

HOUSE No. 1390

The Commonwealth of Massachusetts

PRESENTED BY:

Donald H. 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 adoption of the accompanying bill:

An Act relative to sexual deviants.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Donald H. 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 A. Beaton</i>	<i>11th Worcester</i>
<i>Nick Collins</i>	<i>4th Suffolk</i>
<i>Edward F. 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>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>
<i>Marc T. 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 A. Poirier</i>	<i>14th Bristol</i>
<i>George T. Ross</i>	<i>2nd Bristol</i>
<i>Joyce A. Spiliotis</i>	<i>12th Essex</i>
<i>David M. Torrasi</i>	<i>14th Essex</i>
<i>Daniel K. Webster</i>	<i>6th Plymouth</i>

HOUSE No. 1390

By Mr. Wong of Saugus, a petition (accompanied by bill, House, No. 1390) of Donald H. Wong and others relative to increasing the penalty for persons convicted of certain sexual crimes. 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,
2 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, 13H, 13F, 22, 22A, 22B, 22C, 23, 23A, 23B, 24, 24B, or 26C
5 of chapter 265, section 3, 4, 4A, 4B, 28, 29A, 29B, 29C, 35, or 35A of chapter 272, or like
6 violations of the laws of another state, the United States or a military, territorial or Indian tribal
7 authority shall be punished by imprisonment in the state prison for life. The sentence imposed on
8 such person shall not be reduced, or suspended, nor shall any person convicted under this
9 section be eligible for probation, parole, work release, or furlough or receive any deduction from
10 his sentence for good conduct. Prosecutions commenced under this section shall neither be
11 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.