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The Commonwealth of Massachusetts
EXECUTIVE OFFICE OF PUBLIC SAFETY
SEX OFFENDER REGISTRY BOARD
RICHARD MERCURIO
DIRECTOR OF REGISTRATION

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SALEM, MA 01970

EMAIL: Richard.Mercurio@state.ma.us

October 4, 2019

Massachusetts Sex Offender Board
Attn: Mr. Richard T. Mercurio
P.O. Box 392
North Billerica, MA 01862

**RE: REQUIREMENTS FOR VISITING PERSONS
REQUIRED TO REGISTER AS SEXUAL OFFENDERS**

Dear Mr. Mercurio:

The Florida Action Committee (FAC) is a not-for profit, public safety organization that advocates for effective sex offender policies that follow empirical research and best practices. Our membership of over 2,000 individuals, is comprised of persons required to register as sex offenders and predators ("registrants"), their families, treatment providers, researchers and other stakeholders.

Registrants often travel to other states for legitimate personal or business reasons. The purpose of this letter is to ascertain the requirements for those who are on another state's sex offender registry when they visit Massachusetts.

To help our members travel without the risk of running afoul of Massachusetts's laws, we are writing to ascertain what the requirements are for registrants who travel there. Your answers to the following questions will help ensure we provide accurate information and resources to our members and others, so they can remain compliant with your laws.

Kindly reply to this letter with the following information in the order presented:

- (1) How many days (or hours) must a registrant be present in Massachusetts in order to trigger a requirement to register? *- 4 days in a month
- 14 days in a year*
- (2) Will a registrant temporarily visiting Massachusetts be added to your state's public registry (ie: your Megan's Law website)? *IF classified AS A Level 2 or 3*
- (3) When a registrant temporarily visiting your state leaves, will they be removed from your registry or will they continue to be listed as a registrant in Massachusetts?
They will be changed to "out of state". will be required to register when physically in MASS.

- (4) Will a registrant temporarily visiting Massachusetts be subject to any sex offender residency restrictions (SORRs) during their visit? If yes, who can they contact to ensure the compliance of where they will be temporarily staying? **NO**
- (5) How long is registration required? If Massachusetts has different durations based on tiers, how can a registrant temporarily visiting Massachusetts ascertain which tier they fall under? **20 yrs or Life based on offense**
- (6) Where must a registrant temporarily visiting Massachusetts go in order to register (if required to do so)? If locations differ by city/county, where can one find a directory of those locations? **Unclassified or Level 1 - mail to Board
Level 2 or 3 - At police department of Resident**
- (7) What information must a registrant temporarily visiting Massachusetts bring with them or furnish during the registration process? **- Photo ID
- proof of address**
- (8) Approximately how long can a registrant temporarily visiting Massachusetts expect the registration process to take from the time they arrive at the location, including waiting time? **Approx 20 - 30 minutes**
- (9) Is there a fee assessed to a registrant temporarily visiting Massachusetts when they register? **Level 1, 2, 3 pay \$75 ANNUALLY**
- (10) Where can a registrant temporarily visiting your state find the Massachusetts registration statute or a summary of the registration requirements? Who can they contact with additional questions? **MASS SOR website**

Thank you for your anticipated cooperation. I look forward to receiving this information promptly so that we can disseminate it. Our objective is the same as yours; to ensure compliance with the laws.

Sincerely,

/s/

Gail Colletta, President

gail@floridaactioncommittee.org

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All registrants are encouraged to contact MA SOR via phone, so that we can advise them based on specifics of their situation.

Richard Mercutio
978 - 740 - 6411

Feel free to call me.

SEX OFFENDERS MOVING OUT OF MASSACHUSETTS

Unclassified and Level 1 sex offenders must notify SORB of their new address by mail at least ten days prior to moving out of the Commonwealth.

All Level 2 and 3 sex offenders must notify the police department where they reside at least ten days prior to moving out of the Commonwealth.

HOMELESS SEX OFFENDERS

All sex offenders who report they have no residence, or are residing at a homeless shelter, must register every 30 days. Unclassified and Level 1 offenders must register with SORB by mail. Level 2 and Level 3 offenders must register, in person, with the police department of the city/town of residence.

FAILURE TO REGISTER

Sex offenders may be prosecuted for violating the law if they knowingly:

- Fail to verify registration information;
- Fail to provide current address information; or
- Provide false information

CLASSIFICATION LEVELS

All registered sex offenders in Massachusetts will be classified as Level 1 (low risk and degree of danger), Level 2 (moderate risk and degree of danger) or Level 3 (high risk and degree of danger) offenders. Offenders may request a reclassification after three years following the date of their most recent classification.

Offenders requesting reclassification must provide SORB with clear and convincing evidence that their risk of re-offense and dangerousness has decreased to warrant a reduction in their classification level.

