

**Report by the Sex Offender Registry Board
to the
House and Senate Committees on Ways and Means**

December 21, 2018

This report by the Sex Offender Registry Board (SORB or Agency) to the House and Senate Committees on Ways and Means is being submitted pursuant to the Fiscal Year 2019 General Appropriation Act, Chapter 154 of the Acts of 2018, which reads as follows:

8000-0125 For the operation of the sex offender registry including, but not limited to, the costs of maintaining a computerized registry system and the classification of persons subject to the registry; provided, that the registration fee paid by convicted sex offenders under section 178Q of chapter 6 of the General Laws shall be retained and expended by the sex offender registry board; *and provided further, that the sex offender registry shall submit a report to the house and senate committees on ways and means not later than December 14, 2018 outlining: (a) utilization of data-sharing agreements with state agencies to find addresses of offenders that are out of compliance; (b) plans to establish new data-sharing agreements with other executive branch agencies; and (c) detailed plans to improve overall data collection and registry maintenance to enhance public safety . . .* (emphasis added).

SORB has continued to make advancements in the utilization and expansion of data-sharing agreements with state agencies to address offenders that are out of compliance with their registration obligations. SORB will also remain dedicated to ongoing collaboration with its law enforcement partners to enhance public safety through improved data collection and accuracy of registry information.

A. Utilization of data-sharing agreements with state agencies to find addresses of offenders that are out of compliance.

SORB has data sharing agreements designed to address offenders that are out of compliance with their registration obligations with the following state agencies: the Registry of Motor Vehicles (RMV), the Department of Children and Families (DCF), the Department of Early Education and Care (EEC), the Department of Revenue (DOR), the Department of Transitional Assistance (DTA), and the Department of Public Health (DPH). Each agreement is summarized below:

1) Registry of Motor Vehicles

By statute the RMV suspends licenses and registration renewals for offenders in violation of their registration obligation. SORB Registration staff also have access to state RMV records for the purpose of locating offenders in violation. SORB also provides data directly to the RMV to verify that school bus drivers are not registered offenders.

2) Department of Children and Families

SORB receives on average about 450 calls annually from DCF personnel for various offender-related inquiries. SORB personnel verifies an offender's address at the time of each phone call. In addition, SORB receives monthly reports from DCF on all offender-related investigations

conducted by DCF. This report also contains offender address information for verification purposes.

3) Department of Early Education and Care

SORB currently provides address information to EEC during its sex offender request for information process. Offender address information is verified in the event an offender is identified in that process.

4) Department of Revenue

SORB utilizes information from the DOR for the purposes of verifying indigency for offenders who qualify for appointment of counsel during the classification process, and to cross check addresses for offenders who are in violation of their registration obligation.

5) Department of Transitional Assistance

The DTA notifies offenders receiving assistance if they are in violation of their duty to register on a weekly basis. In addition, SORB staff has access to DTA's Beacon system. Address discrepancies are reported to relevant local police departments to perform address audits.

6) Department of Public Health

On a quarterly basis, SORB receives Massachusetts Death Index information from the DPH. This information is matched with SORB's offender database. SORB is finalizing plans with DPH to automatically receive an electronic report on a monthly basis.

B. Plans to establish new data-sharing agreements with other executive branch agencies.

SORB intends to establish new data sharing agreements designed to address offenders that are out of compliance with their registration obligations at a minimum with the Division of Professional Licensure (DPL) and the Department of Public Utilities (DPU).

C. Detailed plans to improve overall data collection and registry maintenance to enhance public safety.

SORB routinely works with municipal police departments, the Massachusetts Parole Board, the U.S. Marshal's Office, U.S. Immigration and Customs Enforcement, the Massachusetts State Police, including the Violent Fugitive Apprehension Section (VFAS), the Registry of Motor Vehicles, and the Probation Department, to locate offenders in violation and enforce compliance with registration obligations. In addition, SORB receives monthly reports of offenders in custody of the Department of Correction and weekly reports from Sheriff's Departments for the purposes of tracking offender release dates. SORB also collaborates with federal authorities pursuant to the Sex Offender Registry Notification Act (SORNA). The Address Verification Program discussed below is a part of that collaboration with the federal authorities.

