

IMPOUNDED

Impounded Case
SJC-12790

The issues in this case involve whether a juvenile should be required to register as a sex offender. Appellant, a juvenile, was adjudicated delinquent in the Juvenile Court on charges of rape of a child and indecent assault and battery on a child under fourteen. The juvenile filed a motion for relief from the obligation to register as a sex offender. That motion was denied by the plea judge. The juvenile seeks relief from that denial, arguing that requiring juveniles to register violates due process and constitutes cruel and unusual punishment based on advances in our understanding of the adolescent brain. See, e.g., Roper v. Simons, 543 U.S. 551, 569-570 (2005). A juvenile has no automatic right of appeal from the denial of relief from the obligation to register as a sex offender. Commonwealth v. Ronald R., 450 Mass. 262, 266 (2007). Rather, in the ordinary case, the Sex Offender Registry Board determines whether and at what level a juvenile must register, and then the juvenile may seek judicial review of that decision. See id.