

SENATE No. 938

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:

Cynthia Stone Creem

Norfolk and Middlesex

*Andrea Joy Campbell, Massachusetts
Attorney General*

1 Ashburton Pl, Boston, MA 02108

SENATE No. 938

By Ms. Creem, a petition (accompanied by bill, Senate, No. 938) of Cynthia Stone Creem and Andrea Joy Campbell, Massachusetts Attorney General for legislation to protect the privacy of crime victims. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 958 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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 Chapter 258C of the General Laws, as appearing in the 2020 Official Edition, is amended
2 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) for legitimate criminal justice purposes, at the sole discretion of
13 the attorney general or her designee; (4) to the extent required by rules of criminal procedure
14 governing mandatory discovery, or the production or introduction into evidence of exculpatory
15 or statutorily privileged records; or (5) upon a lawful order issued by a court of competent
16 jurisdiction.