

HOUSE No. 1502

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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:

1 SECTION 1. Section 133 of chapter 127 of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by adding the following paragraph:—

3 As a further condition for parole, any individual convicted of a sex offense, a sex offense
4 involving a child or a sexually violent offense, as those terms are defined in section 178C of
5 chapter 6, shall be required to wear a global positioning system device, or any comparable device
6 as determined by the executive office of public safety, at all times for the length of any
7 determined parole or other court ordered term of post-release supervision. The GPS and its
8 tracking shall be administered by the parole board. The parole board, in addition to any other
9 conditions of parole or post-release supervision, must establish defined geographic exclusion
10 zones including, but not limited to the areas in and around the complainant’s residence, place of
11 employment, and the complainant’s child’s school, as well as other areas defined to minimize
12 contact with children. If the parolee enters a board defined exclusion zone, the parolee’s location
13 data shall be immediately transmitted to the police and the parole board, through an appropriate
14 means including, but not limited to, the telephone, an electronic beeper or a paging device. If the

15 board finds that the parolee entered a geographic exclusion zone, the parole board shall issue a
16 warrant for temporary custody pursuant to section 149A, and begin revocation proceedings. The
17 fees incurred by installing, maintaining and operating this device shall be paid by the individual
18 who is issued the device. Where a parolee can establish his inability to pay such fees, the board
19 may waive them. In cases where the convicted individual has been classified as a level 1 sex
20 offender pursuant to section 178K of chapter 6, the provisions of this paragraph shall not apply.

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