

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr, (BY REQUEST)

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 emotional support dogs for witnesses in court.

PETITION OF:

NAME:

Jenne Sindoni

DISTRICT/ADDRESS:

119 Marion Street, Wilmington, MA 01887

SENATE No.

By Mr. Tarr (by request), a petition (accompanied by bill) (subject to Joint Rule 12) of Jenne Sindoni for legislation relative to emotional support dogs for witnesses in court. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to emotional support dogs for witnesses in court.

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. Section 23E of Chapter 233 as appearing in the 2016 official Edition is
2 hereby amended by inserting the following new section 23E 1/2:-

3 23E 1/2. Section 1. Purpose

4 Victims and witnesses of violent crimes who testify in court often suffer unimaginable
5 stress and anxiety as they relive the events surrounding the crime during their testimony.
6 Certified facility dogs who are trained to provide emotional support in a courtroom setting have
7 been used in courthouses across the country to help ease tension and to aid witnesses in
8 providing accurate testimony.

9 Section 2. Definitions

10 Certified Facility Dog: a dog who has graduated from an assistance dog organization that
11 is accredited by Assistance Dogs International or a similar internationally recognized nonprofit

12 organization whose main purpose is to grant accreditation to assistance dog organizations based
13 on standards of excellence in all areas of assistance dog acquisition, training and placement.

14 Section 3. Facility dogs; use in court; procedure

15 (a) The court shall allow a witness testifying in a violent crime proceeding who is either
16 under eighteen years of age or who has a developmental disability to have a certified facility dog,
17 if available, accompany them while testifying in court.

18 (b) The court may allow any witness who does not meet the criteria provided for in
19 subsection (a) of this Section to have a certified facility dog, if available, accompany them while
20 testifying in court.

21 (c) A party seeking the use of a certified facility dog must file a notice with the court that
22 includes the certification of the dog, the name of the person or entity who certified the dog, and
23 evidence that the dog is insured.

24 (d) To ensure that the presence of a certified facility dog does not influence the jury or is
25 not a reflection on the truthfulness of any testimony that is offered by the victim or witness, the
26 court shall instruct the jury on the role of the facility dog and inform the jury that the certified
27 facility dog is a trained animal.