

**JOINT COMMITTEE ON THE JUDICIARY  
BILL SUMMARY**

**BILL NO.** H1904

**TITLE:** An Act relative to criminal investigations

**SPONSOR:** Rep. Michael J. Moran

**COSPONSORS:** None

**HEARING DATE:** TBD

**PRIOR HISTORY:** H1691 (2023-2024) H2326 (2017-2018)  
H1809 (2021-2022) H1499 (2015-2016)  
H1527 (2019-2020)

**SENATE BILL:** None

**CURRENT LAW:** Section 99 of Chapter 272 of the General laws prohibits the willful: (i) interception of any wire or oral communication; (ii) edit or alteration of any tape, transcription or recording of oral or wire communications with intent to present in any proceeding under oath; (iii) disclosure or use of the contents of any wire or oral communication knowing it was obtained through interception; (iv) possession of an interception device with intent to commit an unlawful interception.

Exceptions are included for investigative and law enforcement officers who obtain permission through a warrant for designated offenses or to protect the safety of undercover officers or witnesses. “Designated offense” includes offenses in connection with organized crime including arson, burglary, extortion, witness intimidation, kidnapping, larceny, murder, drug offenses, perjury, and prostitution.

**BILL SUMMARY:** Section 1 - inserts language into Section 99 of Chapter 272 allowing law enforcements officials conducting an authorized investigation of crimes against a person or of arson to conduct a one-party recording with a suspect in a police facility if that facility has clear and conspicuous notices that conversations may be recorded without additional notice after the individual had been given their Miranda warnings.