

SENATE No. 1634

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick M. O'Connor

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 disclosures and the prevention of domestic violence.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>4/21/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>4/22/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>4/22/2021</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>4/29/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>4/29/2021</i>

SENATE No. 1634

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 1634) of Patrick M. O'Connor for legislation relative to disclosures and the prevention of domestic violence. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

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

An Act relative to disclosures and the prevention of domestic violence.

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

1 The General Laws, as so appearing, are hereby amended in Chapter 41 by adding the
2 following:-

3 Section 97D1/2. The attorney general in coordination with the secretary of the office of
4 public safety and security shall develop and promulgate guidelines by no later than July 1, 2022
5 to all district attorneys regarding rights of persons to ask and know about prior reports and
6 instances of abuse as defined in section 1 of chapter 209A perpetrated by their intimate partner,
7 ex-partner, or household member. Said guidelines shall include streamlined and simplified
8 procedures for a person to seek a disclosure and reasonable, as well as standards of review for a
9 request which shall include determining (i) that the disclosure is necessary to protect the person
10 from being the victim of a crime, (ii) that there is a pressing need for the disclosure, and (iii) that
11 the interference with the perpetrator’s rights is necessary and proportionate for the prevention of
12 crime. The guidelines shall provide that pursuant to a request for disclosure, district attorneys

13 may lawfully disclose information about violent or abusive behavior of a person that may
14 threaten the safety of that person's current or ex-partner. Said information may be arising from a
15 criminal investigation, through agency involvement, or from another source of police
16 intelligence.