

HOUSE No. 404

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce J. Ayers

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 adoption of the accompanying bill:

An Act establishing penalties for the filing of false reports against police officers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>1/18/2011</i>

HOUSE No. 404

By Mr. Ayers of Quincy, a petition (accompanied by bill, House, No. 404) of Bruce J. Ayers for legislation to establish penalties for the filing of false reports against police officers. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1267 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act establishing penalties for the filing of false reports against police officers.

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. Chapter 268 of the General Laws, as appearing in the 2008 Official Edition,
2 is hereby amended by inserting after section 32B the following new section:—

3 Section 32C. Every person who files any allegation of misconduct against any police
4 officer, knowing the report to be false, shall be punished by imprisonment in the state prison for
5 not more than twenty years or by a fine of not more than \$1000 or by imprisonment in jail for not
6 more than 2 ½ years, or by both such a fine and imprisonment in jail. For the purposes of this
7 section, “police officer” shall mean an employee of a city, town, county, the Commonwealth or
8 the Massachusetts Bay Transportation Authority authorized to make arrest. Any law enforcement
9 agency accepting an allegation of misconduct against a police officer shall require the
10 complainant to read and sign the following information advisory, all in bold-face type:

11 YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE
12 OFFICER FOR ANY IMPROPER CONDUCT. THIS AGENCY MAY FIND THERE IS NOT
13 ENOUGH EVIDENCE TO SUBSTANTIATE YOUR ALLEGATION AND WARRANT
14 ACTION ON YOUR COMPLAINT: EVEN IF THIS IS THE CASE, YOU HAVE THE RIGHT
15 TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN
16 OFFICER BEHAVED IMPROPERLY.PLEASE BE ADVISED THAT IT IS ILLEGAL TO
17 MAKE A COMPLAINT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT
18 AGAINST AN OFFICER KNOWING IT IS FALSE, YOU MAY BE PROSECUTED ON A
19 FELONY CHARGE. I HAVE READ AND UNDERSTOOD THE ABOVE STATEMENT. I
20 FURTHER REALIZE THIS COMPLAINT IS SIGNED UNDER THE PAINS AND
21 PENALTIES OF PERJURY.