

HOUSE No. 3068

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Heroux

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 data collection by the Sex Offender Registry Board.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>1/20/2017</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/3/2017</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>1/28/2017</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>2/3/2017</i>

HOUSE No. 3068

By Mr. Heroux of Attleboro, a petition (accompanied by bill, House, No. 3068) of Paul R. Heroux and others relative to data collection by the Sex Offender Registry Board. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to data collection by the Sex Offender Registry Board.

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. Notwithstanding and special or general law to the contrary or regulation,
2 the Sex Offender Registry Board shall collect and compile data to assess the agency’s reliability,
3 effectiveness and impact; to evaluate effectively the accuracy of the agency’s classification
4 system; and to allow for the analysis and quantification of individual factors, so that their
5 relevance and the reliability of their ratings can be evaluated. Minimally, data collection should
6 keep track of trends, disparate impact of classifications, and recidivism.

7 Said board shall submit and annual report generated from the collected data and said
8 report shall be filed with the clerks of the senate and house of representatives and be available to
9 the public upon request. The first report shall include data from the previous five calendar years,
10 broken down by year, after which the annual report shall include data from only the preceding
11 calendar year. The initial report may only include global final level decisions, but subsequent
12 reports should include item and total score information. All data and a description of the

13 methods relied upon in generating said report shall be contained in the report or, alternatively,
14 made available to the public upon request.

15 The following data shall be reported on an annualized basis:

16 1. Number of Registrants on registry as of date of report

17 a. Number of individuals on registry as of the date of the report, broken down by
18 Level 1, Level 2 and Level 3.

19 2. Final classifications by level

20 a. Number of individuals finally classified by the SORB during the calendar year as
21 not required to register, finally classified as Level 1, finally classified as Level 2, and finally
22 classified as Level 3, broken down for each level by adult males, females and juveniles (at the
23 time of adjudication) and those identified as being served by DMH and DDS. Juveniles are
24 defined as individuals whose sex offense(s) occurred when under the age of 18.

25 3. Differences between recommended and final classifications

26 a. Number of Level 1, Level 2 and Level 3 recommended classifications per year
27 with number that were increased in final classification, number decreased in final classification
28 and number that remained the same, broken down by the number of individuals at each
29 recommended level whose classifications were raised to Level 3, raised to Level 2, lowered to a
30 Level 2, lowered to Level 1, lowered to not required to register and remained the same.

31 4. Remands

32 a. Number of cases remanded to SORB from the Superior Court or Appellate
33 Courts, broken down by classification level before remand and classification level after remand
34 to include number of individuals whose classifications increased to Level 3, increased to Level 2,
35 decreased to Level 2, decreased to Level 1, were not required to register, and remained the same.

36 5. Reclassification

37 a. Reductions: Number of registrants who sought to reduce their classification
38 levels claiming a diminished risk of re-offense and danger to the public pursuant to 803 CMR
39 1.37C, broken down by classification level before request for reduction and final classification
40 level of those individuals after request for reduction was considered.

41 b. Increases:

42 i. Number of petitions initiated by SORB for any reason to increase a registrant's
43 classification level, broken down by classification level before the request to increase and final
44 classification level for those individuals after request to increase became final.

45 ii. Number of petitions initiated by SORB to increase a registrant's classification
46 level because of a new sex offense arrest or conviction, broken down by arrests and convictions.

47 6. Recidivism

48 a. Number of individuals classified as Level 1, Level 2 and Level 3 who were
49 convicted of a new sex offense within five years of the final classification, broken down by
50 classification level.

51 b. Number of individuals classified as Level 1, Level 2 and Level 3 who were
52 convicted of a new sex offense within ten years of the final classification, broken down by
53 classification level.

54 c. In all subsequent years after the quantification of the factors has been
55 completed—the correlation and AUCs of the total scores and individual item scores with
56 recidivism; the reliabilities of total scores and individual item scores; and a covariation matrix of
57 all items and the total scores.