HOUSE DOCKET, NO. 2480 FILED ON: 1/20/2011

HOUSE . . . . . No. 3166

The Commonwealth of Massachusetts

PRESENTED BY:

John P. Fresolo

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 concerning the disclosure of records involving citizen complaints and the discipline of public safety officers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
John P. Fresolo	*16th Worcester*

HOUSE DOCKET, NO. 2480 FILED ON: 1/20/2011

HOUSE . . . . . No. 3166

By Mr. Fresolo of Worcester, a petition (accompanied by bill, House, No. 3166) of John P. Fresolo that internal public safety investigations be exempt from public disclosure requirements. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2222* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act concerning the disclosure of records involving citizen complaints and the discipline of public safety officers.

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

Chapter four, section seven, clause twenty-sixth, of the General Laws is hereby amended by inserting a new paragraph (n) as follows:—

(n) records or information compiled or received as part of an internal investigation into the conduct of any public safety officer of the commonwealth or any political subdivision or authority thereof, including any related correspondence, notes, drafts, untranscribed audio tapes or reports recommending any form of discipline and any records or information indicating a specific level of discipline imposed on any individual officer; provided however, that any document submitted by a citizen concerning the conduct of any public safety officer shall be a public record so long as the name, address, telephone number, or any other information which might identify any person, including the complainant and any witnesses or public safety officer,

11 are redacted therefrom. Records or information disclosing the specific disciplinary actions taken
12 as the result of any such complaint or internal investigation shall be deemed to be personnel files
13 or information under paragraph (c) hereof; provided however, that information disclosing
14 whether or not any disciplinary action has been taken shall be a public record so long as the
15 name, badge number, address, telephone number, or any other information which might identify
16 the name or names of the officers involved are not disclosed.