


FRAMINGHAM POLICE DEPARTMENT		Next Review Date: July 25, 2020
Subject: Policy on Sex Offender Registration		Effective Date: July 25, 2019
Category: 700 – Records		Expiration Date: Indefinite
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED:		POLICY 700-2
Distribution: Police Department	Issuing Authority <i>Steven D. Trask</i> Steven D. Trask Chief of Police	

I. Policy Statement

G.L. c. 6 § 178, the Sexual Offender Registry Act, requires police departments to register and update the Sex Offender Registration Information System (SORIS) on all sex offenders, finally classified as a level 2 or 3 offenders. These individuals are required to register at the local police station in the city or town in which they live, or if the sex offender does not reside in the commonwealth, in the city or town in which the sex offender has a secondary address, works, or attends an institute of higher learning. A sex offender, finally classified by the Sex Offender Registration Board (SORB) as a level 2 or 3 offender, shall also appear in person annually at the local police department to verify that the registration data on file remains true and accurate.

II. References

G.L. c. 6 § 178P - Failure to comply with registration requirements; right to arrest: Whenever a police officer has probable cause to believe that a sex offender has failed to comply with the registration requirements of sections 178C to 178P, inclusive, such officer shall have the right to arrest such sex offender without a warrant and to keep such sex offender in custody.

III. Definitions & Special Terms

A sex offender is “a person who resides, has secondary addresses, works or attends an institution of higher learning in the Commonwealth and who has been convicted of a sex offense or who has been adjudicated as a youthful offender or as a delinquent juvenile by reason of a sex offense or a person released from incarceration or parole or probation supervision or custody with the department of youth services for such a conviction or adjudication or a person who has been adjudicated a sexually dangerous person under G.L. c. 123A § 14, as in force at the time of adjudication, or a person released from civil commitment pursuant to G.L. c. 123A § 9, whichever last occurs, on or after August 1, 1981.”

The following is a list of qualifying sex offenses:

1. Indecent assault and battery on a child under 14, G.L. c. 265 § 13B
2. Aggravated indecent A&B on a child under 14, G.L. c. 265 § 13 B ½
3. Indecent A&B on a mentally retarded person, G.L. c. 265 § 13F
4. Indecent A&B on a person 14 or older, G.L. c. 265 § 13H
5. Rape, G.L. c. 265 § 22
6. Rape of a child under 16 with force, G.L. c. 265 § 22A
7. Aggravated rape of a child under 16 with force, G.L. c. 265 § 22B
8. Rape and abuse of a child, G.L. c. 265 § 23
9. Aggravated rape and abuse of a child, G.L. c. 265 § 23A
10. Assault with intent to commit rape, G.L. c. 265 § 24
11. Assault of a child under 16 with intent to commit rape, G.L. c. 265 § 24B
12. Kidnapping of a child under the age of 16, G.L. c. 265 § 26
13. Enticing a child under 16 to commit a crime, G.L. c. 265 § 26
14. Enticing away for prostitution or sexual intercourse, G.L. c. 272 § 2
15. Drugging persons for sexual intercourse, G.L. c. 272 § 3
16. Inducing a minor into prostitution, G.L. c. 272 § 4A
17. Living off or sharing earnings of a minor prostitute, G.L. c. 272 § 4B
18. Open and gross lewdness and lascivious behavior, G.L. c. 272 § 16
19. Incestuous marriage or intercourse, G.L. c. 272 § 17
20. Disseminating to a minor harmful matter, G.L. c. 272 § 28
21. Posing or exhibiting a child in a state of nudity, G.L. c. 272 § 29A

22. Dissemination of visual material of a child in a state of nudity or sexual conduct, G.L. c. 272 § 29B
23. Possession of child pornography, G.L. c. 272 § 29C
24. Unnatural and lascivious acts with a child under 16, G.L. c. 272 § 35A
25. Aggravated rape, G.L. c. 277 § 39.

IV. POLICY

It is the policy of the Framingham Police Department to ensure that all persons presenting themselves at the police station to register as a sex offender be afforded the opportunity to comply with the law as it pertains to them. Sex offenders who are attempting to register pursuant to G.L. c.6, §§ 178C-178O are to be registered in accordance with this policy. Persons presenting themselves at the police station requesting Sex Offender Registry Information will also be afforded the opportunity to do so.

A. Hours of Registration

Individuals residing or working in Framingham may register between the hours of 9:00 AM - 4:00 PM, Monday-Friday or by appointment through the Licensing Office. Inquiries can be requested at any time during these hours.

B. Commanding Officer's Responsibilities

During the above hours, Commanding Officers are responsible for ensuring that all individuals who appear at the police station to register or seek information about whether or not they should register as a sex offender, are given a Sex Offender Registration Form.

C. Registration

1. Annual registration is done by the offender during the birth month of each year.
2. A homeless sex offender shall appear in person every 30 days to verify that the registration data on file remains true and accurate.

