HOUSE DOCKET, NO. 2737 FILED ON: 1/18/2013

HOUSE . . . . . No. 1693

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:
Donald H. Wong	*9th Essex*
John P. Fresolo	*16th Worcester*
Nicholas A. Boldyga	*3rd Hampden*

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By Mr. Wong of Saugus, a petition (accompanied by bill, House, No. 1693) of Donald H. Wong, John P. Fresolo and Nicholas A. Boldyga relative to increasing the penalty for persons convicted of certain sexual crimes. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1390* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

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:

SECTION 1. Chapter 265 of the General Laws as appearing in the 2008 Official Edition, is hereby amended by inserting after section 22C the following new section:

Section 22D. Whoever is convicted three or more times, whether subsequent or prior violations of section 13B, 13B½, 13H, 13F, 22, 22A, 22B, 22C, 23, 23A, 23B, 24, 24B, or 26C of chapter 265, section 3, 4, 4A, 4B, 28, 29A, 29B, 29C, 35, or 35A of chapter 272, or like violations of the laws of another state, the United States or a military, territorial or Indian tribal authority shall be punished by imprisonment in the state prison for life. The sentence imposed on such person shall not be reduced, or suspended, nor shall any person convicted under this section be eligible for probation, parole, work release, or furlough or receive any deduction from his sentence for good conduct. Prosecutions commenced under this section shall neither be continued without a finding, sealed nor placed on file.

In any prosecution commenced pursuant to this section, introduction into evidence of a prior adjudication or conviction or a prior finding of sufficient facts by either certified attested copies of original court papers, or certified attested copies of the defendant's biographical and informational data from records of the department of probation, any jail or house of correction or the department f correction shall be prima facie evidence that the defendant before the court had 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.