

The Commonwealth of Massachusetts

Committee for Public Counsel Services

Private Counsel Division

Alternative Commitment and Registration Support Unit

44 Bromfield Street, Boston, Massachusetts 02108-4909

TEL. (617) 482-6212

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Early Termination Information

What to File

- 1.) Motion or Request for Termination of Registration;
- 2.) Affidavit in Support of the Motion for Termination of Registration; and
- 3.) Memorandum in Support (*not essential, but may help you*).

With your initial request or motion, it is important to provide as much documentation to support your claim as possible.

Where to File

These documents should be mailed to:

Sex Offender Registry Board

P.O. Box 4547

Salem, Massachusetts 01970

Telephone: 978-7406400

Facsimile: 978-740-6466

Process

By filing the motion, you authorize SORB to obtain additional information to assist in its' review of your motion. For example, SORB may gather additional input from the victim or police. If SORB obtains additional information, it will mail that information to you and you will then have 20 business days to submit a written response to this additional information.

After your response to the additional information, SORB will meet to consider the materials submitted and will decide whether enough evidence exists to find that you are not likely to pose a danger to the safety of others. Your motion for termination and all other supporting documents will be reviewed by the full Board. If the majority of the Board approves your motion, you will be notified of the termination of your obligation to register and the Board will remove information about you from the sex offender registry. *There will be no hearing.*

If the full Board denies your motion, it will notify you of its decision and it will also notify you that it will not consider a subsequent motion for termination until three years have passed from the date of the denial of the previous motion.

How to Convince SORB to Terminate Your Obligation to Register

In order to prevail on a Motion for Termination, SORB requires that you prove the following:

1. You were previously classified as a Level (1), (2) or (3) sex offender and there is no pending judicial review, appeal or Board review of this final classification.
2. It has been at least ten years following your conviction, adjudication or release from all custody or supervision (*whichever is later*).
3. There are no pending charges against you and you are not presently incarcerated.
4. You have not been determined to be a sexually violent predator.
5. You have not been convicted of two or more Wetterling Offenses committed on different occasions.
6. You have not been convicted of a sexually violent offense.
7. You have not been convicted of a sex offense involving a child (or *you were convicted of a sex offense involving a child and have already been registered for at least ten years*)
8. You have not committed a sex offense within ten years following the date of conviction, adjudication or release from custody or supervision, whichever last occurs.
9. New and updated information establishes that you are not likely to pose a danger to the safety of others.

In addition, new and updated information to include with your Motion for Termination to show that you are not likely to pose a danger to the safety of others is listed below:

10. Any information pertaining to sex offender treatment that you have completed or are undertaking (letters, therapist reports, certificates of completion).
11. Any information tending to show that your current home situation is stable and makes it not likely that you pose a danger to the safety of others (letters from family, landlord, friends, bills, payments).
12. Information showing that your physical condition is such that you are not likely to pose a danger to the safety of others (medical records, letter from physician).

13. Recent psychological and/or psychiatric records that indicate that you are not likely to pose a danger to the safety of others (psychologist, physician, therapist or psychiatrist records, letters, reports).
14. Absence of alcohol and drug abuse while at liberty (Certificates, letters from programs, letters from therapists, group leaders).
15. Recent behavior and lifestyle including home situation, education/employment stability, type of employment and other non-work related activities that supports finding of not likely to pose danger to safety of others (Letters from employer, colleagues, professors, teachers, employment records, school records, letters from landlord, rent payment receipts, mortgage payments, letters from family members, letters from clergy, club or community group).
16. Additional new information that supports terminating your obligation to register (completion of probation, hardship suffered as result of classification).