

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Alan Silvia*

*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 relative to abuse and harassment prevention orders.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>3/21/2016</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>3/28/2016</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>	<i>7/1/2019</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>7/1/2019</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	<i>7/1/2019</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	<i>3/30/2016</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>7/1/2019</i>

**HOUSE . . . . . No.**

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By Mr. Silvia of Fall River, a petition (subject to Joint Rule 12) of Alan Silvia and others relative to abuse and harassment prevention orders. The Judiciary.

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**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

An Act relative to abuse and harassment prevention orders.

*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 eighth paragraph of section 7 of chapter 209A of the General Laws, as  
2 appearing in the 2014 Official Edition, is hereby amended by striking out the first sentence and  
3 inserting in place thereof the following two sentences:-

4           Where a defendant has been found in violation of an abuse prevention order under this  
5 chapter or a protection order issued by another jurisdiction the court shall, in addition to the  
6 penalties provided for in this section after conviction and, as a condition of probation, prohibit  
7 contact with the victim through the establishment of court defined geographic exclusion zones  
8 including, but not limited to, the areas in and around the complainant's residence, place of  
9 employment, and the complainant's child's school, and order that the defendant to wear a global  
10 positioning satellite tracking device designed to transmit and record the defendant's location data.  
11 The defendant shall not be required to wear the device during any period of time that the  
12 defendant is incarcerated.

13           Section 2. Chapter 258E of the General Laws is hereby amended by inserting after  
14 section 9 the following section:-

15           Section 9A. Where a defendant has been found in violation of a harassment prevention  
16 order under this chapter or a protection order issued by another jurisdiction, the court may, in  
17 addition to the penalties provided for in this section after conviction, as an alternative to  
18 incarceration and, as a condition of probation, prohibit contact with the victim through the  
19 establishment of court defined geographic exclusion zones including, but not limited to, the areas  
20 in and around the complainant's residence, place of employment, and the complainant's child's  
21 school, and order that the defendant to wear a global positioning satellite tracking device  
22 designed to transmit and record the defendant's location data. If the defendant enters a court  
23 defined exclusion zone, the defendant's location data shall be immediately transmitted to the  
24 complainant, and to the police, through an appropriate means including, but not limited to, the  
25 telephone, an electronic beeper or a paging device. The global positioning satellite device and its  
26 tracking shall be administered by the department of probation. If a court finds that the defendant  
27 has entered a geographic exclusion zone, it shall revoke the defendant's probation and the  
28 defendant shall be fined, imprisoned or both as provided in this section. Based on the defendant's  
29 ability to pay, the court may also order the defendant to pay the monthly costs of portion thereof  
30 for monitoring through the global positioning satellite tracking system.