

SENATE No. 2868

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 the disclosure of law enforcement disciplinary records.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

James B. Eldridge

Middlesex and Worcester

Lindsay N. Sabadosa

1st Hampshire

SENATE No. 2868

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 2868) (subject to Joint Rule 12) of James B. Eldridge and Lindsay N. Sabadosa for legislation relative to the disclosure of law enforcement disciplinary records. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relative to the disclosure of law enforcement disciplinary records.

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

1 Clause Twenty-sixth of section 7 of chapter 4 of the General Laws is hereby amended by
2 striking out subclause (c), as appearing in section 2 of chapter 253 of the acts of 2020, and
3 inserting in place thereof the following subclause:-

4 (c) personnel and medical files or information and any other materials or data relating to
5 a specifically named individual, the disclosure of which may constitute an unwarranted invasion
6 of personal privacy; provided, however, that this subclause shall not apply to records related to a
7 law enforcement misconduct investigation; and provided further, that this subclause shall not
8 apply to records related to a correction officer misconduct investigation, including but not
9 limited to department of correction internal affairs reports. Additionally, an incarcerated person
10 and/or their legally designated representative shall have the right to obtain a copy of all records
11 relating to any use of force incident involving the incarcerated person, including but not limited
12 to written reports, investigations, video and audio recordings, and photographs. All such records

13 are also public records, except that records access officers must redact the name and identifying
14 information of any involved incarcerated person before providing the records to any requestor
15 who is not the involved incarcerated person or who does not have a release from them.