

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Julian Cyr*

*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 enhance the rights of crime victims in the Commonwealth.

PETITION OF:

NAME:

*Julian Cyr*

DISTRICT/ADDRESS:

*Cape and Islands*

**SENATE . . . . . No.**

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 944 OF 2023-2024.]

**The Commonwealth of Massachusetts**

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

An Act to enhance the rights of crime victims in the Commonwealth.

*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 1 of chapter 258B, as appearing in the 2022 Official Edition, is  
2 hereby amended by inserting after the word “stepparent” in line 16 the following word:-  
3 grandparent,

4 SECTION 2. Said Section 1 of said chapter 258B, as so appearing, is hereby further  
5 amended by inserting after the words “two hundred and fifty-eight C” in line 17 the following  
6 words:- person with whom the victim lived and in a relationship similar to marriage,

7 SECTION 3. Said Section 1 of said chapter 258B, as so appearing, is hereby further  
8 amended by inserting, after line 18, the following words:-

9 “probation officer”, an associate probation officer, probation officer, assistant chief  
10 probation officer, chief probation officer, regional probation supervisor, statewide probation

11 supervisor, victim service coordinator, the deputy commissioner of field services, and any other  
12 personnel whom the commissioner of probation shall direct.

13 “limited English proficient”, individuals who do not speak English as their primary  
14 language and have a limited ability to speak, read, write, or understand English.

15 “vital document”, paper or electronic written material that contains information that is  
16 critical for accessing a component’s programs or activities or is required by law.

17 SECTION 4. Section 2 of said chapter 258B, as so appearing, is hereby amended by  
18 inserting at the beginning the following:-

19 Services provided in this chapter shall be afforded to victims and family members of  
20 violent crimes, including homicide and sexual assault, to the fullest extent possible in matters  
21 that have not resulted in complaints or indictments have not been issued.

22 SECTION 5. Said Section 2 of said chapter 258B, as so appearing, is hereby amended by  
23 inserting before the word “prosecutors” in line 1 the following word:-

24 Furthermore,

25 SECTION 6. Subsection (l) of Section 3 of said chapter 258B, as so appearing, is hereby  
26 amended by striking the word “A” in line 91 and inserting, in place thereof, the following word:-

27 B

28 SECTION 7. Said section 3 of said chapter 258B, as so appearing, is hereby amended by  
29 striking out subsection (p) and inserting in place thereof the following subsection:-

30 (p) for victims, to be present and heard at sentencing or the disposition of the case against  
31 the defendant. In any court proceeding not previously scheduled for an admission to sufficient  
32 facts or change of the defendant's plea, if a victim is not present at the time the defendant pleads  
33 or is found guilty, delinquent, or admits to sufficient facts, the court shall delay sentencing by no  
34 less than one business day. Upon such continuance, the district attorney pursuant to section four  
35 B of chapter two hundred and seventy-nine shall provide or make attempts to provide to the  
36 victim or victims actual notice of the time and place of the disposition to afford the victims the  
37 opportunity to be present and or heard. The court may waive the delay upon a showing by the  
38 prosecutor that the victim does not desire to be present or heard at sentencing. Victims have the  
39 right to be heard through an oral and written victim impact statement at sentencing or the  
40 disposition of the case against the defendant, even if there is admission to sufficient facts, the  
41 sentence is mandatory, or there is an agreed upon plea, about the effects of the crime on the  
42 victim and as to a recommended sentence, pursuant to section four B of chapter two hundred and  
43 seventy-nine, and to be heard at any other time deemed appropriate by the court. The court shall  
44 consider said victim impact statement in disposition of the case against the defendant. The  
45 victim also has a right to submit the victim impact statement to the parole board for inclusion in  
46 its records regarding the perpetrator of the crime;

47 SECTION 8. Subsection (t) of said section 3 of said chapter 258B, as so appearing, is  
48 hereby amended by inserting after the word "custody" in line 144 the following words:-  
49 including a release on bail,

50 SECTION 9. Said section 3 of said chapter 258B, as so appearing, is hereby amended by  
51 inserting the following sections:-

52 (x) for victims, to be notified by the prosecutor that they have the right to provide the sex  
53 offender registry board with a written impact statement for inclusion in the convicted sex  
54 offender’s classification determination pursuant to section 178K(1)(k) of chapter 6.

