

HOUSE No. 1517

The Commonwealth of Massachusetts

PRESENTED BY:

David P. Linsky

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act requiring the inclusion of certain civil rights offense information in the statewide domestic violence recordkeeping system.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
David P. Linsky	5th Middlesex
Denise Provost	27th Middlesex
Timothy J. Toomey, Jr.	26th Middlesex
Jennifer M. Callahan	18th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1579 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT REQUIRING THE INCLUSION OF CERTAIN CIVIL RIGHTS OFFENSE INFORMATION IN THE STATEWIDE DOMESTIC VIOLENCE RECORDKEEPING SYSTEM.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 SECTION 1. The commissioner of probation is hereby authorized and directed to include any
2 injunction issued, whether a temporary, preliminary, permanent or final injunction, pursuant to
3 sections 11H or section 11I of chapter 12, or section 127B of chapter 266, in the statewide
4 domestic violence record keeping system created pursuant to St. 1992, c. 188 § 7. Such
5 information shall be made available to judges considering the issuance of any injunction
6 pursuant to sections 11H or 12I of chapter 12, or section 127B of chapter 266. Further, such
7 information shall be made available to criminal justice agencies through the criminal justice
8 information system maintained by the executive office of public safety.

9 SECTION 2. Section 11H of chapter 12 of the General Laws, as appearing in the 2000 Official
10 Edition, is hereby amended by inserting after the second sentence the following sentences:—

11 Upon issuance of an injunction, whether a final injunctive order, or a temporary, preliminary, or
12 permanent injunction, as provided in this section, the clerk shall transmit a certified copy of such
13 order to the commissioner of probation for entry into the statewide domestic violence record
14 keeping system. The Attorney General shall transmit to the commissioner of probation a
15 certified copy of each order obtained under this section that is in effect on the effective date of
16 this amendment, for entry into the statewide domestic violence record keeping system.

17 SECTION 3. Section 11I of chapter 12 of the General Laws, as appearing in the 2000 Official
18 Edition, is hereby amended by inserting after the second sentence the following sentence:—

19 Upon issuance of an injunction, whether a final injunctive order, or a temporary, preliminary, or
20 permanent injunction, as provided in this section, the clerk shall transmit a certified copy of such
21 order to the commissioner of probation for entry into the statewide domestic violence record
22 keeping system.

23 SECTION 4. Section 127B of chapter 266 of the General Laws, as appearing in the 2000
24 Official Edition, is hereby amended by inserting after the last sentence of the first paragraph, the
25 following sentence: Upon issuance of an injunction, whether a final injunctive order, or a
26 temporary, preliminary, or permanent injunction, as provided in this section, the clerk shall
27 transmit a certified copy of such order to the commissioner of probation for entry into the
28 statewide domestic violence record keeping system.