

HOUSE No. 4395

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 13, 2016.

The committee on the Judiciary to whom was referred the petition (accompanied by bill, House, No. 2145) of Kay Khan and others for legislation to establish within the Executive Office of Public Safety and Security an interagency council on the management of adult and juvenile sexual offenders, reports recommending that the accompanying bill (House, No. 4395) ought to pass.

For the committee,

JOHN V. FERNANDES.

HOUSE No. 4395

The Commonwealth of Massachusetts

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

An Act relative to the creation of the interagency council on management of adult and juvenile sexual offenders.

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 16 of chapter 6A of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting after paragraph 8 the following:-

3 There shall be a permanent advisory commission on adult and juvenile sexual offenders
4 in the executive office of health and human services. The members of the commission shall be:
5 the secretary of health and human services or designee, who shall serve as chair; the secretary of
6 public safety and security or designee; the undersecretary of housing and economic development
7 or designee; the chairman of the sex offender registry board or designee; the attorney general or
8 designee; the commissioner of probation or designee; the commissioner of corrections or
9 designee; the chief justices of the superior and district courts or designees; a representative of the
10 Massachusetts District Attorneys Association; a representative of the Massachusetts Chiefs of
11 Police Association; a representative of the parole board; the chief counsel of the committee for
12 public counsel services or designee; the executive director of the Massachusetts Children’s
13 Alliance or designee; a representative of the Massachusetts Alliance of Juvenile Court Clinics;

14 the executive director of Jane Doe, Inc. or designee; a provider of clinical services to adult
15 sexual offenders or designee who is not an officer of the Massachusetts Association for the
16 Treatment of Sexual Abusers, Inc. or a state employee to be appointed by the governor; a PhD
17 psychologist with expertise in adult and adolescent research to be appointed by the governor;
18 and, the president of the Massachusetts Association for the Treatment of Sexual Abusers, Inc. or
19 designee. Additionally, those with expertise in this field may be asked to provide information
20 and data to the board, especially as it relates to the current research and evidence-based practice
21 for working with adult and juvenile sex offenders.

22 The commission members shall review best practices in the field and in formulating its
23 recommendations and shall take into account the best research-based policies and practices in
24 other states and jurisdictions. The commission may hold regular public meetings, fact-finding
25 hearings and other public forums as it considers necessary. It shall disseminate relevant material
26 to state entities and concerned other parties; review and propose updates to existing practices and
27 methods; recommend research-based methods of assessment, treatment and risk management for
28 adult and adolescent sex offenders that shall take into consideration the physical and
29 psychological safety of victims and the community; develop standards of professional
30 development that reflects current best practices in the field to be reviewed and revised as needed
31 every five years including a minimum number of hours of training and continued education
32 required for professionals working with adult and adolescent sex offenders that are consistent
33 with licensing requirements of the respective professions; and shall serve as an information and
34 consultation resource for legislators and state entities when considering new legislation,
35 regulations, and standards that may impact these populations.

36 The commission, in collaboration with law enforcement agencies, victim advocacy
37 organizations, the department of education, the department of public health and the executive
38 office of public safety and security, shall recommend education and policy approaches regarding
39 a public information and education campaign focused on preventing sexual offenses and
40 reducing recidivism among adult and adolescent sexual offenders. In addition, the commission
41 shall recommend approaches to ensure the safety of the adolescent and the community who are
42 eligible for educational services, including adolescents and young adults eligible for special
43 educational services to age 22 to the department of elementary and secondary education. The
44 department of elementary and secondary education shall make these recommendations available
45 to all elementary and secondary schools in the commonwealth.

46 The commission shall report its activities and findings, as well as any recommendations,
47 including legislative recommendations, to the governor; the clerks of the house of representatives
48 and the senate; the senate and house committees on ways and means; the joint committee on
49 children, families and persons with disabilities; the joint committee on public safety and
50 homeland security; and, the office of the child advocate annually, not later than December 31.