

MISSION STATEMENT

The mission of the Sex Offender Registry Board is to educate and inform the public in order to promote public safety and prevent further victimization. This is accomplished through registering and classifying convicted sex offenders by risk of re-offense and degree of danger and by making identifying information of sex offenders who live, work and/or attend institutions of higher learning in the Commonwealth of Massachusetts publicly available.

THE SEX OFFENDER REGISTRY LAW

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

The SORL requires registration for any person who was convicted or adjudicated of a sex offense on or after August 1, 1981, and: (1) lives, works, attends school or has a secondary address in Massachusetts; and (2) was released from probation, parole, custody or a civil commitment for a sex offense.

Adjudications include juvenile delinquents, youthful offenders and Sexually Dangerous Persons.

Certain adult sex offenses require lifetime registration while others require registration for no more than twenty years. Juveniles can be relieved of their duty to register for any sex offense, at any time.

THE SEX OFFENDER REGISTRY BOARD

The Sex Offender Registry Board (SORB) is the state agency that administers the SORL. By law, the SORB is comprised of experts in the areas of victim services, criminal justice and the assessment and treatment of juvenile and adult sex offenders.

SORB is responsible for maintaining the Sex Offender Registry System (SORIS) and its public facing website. All law enforcement agencies input critical sex offender information into SORIS. This allows SORB, law enforcement and, most importantly, the public to have the most current information available on sex offenders.

The SORB's role is twofold: (1) to determine if the sex offender has a duty to register; and (2) to classify the sex offender's current level of dangerousness and risk to reoffend. The SORB must determine whether the sex offender poses a low risk (Level 1), moderate risk (Level 2) or high risk (Level 3) to the public. The SORB does not have any legal authority to impose conditions, sanctions or restrictions on sex offenders.

CLASSIFICATION PROCESS

Stage I Commencement of Classification Process

After sex offenders register with SORB the classification process begins. SORB initiates the process for incarcerated sex offenders.

Stage II Classification File Assembly

The SORB collects documentary evidence including Victim Impact Statements and information about the offender's criminal history, offending behaviors, sex offender treatment, compliance while in custody or under supervision, job status, lifestyle, and other information useful in weighing risk and dangerousness.

Stage III Board Member Review

A single Board member reviews the collected documentary evidence and must consider the applicability of various risk factors associated with reoffending when determining the offender's preliminary classification level. By law, this preliminary level is not available to the public, including victims.

Stage IV Offender Notification

The sex offender is notified of the preliminary level and has the right to request a hearing to challenge the level. If the offender accepts or fails to respond to this notification, the preliminary level becomes the final classification level. In these circumstances, the offender forgoes his/her right to a hearing and an appeal.

Stage V SORB Hearings

Upon an offender's request, a hearing is held before a hearing examiner and by law is not open to the public. The offender is entitled to receive the documentary evidence collected by SORB, including victim impact statements.

Stage VI Final Classification

The hearing examiner issues a written decision determining the sex offender's (1) duty to register; and (2) current level of risk and degree of danger. The offender has the right to an appeal in Superior Court to seek a court order preventing the release of their information to the public while the appeal is pending.

Stage VII Reclassification

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.

SEX OFFENDER LEVELS AND REGISTRATION

Level 1 sex offenders

Level 1 sex offenders pose a low degree of danger and a low risk to reoffend. They are required to register with SORB by mail and are NOT required to register with the police. However, the police are aware of all Level 1 sex offenders within their communities.

The law prohibits the identification of Level 1 sex offenders to the public.

Level 2 sex offenders

Level 2 sex offenders pose a moderate degree of danger and a moderate risk to reoffend. Level 2 sex offenders register with the police where they reside. Level 2 sex offender information is available upon request from the local police.

Level 2 sex offenders classified after July 12, 2013 are posted on SORB's website at www.mass.gov/sorb.

Level 3 sex offenders

Level 3 sex offenders pose a high degree of danger and a high risk to reoffend. Level 3 sex offenders register with the police where they reside. Level 3 sex information is available upon request from the local police.

Level 3 sex offenders are posted on SORB's website at www.mass.gov/sorb. The police also provide active community notification on Level 3 sex offenders for enhanced public safety.

Level 2 and Level 3 Sex Offender Flyers

Level 2 (classified after July 12, 2013) and Level 3 offender flyers are accessible on SORB's website at www.mass.gov/sorb. All Level 2 and Level 3 offender flyers are available from local police. Flyers include the offender's residential, work, secondary and school addresses, photograph, physical description and conviction data.

ALL SEX OFFENDERS

All sex offenders are required to register:

- (1) upon conviction/adjudication, if in the community;
- (2) upon final classification, if in the community;
- (3) prior to release from custody;
- (4) every year upon the month of their birth;
- (5) accurate address information; and
- (6) changes to registration information.

Failing to register as described above is a felony crime.