3. A sex offender who has been determined to be a sexually violent predator shall appear in person every 45 days to verify that the registration data on file remains true and accurate.
4. The SOR form must be completely filled out, signed and dated by the person who is registering, except for the information described on the form as being "For Official Use Only". When the form has been completed, a Board of Probation (BOP) and Interstate Identification Index (III) check on the individual will be generated. This information will be needed by the booking officer to fill in the "For Official Use Only" section.
5. A sex offender presenting him/herself for initial registration, annual registration, or moving into town from another jurisdiction shall be processed through the sex offender registration booking procedure. The procedure will include the taking of a booking photograph. Two sets of fingerprints will be taken on sex offenders initially registering or new to our jurisdiction. One set of fingerprints will be taken on previously registered sex offenders. Fingerprints must be done manually, not with "Livescan."
6. Registration forms should be completely filled out and any information that appears incomplete or inaccurate should be scrutinized by the receiving Officer. Offenders on occasion will attempt to omit information or provided incorrect information. Ensure that the Offender submits Sex Offender Registration form with a phone number, as the Licensing Officer may need to contact the Offender.
7. DATA ENTRY PROCESS

Note: All information must be updated during a sex offender "booking". Do not assume that addresses, employment information or vehicles are the same as they were during the last "booking". Photographs must be updated as well. The person's information is entered into our database in the same manner as a prisoner booking is conducted. However, since the person is not under arrest, some modifications need to be made in order to have the ID Imaging System accept the data.

These modifications are as follows.

SCREEN ONE:

- | | |
|----------------|-----------------------------|
| 1. Booking No. | NEW |
| 2. Incidents | ASSIGN (next case #) |

SCREEN TWO:

- | | |
|---------------------|---------------------------|
| 1. Offense Location | RETURN |
| 2. Date | enter current date |
| 3. Arrest Location | RETURN |
| 4. Date | enter current date |
| 5. Division | 15 |

SCREEN THREE:

- | | |
|------------|---|
| 1. Charges | NEW |
| 2. LCR | 0217 (Level 1),
0220 (Level 2),
0221 (Level 3) |
| 3. Level | 4 |

SCREEN FOUR:

1. Enter motor vehicle information.

SCREEN FIVE (REMARKS SECTION):

The completed "booking forms" will be forwarded to the Licensing Officer who will then enter the information into the state's Sex Offender Registry Inquiry System (SORIS) system. This will generate a receipt indicating that the individual has registered. The Licensing Officer will provide the receipt to the person as their proof of compliance.

If the Licensing Officer is unavailable at the time the person registers, then the booking officer shall provide a copy of the "booking form" as their proof.

The packet forwarded to the Licensing Officer will include:

- a) Completed Sex Offender Registry Information form (signed and dated by offender and "booking" officer).

- b) Board of Probation Check
- c) Completed Sex Offender "booking" Sheet
- d) Completed Fingerprint Card(s)

D. Change of Address

1. Sex offenders are required to notify their local police department, in person, of any change in address. This includes a change in live, secondary, work, and institution of higher learning addresses. They will be given the SOR form to update the information (which must be completed and signed). This form will be forwarded directly to the Licensing Officer who will update SORIS.
2. A Sex Offender Registration Packet must be completed for:
 - a. a sex offender changing his/ her address from another jurisdiction;
 - b. when a sex offender is changing his/her address and our department has no record of the offender;
 - c. Annual registration during the birth month of the offender.

E. Inquiries From The Public

1. Sex Offender Registry Information (SORI) is available to: any person who is eighteen years of age or older, who appears in person at the police station and presents proper identification.
2. The requestor must state that they are requesting SORI for their own protection or for the protection of a child under the age of eighteen or another person for who said inquirer has responsibility, care or custody.
3. The requestor must complete and sign a Request For Sex Offender Information Form and may ask for SORI pertaining to:
4. Any person meeting the aforementioned requirements and having shown a valid form of identification will be given a standard Request For SORI Form. Upon completion of this form they will be

advised that within four (4) business days the information will be available for them to pick-up at the Records Bureau between the hours of 9:30 AM - 3:30 PM, Monday through Friday. The completed form will be forwarded, through shift envelopes, to the Licensing Bureau who shall be responsible for the proper dissemination of all SORI inquiries.

- A. A specific individual by name or personal identifying information sufficient to allow police to identify the subject;
- B. whether any sex offenders live, work, or attend an institution of higher learning within the same town at a specific address including, but not limited to, a residential, business, after-school program, child care center, playground, recreational area or other identified address;
- C. whether any sex offenders live, work, or attend an institution of higher learning on a specific street.

Only those sex offenders that have been classified as level two (2) or three (3) shall have their information disseminated to the public.

F. Storage of Records

Registration and Inquiry forms will be kept in the filing cabinet in the dispatch area and in Records. All forms can also be found on the "S" drive in the folder "Sex Offender Registration Forms" and/or the Commonwealth of Massachusetts Sex Offender Registry Website:

<https://www.mass.gov/orgs/sex-offender-registry-board>.