SENATE DOCKET, NO. 795 FILED ON: 2/8/2021

SENATE . . . . . No. 1110

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 updating the Commonwealth's wiretap statutes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael O. Moore	*Second Worcester*

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SENATE . . . . . No. 1110

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1110) of Michael O. Moore for legislation to update the Commonwealth's wiretap statutes. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1002* OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act updating the Commonwealth's wiretap statutes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Paragraph A of section 99 of chapter 272 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out the last paragraph and inserting in place thereof the following 2 paragraphs:-

The general court further finds that in certain circumstances normal investigative procedures may not be effective in the investigation of specific illegal acts not associated with organized crime as described in clause 7 of paragraph B. Therefore, law enforcement officials may use modern methods of electronic surveillance, under strict judicial supervision, when investigating those specific crimes.

The general court further finds that the uncontrolled development and unrestricted use of modern electronic surveillance devices pose grave dangers to the privacy of all citizens of the

commonwealth. Therefore, the secret use of such devices by private individuals shall be prohibited. The use of such devices by law enforcement officials shall be conducted under strict judicial supervision and shall be limited to the investigation of designated offenses as defined in clause 7 of paragraph B.

SECTION 2. Paragraph B of said section 99 of said chapter 272, as so appearing, is hereby further amended by striking out paragraph 7 and inserting in place thereof the following paragraph:-

7. The term “designated offense” shall include (a) the following offenses in connection with organized crime as defined in the preamble: the illegal use, possession, theft, transfer or trafficking of one or more firearms, rifles, shotguns, sawed-off shotguns, machine guns, assault weapons, large capacity weapons, covert weapons as defined by section 121 of chapter 140, or silencers; any arson; assault and battery with a dangerous weapon; bribery; any felony burglary; money laundering in violation of chapter 267A; enterprise crime in violation of chapter 271A; extortion; forgery; gaming in violation of sections 38, 39, 40, 41 and 43 of chapter 23K and sections 16A and 17 of chapter 271; kidnapping; any felony larceny; lending of money or things of value in violation of the general laws; perjury; any felony involving prostitution; robbery; subornation of perjury; any violation of section 13B of chapter 268; any violation of this section; being an accessory to any of the foregoing offenses; and conspiracy, attempt or solicitation to commit any of the foregoing offenses; and (b) the following offenses, whether or not in connection with organized crime, as referenced in paragraph 3 of the preamble: human trafficking in violation of sections 50 through 53 of chapter 265; illegal trafficking in weapons; the illegal use or possession of explosives or chemical, radiological or biological weapons; civil

rights violation causing bodily injury; being an accessory to any of the foregoing offenses; and conspiracy, attempt or solicitation to commit any of the foregoing offenses.