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Diehl lends support to Melissa's Bill

BY GEOFF DIEHL
WEDNESDAY, JANUARY 05, 2011 04:13 PM

State Representative-elect Geoff Diehl joined his Republican colleagues Tuesday to call on other legislators to join them in making "Melissa's Bill" a 2011 legislative priority.

"Melissa's Bill" was filed in memory of Melissa Gosule, a then-27-year-old teacher who was murdered in 1999 by a repeat offender who had served less than two years in jail for a combined 27 criminal convictions.

"Melissa's Bill" was refiled for multiple sessions, most recently in January of 2009 and has been stuck in the Judiciary Committee since March of the same year.

If passed into law, repeat violent offenders would be kept behind bars.

In the wake of the tragic shooting death of a Woburn Police Officer John Maguire by a career criminal, the Republican Caucus is hoping there will be an appetite to pass this critical piece of legislation early in the new legislative session.

"While I understand that parole boards require a certain degree of leeway in determining when criminals have fulfilled the terms of their release, there must be more stringent guidelines based on the risk of recidivism with violent criminals and this bill addresses that need," said Diehl.

Among the components of "Melissa's Bill" include:

Expands the habitual offender statute to better target the most dangerous repeat offenders, stating that the maximum punishment available by law shall be imposed for either a defendant's third Superior Court felony conviction or a third conviction of a felony punishable by more than 10 years in prison.

Removes parole eligibility for those repeat offenders convicted under "Melissa's Law."

Requires revocations and imposition of the suspended sentence when a preponderance of the evidence establishes that the probationer committed a felony while on probation. Currently, there is no such requirement.

Removes loophole by specifically stating that state and federal convictions apply to the habitual offender statute. Currently, federal convictions are not included in the habitual offender statute.

Authorizes judges to impose conditions of release to make clear that sentences on new crimes committed during the pendency of a case shall run consecutively, eliminating the

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Joe & daughter, Barbara

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ability of defendants to agree to "package deals" and receive concurrent sentences for crimes committed while they are out on bail.

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