

**HOUSE . . . . . No. 2535**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Andres X. Vargas*

*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 a fresh start.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>2/19/2021</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>2/26/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/26/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/26/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/26/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/26/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/15/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>3/16/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>3/30/2021</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>4/2/2021</i>

**HOUSE . . . . . No. 2535**

By Mr. Vargas of Haverhill, a petition (accompanied by bill, House, No. 2535) of Andres X. Vargas and others for legislation to establish within the Executive Office of Public Safety a fresh start program for the purpose of removing certain existential negative collateral consequences. Public Safety and Homeland Security.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act relative to a fresh start.

*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 98F of Chapter 41 is hereby amended by striking out in the last  
2 sentence the word "18" and inserting in place thereof the following word:- "25".

3 SECTION 2. Notwithstanding any special or general laws to the contrary, Chapter 41 of  
4 the General Laws is hereby amended by inserting after section 98F the following section:-

5 Section 98FF. (a) There shall be within the Executive Office of Public Safety a Fresh  
6 Start Program to: (i) serve the purpose of removing the negative collateral consequences,  
7 including but not limited to difficulty in gaining employment, mental health challenges, and  
8 varied other barriers to social and economic mobility, of past stories reported online about an  
9 individual’s criminal offense(s) or other events as deemed applicable by the program; (ii) allow  
10 any individual the opportunity to submit a request to update, remove, or anonymize a story  
11 published online through a specified media outlet(s); (iii) share written recommendations to

12 specified media outlets with respect to each individual's request for changes to past stories based  
13 upon the review of the program, providing that all media outlets will be encouraged to accept the  
14 recommended decisions of the program; and (iv) include the promotion of diverse marketing and  
15 promotion efforts to ensure awareness of this program to the general public.

16 (b) There shall be a Fresh Start Coordinating Council that will be responsible for: (a)  
17 identifying best practices for pre-publication reporting and unpublishing protocols; (b)  
18 establishing a set of guidelines for the review of applications submitted by all individuals based  
19 upon the above mentioned best practices, providing that such guidelines shall be adopted only  
20 after the approval of the Council by a majority vote in the affirmative of those members so  
21 voting; (d) providing recommendations to the Secretary of the Executive Office of Public Safety  
22 and Security for the appointment of the Director of the Fresh Start Program, known as the  
23 Director; (e) developing best practices and journalistic standards for the reporting or un-reporting  
24 of any offenses committed by young adults under the age of 25; and (f) approving and managing  
25 any appeal process for final decisions of all applications based on the guidelines set by the  
26 Council.

27 (c) The Council shall consist of twenty-five members to be appointed with the approval  
28 of the Governor. Said Council members shall advise the Director in all matters relating to  
29 oversight and supervision of the program. The Council shall be comprised of the following  
30 members: one of whom shall be a member of the house of representatives to be appointed by the  
31 Speaker of the House, one of whom shall be a member of the Senate to be appointed by the  
32 Senate President; one of whom shall be the Secretary of Public Safety and Security or a  
33 designee; not more than ten representatives from daily newspapers or other media outlets in  
34 Massachusetts that have an online publication; one of whom shall be the executive director of the

35 American Civil Liberties Union of Massachusetts, Inc. or a designee; one of whom shall be the  
36 Chief Justice of the Trial Court or designee; one of whom shall be the president of the  
37 Massachusetts Major City Chiefs of Police Association; one of whom shall be the Chief Counsel  
38 of the Committee for Public Counsel Services or designee; one of whom shall be the President of  
39 the Massachusetts District Attorney Association or designee; three of whom have past histories  
40 of incarceration to be appointed by the Secretary of the Executive Office of Public Safety and  
41 Security; and no less than four of whom to be appointed by the Governor, including  
42 representatives of two organizations dedicated to serving justice-involved young adults. Said  
43 members shall elect a chairperson and shall meet at least quarterly for a minimum of two year  
44 terms as set by the Secretary. The Council shall submit a report annually by July 1 to the  
45 governor and the clerks of the senate and house. The report shall include: (i) data related to the  
46 percentage of applications received; (ii) periodic benchmarks for, and strategies to achieve, any  
47 stated goals; (iii) data demonstrating the number and percentage of decisions that were accepted  
48 by media outlets; and (iv) any additional recommendations or findings.