

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Tricia Farley-Bouvier

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 relating to threats of suicide while in court custody (Stavri’s Law).

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tricia Farley-Bouvier</i>	<i>2nd Berkshire</i>	<i>1/17/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relating to threats of suicide while in court custody (Stavri’s Law).

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. This act shall be known as “Stavri’s Law”.

2 SECTION 2. Section 36A of chapter 123 of the General Laws, as appearing in the 2022
3 Official Edition, is hereby stricken and replaced with the following:

4 All reports of examinations made to a court pursuant to sections one to eighteen,
5 inclusive, section forty–seven and forty–eight shall be private except in the discretion of the
6 court. All petitions for commitment, notices, orders of commitment and other commitment
7 papers used in proceedings under sections one to eighteen and section thirty–five shall be private
8 except in the discretion of the court. Each court shall keep a private docket of the cases of
9 persons coming before it believed to be mentally ill, including proceedings under section thirty–
10 five; provided that nothing in this section shall prevent public inspection of any complaints or
11 indictments in a criminal case, or prevent any notation in the ordinary docket of criminal cases
12 concerning commitment proceedings under sections one to eighteen against a defendant in a
13 criminal case. Notwithstanding the provisions of this paragraph, any person who is the subject of

14 an examination or a commitment proceeding, or his counsel, may inspect all reports and papers
15 filed with the court in a pending proceeding, and the prosecutor in a criminal case may inspect all
16 reports and papers concerning commitment proceedings that are filed with the court in a pending
17 case.

18 Notwithstanding this section, a court shall, pursuant to section 35 and section 36C,
19 transmit information contained in court records to the department of criminal justice information
20 services to provide: (i) licensing authorities as defined under section 121 of chapter 140;
21 provided, however, that information shared under this clause shall be information required or
22 permitted to be considered under state or federal law to conduct background checks for firearm
23 sales or licensing; (ii) the Federal Bureau of Investigation; provided, however, that the
24 information shared under this clause shall be information required or permitted under federal law
25 to be included in the National Instant Criminal Background Check System maintained to conduct
26 background checks for firearms sales or licensing; provided further, that the court shall not
27 transmit information solely because a person seeks voluntary treatment or is involuntarily
28 hospitalized for assessment or evaluation; and (iii) law enforcement agencies with notice that the
29 individual has been the subject of a Section 35 proceeding, the date(s) of said proceeding(s) and
30 whether an order of commitment issued to assist law enforcement agencies in assessing the risk
31 of suicide in custody. Information transmitted to the department of criminal justice information
32 services pursuant to this section and said sections 35 and 36C shall not be considered public
33 records pursuant to section 10 of chapter 66 and clause Twenty-sixth of section 7 of chapter 4. If
34 the information required to be transmitted under clause (i) of this paragraph relates to a person
35 who currently holds a license, card or permit issued under sections 122, 122B, 129B, 131 or
36 131F of chapter 140, such information shall be disseminated automatically to the relevant

- 37 licensing authority through the Criminal Justice Information System for each commitment that is
- 38 ordered as soon as the information is available.