

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

None

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 abolish judicial immunity and state government officials immunity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>KC Linardon</i>		<i>9/25/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act to abolish judicial immunity and state government officials immunity.

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

1 Our Massachusetts Judicial and State government officials have severely abused and
2 violated the Judicial and State government officials immunity privileges which they have abused
3 the citizen constitutional rights. Their conducts does not only violate clearly established statutory
4 or constitutional rights of which a reasonable person would have known but they have
5 dehumanizing and disenfranchised the people of Massachusetts especially the most vulnerable
6 protective class category.

7 IMMUNITY DEFENSES DO NOT SHIELD STATE GOVERNMENT OFFICIALS
8 FROM LIABILITY.

9 STATE GOVERNMENT OFFICIALS invoke two principal immunity defenses under §
10 1983: qualified immunity and absolute immunity. Qualified immunity shields government
11 officials from damages liability so long as their conduct does not violate clearly established
12 statutory or constitutional rights of which a reasonable person would have known.

OUR STATE JUDICIAL AND STATE GOVERNMENT OFFICIALS are not entitled to qualified immunity where they violated due process in judicial proceedings.

Absolute Immunity Does Not Shield Routine Administrative Acts.

Absolute immunity does not apply prosecutors and judges if they are performing core functions in good faith.

Absolute immunity does not apply to officials performing core functions that have been historically accorded total immunity—namely judges, prosecutors on quasi-judicial functions, and legislators on legislative acts if they not are acting in good faith.

The mere fact that they are “appointed executive officials” does not confer blanket immunity.

State executives are not absolutely immune for Title VII and due process claims. Official and qualified immunity do not protect officials acting with malice, bad faith, or deliberate indifference.

“Actual malice” requires “deliberate intention to do wrong” beyond mere ill will; official immunity lost where malice shown.

Deliberate Indifference Defeats Immunity. While a Judge performing Judicial functions may enjoy Immunity, denial of constitutional and civil rights are absolutely not a judicial function and conflicts with any definition of a Judicial function and a state court judge did not have absolute immunity from damages suit under § 1983.

32 A minority of decisions have held that if an inferior judge acts maliciously or corruptly
33 he/she may incur liability and under the Federal tort law, judges cannot invoke judicial immunity
34 for acts that violate litigant's civil rights.

35 Any state government official or judge who segregated our court houses, practice
36 unethical corruption, obstruction of justice, bias, prejudice, racism, discrimination, hate crime,
37 inhumane tortures, abuse, and cruelty and tainted our judicial system should not have absolute
38 immunity.

39 State government officials or judges have used absolute immunity to protect themselves
40 from their negligence and outright wrongdoings to maintain their power base and the people of
41 Massachusetts seek the abolishment of judicial immunity and State government officials
42 immunity.