

**ALLIANCE FOR CONSTITUTIONAL SEX OFFENSE LAWS**  
**1215 K Street, 17<sup>th</sup> Floor**  
**Sacramento, CA 95814**  
**(818) 305-5984**

March 11, 2019

Christopher P. Mitchell, Chairman  
Mark Elfman, Vice Chairman  
Board of Selectmen  
40 South Street  
Foxborough, MA 02035

Re: Proposed Policy Addressing Sexual Predatory Behavior

Dear Chairman Mitchell and Vice Chairman Elfman:

The purpose of this letter is to address the Proposed Policy Addressing Sexual Predatory Behavior/Actions Against Others which is to be considered later this month in the town of Foxborough. We were provided a copy of the proposed policy by a local resident who is familiar with our nationwide organization, the Alliance for Constitutional Sex Offense Law, and its mission to protect the U.S. Constitution.

Before describing our views of the proposed policy, we must clearly state that we do not support and, in fact, we oppose sexual abuse of any kind including grooming behaviors, predatory behaviors, child sexual abuse and child exploitation. The organization's position on this important issue can be found online at [www.all4consolaws.org](http://www.all4consolaws.org).

Turning to the current language of the proposed policy, it is our opinion that the policy violates several portions of the U.S. Constitution, including but not limited to, the ex post facto and equal protection clauses. The most significant problem with the proposed policy, however, is that it shifts the historical burden of "innocent until proven guilty" to "guilty until proven innocent" which cannot and should not be tolerated in any town, state or nation.

For example, the proposed policy allows the Board of Selectmen to terminate the town's employment of an individual based merely upon "reasonable suspicion." This standard is considerably lower than the requirement to prove an individual guilty beyond a "reasonable doubt" and thus is not supported by the U.S. Constitution.

In addition, the proposed policy allows a Town Department or Board to prohibit an individual from attending events in which children or adolescents participate. The policy fails to provide any standard for such a prohibition and therefore a Town Department or Board could prohibit individuals based upon race, religion, sexual preference and/or other discriminatory factors in violation of the U.S. Constitution.

Finally, the proposed policy requires the Police Chief to share information about an "implicated individual" with the individual's employer even if the employer is not within the public sector, but instead is within the private sector. The sharing of this type of information with a private employer is likely to violate both state and federal privacy laws.

Thank you for your attention to these important matters. We strongly urge the town of Foxborough to reject the proposed policy and to consider alternate methods by which to protect its children from sexual predatory behaviors.

Sincerely,

A handwritten signature in blue ink that reads "Janice Bellucci". The signature is fluid and cursive, with a large loop at the beginning of the first name.

Janice Bellucci, Executive Director  
Attorney-at-Law

Cc: William D. Baker, Chief of Police