

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Natalie M. Higgins

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 sexual assault by an officer.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/15/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to sexual assault by an officer.

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 13H½ of Chapter 265 of the General Laws, as appearing in the
2 2022 Official Edition, is hereby amended by inserting after the first sentence the following:-

3 For the purposes of this section, “control” shall include, but not be limited to, supervising
4 a person under the age of 18 who is in a law enforcement training program; interacting with a
5 person being questioned, investigated or detained; communicating the power to charge or arrest a
6 person, whether explicitly or implicitly, regardless of whether such power could lawfully be
7 exercised; or otherwise exercising or attempting to exercise coercion or influence while acting
8 under color of law.

9 For the purposes of this section, “coercion” shall include, but not be limited to, threats of
10 serious harm to or physical restraint against any person; any scheme, plan, or pattern intended to
11 cause a person to believe that failure to perform an act would result in serious harm to or
12 physical restraint against any person; or the abuse or threatened abuse of the legal process.

13 SECTION 2. Section 22 of said Chapter 265, as so appearing, is hereby amended by
14 inserting after the first sentence the following:-

15 For the purposes of this subsection, “control” shall include, but not be limited to,
16 supervising a person under the age of 18 who is in a law enforcement training program;
17 interacting with a person being questioned, investigated or detained; communicating the power
18 to charge or arrest a person, whether explicitly or implicitly, regardless of whether such power
19 could lawfully be exercised; or otherwise exercising or attempting to exercise coercion or
20 influence while acting under color of law.

21 For the purposes of this section, “coercion” shall include, but not be limited to, threats of
22 serious harm to or physical restraint against any person; any scheme, plan, or pattern intended to
23 cause a person to believe that failure to perform an act would result in serious harm to or
24 physical restraint against any person; or the abuse or threatened abuse of the legal process.

25 SECTION 3. Each law enforcement agency shall create, within 180 from the passage of
26 this bill, a policy that prohibits law enforcement officers from knowingly and willingly engaging
27 in sexual contact with the suspect of a criminal investigation of prostitution during the course of
28 an investigation conducted by that officer. The policy shall be posted and made publicly
29 available.