55 (y) for victims, to be notified by the probation officer if an offender has a violation of  
56 probation hearing, any sentencing after a finding of a violation of probation, and any motion to  
57 modify the sentence or disposition of probation, including a transfer of supervision or a motion  
58 to terminate. Victims requesting such notice must provide the probation service with current  
59 contact information.

60 (z) for victims, to be heard through an oral or written statement after a finding of a  
61 violation of probation, and any motion to modify the sentence or disposition, including a motion  
62 to terminate.

63 (aa) for victims, who may be limited English proficient, to include and not be limited to  
64 victims and witnesses who identify as deaf or hard of hearing, the right to receive free oral or  
65 sign language services and assistance that provides for the meaningful enforcement of rights  
66 under this chapter.

67 SECTION 10. Section 7 of said chapter 258B, as so appearing, is hereby amended by  
68 inserting after the words “district attorney,” in line 1 the following words:- probation service,  
69 parole board, sex offender registry board, department of correction, department of youth  
70 services, sheriffs,

71 SECTION 11. The first sentence of section 4B of chapter 279, as appearing in the 2022  
72 Official Edition, is hereby amended by striking the words “against the person or crime where  
73 physical injury to a person results, excluding any crime for which a sentence of death may be

74 imposed, and which involves an identified victim whose whereabouts “ and inserting in place  
75 thereof the following words:- a victim as defined by chapter 258B.

76 SECTION 12. Said Section 4B of said chapter 279, as so appearing, is hereby further  
77 amended by inserting after the fourth paragraph the following paragraph:-

78 The court shall consider said victim impact statement in disposition of the case against  
79 the defendant.

80 SECTION 13. There shall be a bail notification special commission established pursuant  
81 to section 2A of chapter 4 of the General Laws, referred to in this section as the commission. The  
82 commission shall evaluate policies and procedures related to the current bail system and  
83 recommend improvements or changes related to notification services, pursuant to section 3(t) of  
84 chapter 258B, for victims and family members of crime, as defined by chapter 258B.

85 (a) The commission shall consist of no more than 11 members: 1 of whom shall be the  
86 executive director of the Massachusetts office for victim assistance or designee, whom shall  
87 serve as chair; 1 of whom shall be a member of the house of representatives appointed by the  
88 speaker of the house of representatives; 1 of whom shall be a member of the senate appointed by  
89 the president of the senate; 1 of whom shall be the chief justice of the trial court or designee; 1 of  
90 whom shall be the secretary of the executive office of public safety and security or designee; 1 of  
91 whom shall be the commissioner of probation service or designee; 1 of whom shall be the  
92 president of the Massachusetts chiefs of police association or designee; 1 of whom shall be the  
93 president of the Massachusetts sheriffs association or designee; 1 of whom shall be the president  
94 of the Massachusetts district attorneys association or designee; and no more than 2 of whom  
95 shall be crime victims appointed by the victim and witness assistance board.

96 (b) The commission shall submit its final report to the governor, the house and senate  
97 chairs of the joint committee on the judiciary and the house and senate chairs of the joint  
98 committee on public safety and homeland security not later than December 31, 2026 which shall  
99 include: (i) an evaluation of the current practices relative to bail notification to victims and  
100 family members when an offender is released from custody; (ii) an evaluation of what shall  
101 constitute appropriate notification to victims and family members and the best practice in which  
102 to provide notification (iii) a policy recommendation to ensure appropriate notification services  
103 are provided to victims and family members dependent on the custodial authority in which an  
104 offender is held; (iv) any proposed technology or multi-disciplinary system recommendations to  
105 provide notification services, including contracting with state or non-state entities to develop  
106 implementation plans and estimated costs to the commonwealth; and (v) any additional proposed  
107 policy, regulatory, or statutory changes concerning notification services for victims and family  
108 members within the pretrial system.