

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Frank A. Moran and David M. Rogers

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 improper and discriminatory police reporting.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------------|-------------------------|------------------|
| <i>Frank A. Moran</i> | <i>17th Essex</i> | <i>6/17/2020</i> |
| <i>David M. Rogers</i> | <i>24th Middlesex</i> | <i>6/18/2020</i> |
| <i>Bud L. Williams</i> | <i>11th Hampden</i> | <i>6/17/2020</i> |
| <i>José F. Tosado</i> | <i>9th Hampden</i> | <i>6/18/2020</i> |
| <i>Liz Miranda</i> | <i>5th Suffolk</i> | <i>6/18/2020</i> |
| <i>Jon Santiago</i> | <i>9th Suffolk</i> | <i>6/18/2020</i> |
| <i>Maria Duaine Robinson</i> | <i>6th Middlesex</i> | <i>6/18/2020</i> |
| <i>Denise Provost</i> | <i>27th Middlesex</i> | <i>6/18/2020</i> |
| <i>Daniel J. Ryan</i> | <i>2nd Suffolk</i> | <i>6/18/2020</i> |
| <i>Tami L. Gouveia</i> | <i>14th Middlesex</i> | <i>6/18/2020</i> |
| <i>Patricia D. Jehlen</i> | <i>Second Middlesex</i> | <i>6/18/2020</i> |
| <i>Tricia Farley-Bouvier</i> | <i>3rd Berkshire</i> | <i>6/18/2020</i> |
| <i>Christina A. Minicucci</i> | <i>14th Essex</i> | <i>6/18/2020</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>6/18/2020</i> |
| <i>Marcos A. Devers</i> | <i>16th Essex</i> | <i>6/19/2020</i> |
| <i>James T. Welch</i> | <i>Hampden</i> | <i>6/19/2020</i> |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i> | <i>6/19/2020</i> |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>6/19/2020</i> |

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|---------------------------------|-----------------------------------|------------------|
| <i>Tommy Vitolo</i> | <i>15th Norfolk</i> | <i>6/19/2020</i> |
| <i>Carmine Lawrence Gentile</i> | <i>13th Middlesex</i> | <i>6/19/2020</i> |
| <i>Carlos González</i> | <i>10th Hampden</i> | <i>6/22/2020</i> |
| <i>Russell E. Holmes</i> | <i>6th Suffolk</i> | <i>6/22/2020</i> |
| <i>John H. Rogers</i> | <i>12th Norfolk</i> | <i>6/22/2020</i> |
| <i>Barry R. Finegold</i> | <i>Second Essex and Middlesex</i> | <i>6/22/2020</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>6/23/2020</i> |
| <i>Michelle L. Ciccolo</i> | <i>15th Middlesex</i> | <i>6/23/2020</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | <i>6/23/2020</i> |
| <i>Tram T. Nguyen</i> | <i>18th Essex</i> | <i>6/23/2020</i> |
| <i>Alan Silvia</i> | <i>7th Bristol</i> | <i>6/24/2020</i> |
| <i>Andres X. Vargas</i> | <i>3rd Essex</i> | <i>6/24/2020</i> |

HOUSE No.

By Messrs. Moran of Lawrence and Rogers of Cambridge, a petition (subject to Joint Rule 12) of Frank A. Moran, David M. Rogers and others for legislation to provide for private rights of action against persons intentionally summoning police officers without reason to suspected violations of criminal law. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to improper and discriminatory police reporting.

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 11I of Chapter 12 of the Massachusetts General Laws is hereby
2 amended by adding a new subsection (b):

3 (b) A private right of action shall exist against any person who intentionally summons a
4 police officer without reason to suspect a violation of a criminal law, any criminal conduct or an
5 imminent threat to person or property by an individual or group of individuals, in whole or in
6 part because of a belief or perception regarding the race, color, national origin, ancestry, gender,
7 religion, religious practice, age, disability or sexual orientation of a person. An individual who
8 summons a police officer under such circumstances shall be liable in a private civil action
9 brought by the individual or group of individuals for injunctive relief, damages or other
10 appropriate relief. If it shall appear to the satisfaction of the court that the respondent has, in fact,
11 violated this section, an injunction may be issued by such court, enjoining and restraining any
12 further violation, without requiring proof that any person has, in fact, been injured or damaged

13 thereby. For the purposes of this section, a person lacks reason to suspect a violation of a
14 criminal law, any criminal conduct or an imminent threat to person or property if a reasonable
15 person would not suspect such a violation, conduct or threat based on the totality of the
16 circumstances.