

COMMONWEALTH OF MASSACHUSETTS – PLYMOUTH DISTRICT  
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NEWS RELEASE  
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**DA CRUZ SUPPORTS PROPOSED BILL PROTECTING PREGNANT RAPE VICTIMS  
FOLLOWING PLYMOUTH COUNTY PROSECUTION**

**BROCKTON** – Plymouth County District Attorney Timothy J. Cruz is backing a bill that would prevent a man convicted of rape from having custody of any child conceived as a result of the action.

Representative Michelle DuBois of Brockton has proposed, HD4265, “An Act Protecting Rape Victims and Children Conceived in the Assault.” The bill would create a legal presumption that it is not in the best interests of the child for the convicted rapist to have sole or shared custody of the child or visitation rights. The legislation would require any judge overruling that presumption to issue written findings of fact that such custody or visitation would be in the best interest of the child, and only with the rape victim’s approval.

Today’s proposed legislation follows a particularly gruesome prosecution in Plymouth County. In November, 2014, Brockton Police conducted a rape investigation where a 12-year-old girl had become pregnant. That investigation concluded that on a number of occasions over approximately two years, Elbert Richardson, now 56, of Brockton, had raped and sexually assaulted a juvenile family member. This past March, Richardson pled guilty to numerous child rape and assault charges and was sentenced to serve 12-13 years in State Prison, committed, to be followed by five years of Probation. The Commonwealth had recommended Richardson serve 15-17 years.

“When this defendant pleaded guilty in Plymouth County, it spared this young child from being further victimized at trial,” DA Cruz said. “The legislation proposed by Rep. DuBois would ensure that rape victims are protected and not further tormented by their ordeal. After conviction, the healing process should begin, not a battle with the convicted assailant for parental rights they do not deserve. I want to commend Rep. DuBois for putting forward this bill to give rape victims back some of the control that was robbed of them.”

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