

HOUSE No. 1607

By Mr. Nangle of Lowell, petition of David M. Nangle and Kevin J. Murphy relative to the use of global positioning satellite system monitoring devices on persons placed on probation for certain sex offenses. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO ENHANCING THE GLOBAL POSITIONING SATELLITE SYSTEM.

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 47 of Chapter 265 of the General Laws, inserted by
2 Chapter 303 of the acts of 2006, is hereby amended by striking out
3 in its entirety and inserting in place thereof the following sen-
4 tences:—

5 Any person who is convicted and placed on probation for any
6 offense listed within the definition of “sex offense”, “a sex offense
7 involving a child” or “a sexually violent offense”, as defined in
8 Section 178C of Chapter 6 shall, as a requirement of any term of
9 probation, wear a global positioning system device, or comparable
10 device, administered by the commissioner of probation, at all times
11 for the length of his probation for any such offense.

12 The commissioner of probation shall effectuate geographic exclu-
13 sion zones, which shall be defined by the court and included as con-
14 ditions of probation. If the commissioner or the probationer’s
15 probation officer has probable cause to believe that the probationer
16 has violated this term of his probation, the commissioner or the pro-
17 bationer’s probation officer shall notify the police in the location of
18 the exclusion zone and shall arrest or cause the probationer to be
19 arrested under Section 3 of Chapter 279.

20 Each probationer shall be assessed a \$300.00 fee for the mainte-
21 nance, installation and operation of the global position system
22 device, or comparable device, shall be paid by the probationer. If an

23 offender establishes his inability to pay such fees, the court may
24 waive them.