

# SENATE . . . . . No. 804

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Bruce E. Tarr***

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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 adoption of the accompanying bill:

An Act relative to sexual deviants.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>John P. Fresolo</i>	<i>16th Worcester</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Cheryl A. Coakley-Rivera</i>	<i>10th Hampden</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>James J. Lyons, Jr.</i>	<i>18th Essex</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Ryan C. Fattman</i>	<i>18th Worcester</i>
<i>Joseph DiPietro, the President of Protect Mass Children</i>	<i>1150 Walnut Street, Newton, MA</i>

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By Mr. Tarr, a petition (accompanied by bill, Senate, No. 804) of Bruce E. Tarr, John P. Fresolo, Randy Hunt, Angelo L. D'Emilia and other members of the General Court for legislation relative to sexual deviants. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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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 2010 Official  
2 Edition, is 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  
4 violations of section 13B, 13B½, 13F, 13H, 22, 22A, 22B, 22C, 23, 23A, 23B, 24, 24B, 26, 26C,  
5 26D or 44 of chapter 265; section 3, 4, 4A, 4B, 28, 29A, 29B, 29C, 35, 35A, or 53A (C) or  
6 chapter 272, or like violations of the laws of another state, the United States or a military,  
7 territorial or Indian tribal authority shall be punished by imprisonment in the state prison for life.  
8 The sentence imposed on such person shall not be reduced, or suspended, nor shall any person  
9 convicted under this section be eligible for probation, parole, work release, or furlough or receive  
10 any deduction from his sentence for good conduct. Prosecutions commenced under this section  
11 shall neither be continued without a finding, sealed, nor placed on file.

12           In any prosecution commenced pursuant to this section, introduction into evidence of a  
13 prior adjudication or conviction or a prior finding of sufficient facts by either certified attested  
14 copies 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.