as established under Mass. Gen. Law Chapter 119, 51F.

5 Section 2. The Act shall require that states check the Central Registry again any
6 prospective foster or adoptive parent as well as any other adult living in the home, or who has
7 resided within the home in the preceding five years.

8 Section 3. The Registry shall maintain information sufficient to identify the persons
9 convicted of child abuse, under sections 51A to 51B.

10 Section 4. Persons convicted shall be identified by a class designation as follows:

11 a. Level 1: the Department of Social Services in conjunction with the Massachusetts
12 Courts determined that the risk of re-offense by an offender is low and there is a limited degree

13 of dangerousness posed to the public. This shall include persons found by the court to have
14 unlawfully withheld child support payments in the amount of \$5,000.

15 b. Level 2: the Department of Social Services in conjunction with the Massachusetts
16 Courts determined that the risk of re-offense by an offender is moderate or high, and that in such
17 persons is a repeat offender, the risk to the community is moderate. This shall include persons
18 found by the court to have unlawfully withheld child support payments in an amount more than
19 \$5,000 but less than \$10,000.

20 c. Level 3: Persons found to have committed particularly violent and heinous acts that
21 offend the mental, emotional, or physical well being of a child under the age of 18, as determined
22 by the Department of Social Services in conjunction with the Massachusetts Courts. This shall
23 include persons found by the court to have unlawfully withheld child support payments in the
24 amount of \$10,000 or more.

25 Section 5. The public shall have access to the information relating to a level 3 offender
26 through the Central Registry.