

**JOINT COMMITTEE ON THE JUDICIARY
BILL SUMMARY**

BILL NO. H1641

TITLE: An Act relative to civil rights.

SPONSOR: Rep. Michael S. Day

COSPONSORS: Rep. Lindsay N. Sabadosa Rep. Erika Uyterhoeven
Rep. Natalie M. Higgins Senator Rebecca L. Rausch

HEARING DATE: July 29, 2025

PRIOR HISTORY: H1440 (2023-2024)
H1522 (2021-2022)
H3277 (2019-2020)

SENATE BILL: None

REPORTING DEADLINE: September 27, 2025 (subject extensions, in accordance with House Rule 27)

CURRENT LAW: Section 11H of Chapter 12 of the General Laws permits the Attorney General to bring a civil action for injunctive and other equitable relief whenever any person interferes by threats, intimidation or coercion or attempts to so interfere with the exercise or enjoyment by another other person’s rights secured by the Constitution or laws of the United States or of the Commonwealth to protect the peaceable exercise or enjoyment of the right. If the Attorney General prevails, they are entitled to compensatory damages, litigation costs and attorneys’ fees and may be entitled to, if the matter involves interference with a Constitutional right, civil penalties up to \$5,000 against each defendant. The Section further establishes a right to bias-free professional policing which is interfered with and potentially violated when a law enforcement officer acting under color of law acts in a way that results in their decertification by the Massachusetts Peace Officers Standards and Training Commission (MPTC). No law officer may be immune from civil liability for conduct under color of law that violated a person’s right to bias-free policing if the conduct resulted in their decertification by the MPTC.

Section 11I of Chapter 12 permits a person to bring a civil action on their own behalf for injunction and other appropriate relief

including compensatory damages for interference or attempted interference of their exercise or enjoyment of rights secured by the Constitution or laws of the United States or of the Commonwealth. If the aggrieved person prevails in this action they are entitled to an award of litigation costs and reasonable attorneys' fees.

BILL SUMMARY:

Section 1 – Inserts language into Section 11H of Chapter 12 stating that an action brought against a law enforcement officer for conduct under color of law does not require proof that the interference or attempted interference was by threats, intimidation or coercion.

Section 2 – Cleans up repetitive and unnecessary language in Section 11H of Chapter 12.

Section 3 – Adds to Section 11H of Chapter 12 a requirement that the Court, when granting a claim of immunity from civil liability in this Section or Section 11I, will also make a written determination that the conduct alleged, if proven at trial, interfered with the exercise or enjoyment of another person's rights secured by the Constitution or laws of the United States or of the Commonwealth.

Section 4 – Inserts language into Section 11I of Chapter 12 stating that an action brought against a law enforcement officer for conduct under color of law does not require proof that the interference or attempted interference was by threats, intimidation or coercion.