A sex offender can be reclassified to a different risk level should new information demonstrate that the offender's risk level has either increased or decreased. Offenders are entitled by law to a hearing for all reclassifications.

Please see the Board's Regulations, 803.CMR 1.00 for additional information.

MASSACHUSETTS SEX OFFENDER REGISTRY BOARD



EXECUTIVE OFFICE OF
PUBLIC SAFETY AND SECURITY

SEX OFFENDER REGISTRATION REQUIREMENTS

SEX OFFENDER
REGISTRY BOARD
Box 4547, Salem, MA 01970
WWW.MASS.GOV/SORB
(978)740-6400

SEX OFFENDER REGISTRY FEE

All finally classified sex offenders must pay a \$75.00 fee to SORB annually. Fee letters are mailed on the month of the offender's birth.

AVAILABILITY OF REGISTRATION INFORMATION

Registration information is available to the public if the offender has been finally classified as a Level 2 or a Level 3 sex offender. This information can be obtained by searching SORB's website postings at www.mass.gov/sorb; by visiting your local police department; or by submitting a Sex Offender Registry Information Request (SORI) form available at www.mass.gov/sorb.

Sex Offender Registration Forms
Registration forms are accessible on
SORB's website at
www.mass.gov/sorb/downloadforms



Information for Sex Offenders
www.mass.gov/sorb

THE SEX OFFENDER REGISTRY LAW

The Massachusetts Sex Offender Registry Law (SOR Law), M.G.L. c.6, s.178C-Q assists law enforcement officials in identifying sex offenders and creates a public awareness tool that is used to reduce the opportunity for victimization within communities.

DUTY TO REGISTER

A person is required to register as a sex offender if they live, work, or attend a post-secondary educational program in the Commonwealth and who, on or after August 1, 1981 were:

- Convicted of a qualifying sex offense under M.G.L. c. 6, s.178C;
- Adjudicated a delinquent juvenile;
- Adjudicated a youthful offender;
- Released from incarceration;
- Released from parole or probation;
- Released from the Department of Youth Services;
- Adjudicated a sexually dangerous person
- Released from civil commitment.

HOW TO REGISTER

Sex Offenders who are currently incarcerated are required to complete and mail in a registration form to the SORB two days prior to their release.

All sex offenders must, within two days of receiving notification of their duty to register, complete and mail in a registration form to SORB.

Unclassified and Level 1 offenders must register all required addresses by filling out and mailing in a registration form directly to SORB.

Level 2 and Level 3 offenders must register all required addresses, in person, with the police department of the city/town of residence.

INFORMATION REQUIRED WHEN REGISTERING

All sex offenders must report the following information at the time of registration:

- Full name, including aliases;
- Address, including mailing address
- Secondary residence - any place the offender may reside or abide for any period of four or more consecutive days in a month, or fourteen aggregate days during a calendar year;
- All work addresses; part time, fulltime, paid or unpaid.
- Name and address of post-secondary education facility
- Date and place of birth
- Height, weight, eye color, hair color, scars, marks, and tattoos.
- Fingerprints and photographs of all Level 2 and Level 3 offenders will be taken by the police department where the offender resides.

VERIFICATION OF REGISTRATION INFORMATION

Sex Offenders are required to verify that all registration information is accurate and up-to-date.

All unclassified and Level 1 classified offenders must annually, during the month of their birth, verify their registration data by mail to SORB.

All offenders classified as either Level 2 or Level 3 must annually, during the month of their birth, appear at the police department in the city or town of their primary residence and register in person.

SEX OFFENDERS MOVING INTO MASSACHUSETTS

All sex offenders must register with SORB by mail within **two days** of moving into Massachusetts from another jurisdiction. Risk classifications assigned to offenders by other states are not applicable in Massachusetts. All offenders will be classified according to the SOR Law. The laws of other states are NOT transferable.

ADDRESS CHANGES WITHIN MASSACHUSETTS

Unclassified and Level 1 sex offenders must notify SORB of their new address by mail at least **ten days** prior to moving within the Commonwealth.

All Level 2 and 3 sex offenders must notify the police department where they reside in person, at least ten days prior to moving to a different address within the same city/town, or a different address within the Commonwealth.

WORK ADDRESS CHANGES

All unclassified and Level 1 sex offenders must register by notifying SORB of their current and new work address by mail at least **ten days** prior to changing their place of employment.

All Level 2 and 3 offenders must make this change in person with the police department where they reside.

SEX OFFENDERS RESIDING OUT OF STATE AND WORKING IN MASSACHUSETTS

Sex offenders residing in locations outside of Massachusetts who are employed in Massachusetts must register with SORB by mail within **two days** of beginning employment.

All unclassified and Level 1 sex offenders residing in locations outside of Massachusetts, who are employed in the Commonwealth, must register by notifying SORB of their current and new work address.

Level 2 and 3 offenders must register their work address at the police department in the city/town of employment.