Because SORB is not a law enforcement entity, the agency must rely upon these law enforcement partners to achieve enforcement of registration obligations. SORB has always maintained that its collaboration with law enforcement most effectively ensures registration compliance and the location of offenders in violation. SORB conducts monthly trainings with law enforcement agencies to matters pertinent to ensuring compliance with registration. With a larger training facility at our new office in Billerica, SORB will seek to expand its in-house training efforts to a larger audience of local law enforcement partners in 2019. In 2018, SORB expanded its training efforts by offering events at locations outside the Agency, and will continue this expansion further in 2019. These are some highlights from SORB's past training efforts:

- Monthly police department trainings from September 2017 to December 2018 have been attended by approximately 165 officers from over 100 different law enforcement jurisdictions.
- SORB training in August 2018 at Merrimack College attended by 75 sexual assault investigators from law enforcement jurisdictions across the Commonwealth.
- SORB training in conjunction with the Boston Police Department and Suffolk County District Attorney's Office in September and October of 2018 for assistant district attorneys assigned to the Boston Municipal Court about how to prepare failure to register prosecutions.
- SORB Registration and Classification managers trained 173 new MSP cadets in November 2017.
- SORB training and workshop with the Probation Department held in Boston in September 2017 was attended by 59 probation officers representing approximately 40 courts.
- SORB training and workshop with Sheriff Departments in November 2017 hosted by the Hampshire Sheriff's Department was attended by 24 representatives from Hampden, Hampshire, Franklin, and Berkshire Counties.
- SORB law enforcement training and workshop in April 2017 hosted by the Department of Correction was attended by more than 250 police officers, probation (state and federal) and parole officers, the U.S. Marshall's Office and DOC staff.

In addition, SORB has secured and allocated SORNA funds to contract with Thomson Reuters to utilize their CLEAR database and application. CLEAR provides SORB with access to a web-based platform with centralized access to an array of public records, publicly available information and proprietary records. CLEAR has enhanced the efficiency of Agency operations to assist police departments in locating offenders. SORB has also allocated SORNA funds for mobile fingerprint identification solution devices. These devices would be used by the VFAS division of the Massachusetts State Police in order to help verify the identities of suspected sex offenders in violation of their registration duties and subject to arrest. As these devices can be used in the field, they will assist in streamlining the verification process when VFAS seeks out offenders. This will help to bring people into compliance and ensure that the information in SORB's database remains as accurate as possible. In 2019, CLEAR software will continue to be utilized and the mobile identifications units will be deployed.

Through the provision of SORNA funding, SORB in conjunction with local law enforcement, began an Address Verification Program (AVP). The first pilot program was conducted by the Boston Police Department (BPD) from April 4, 2017 to October 18, 2017. Some relevant statistics with regards to that program are as follows:

- The total number of address audits and violation investigations conducted was 1,383
 - 972 audits
 - 411 investigations
- 108 arrests for offenders in violation were made
- Applied for 97 warrants for offenders in violation
- Applied for 9 summons for offenders in violation

The number of audits needed from April 4, 2017 through October 18, 2017 decreased by 49% for both compliant and in-violation offenders:

- Audits needed for compliant offenders decreased from 320 to 145
- Audits needed for offenders in violation decreased from 144 to 74

The AVP program enhanced the BPD's ability to concentrate on address verifications and investigations of offenders in violation. As a result of offenders becoming aware of BPD's increased efforts, approximately 40 offenders voluntarily came into compliance.

From May 16, 2018 to the present, the AVP was again conducted by the BPD and expanded to also include the Randolph Police Department. Some relevant statistics with regards to that second period of the program are as follows:

The Boston Police Department:

- Conducted 390 address audits
- Opened 661 violation investigations
- Made 128 arrests for offenders in violation
- Applied for 56 warrants for offenders in violation
- Applied for 2 summons for offenders in violation

This program enhanced the BPD's ability to focus on its address verifications and investigations of offenders in violation. As a result of offenders becoming aware of BPD's increased efforts, approximately 104 offenders voluntarily came into compliance.

The Randolph Police Department:

The Randolph Police Department is new to the program and with active participation continues to verify addresses, increase voluntary compliance, and locate offenders in violation. Randolph was able to report the following achievements.

- 104 audits
- 40 offenders' addresses verified
- Applied for 6 warrants for offenders in violation

- 1 warrant arrest (failure to register warrant)

As with Boston, this program enhanced the Randolph Police Department's ability to concentrate on their address verifications and investigations of offenders in violation. As a result of offenders becoming aware of Randolph's increased efforts 4 offenders voluntarily came into compliance. AVP will be continued and expanded in 2019.

In the upcoming year, as SORB continues utilizing and expanding data-sharing agreements with state agencies to find addresses for offenders in violation of their registration obligations, SORB will also remain steadfast in its ongoing collaboration with our law enforcement partners upon whom SORB relies to improve overall data collection and registry maintenance to enhance public safety.