

SENATE No. 890

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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 to protect the privacy of crime victims.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Cynthia Stone Creem</i>	<i>First Middlesex and Norfolk</i>	
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>1/30/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/31/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/1/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/1/2019</i>

SENATE No. 890

By Ms. Creem, a petition (accompanied by bill, Senate, No. 890) of Cynthia Stone Creem, Sal N. DiDomenico, Denise Provost, Michael O. Moore and others for legislation to protect the privacy of crime victims. The Judiciary.

The Commonwealth of Massachusetts

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

An Act to protect the privacy of crime victims.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to protect the privacy of crime victims, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

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 258C of the General Laws, as appearing in the 2016 Official
2 Edition, is amended by adding the following new section:-

3 Section 15. (a) Except as otherwise provided in this section, all records and information
4 received, obtained or maintained by the division in connection with any claim for crime victim
5 compensation shall be confidential and privileged, and shall not be disclosed by the division or
6 by anyone who receives such records or information from the division.

7 (b) Nothing in this section shall preclude disclosure of records or information: (1) for the
8 processing of a claim by the division or responding to an action in court seeking review of a
9 decision by the division, at the sole discretion of the attorney general or her designee; (2)
10 consisting of information exchanged between the claimant or his or her authorized representative

11 and the division, provided that the claimant or his or her authorized representative consents to
12 such disclosure in writing; (3) in response to a request for information for legitimate criminal
13 justice purposes, at the sole discretion of the attorney general or her designee; (4) to the extent
14 required by rules of criminal procedure governing mandatory discovery, or the production or
15 introduction into evidence of exculpatory or statutorily privileged records; or (5) upon a lawful
16 order issued by a court of competent jurisdiction.