

HOUSE No. 1267

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce J. Ayers

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 passage of the accompanying bill:

An Act establishing penalties for the filing of false reports against police officers.

PETITION OF:

NAME:

Bruce J. Ayers

DISTRICT/ADDRESS:

1st Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION

SEE HOUSE, NO. 75 OF 2007-2008.]

The Commonwealth of Massachusetts

—————
In the Year Two Thousand and Nine
—————

AN ACT ESTABLISHING PENALTIES FOR THE FILING OF FALSE REPORTS AGAINST POLICE OFFICERS.

*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. Chapter 268 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by
2 inserting after section 32B the following new section:—
3 Section 32C. Every person who files any allegation of misconduct against any police officer, knowing the report to
4 be false, shall be punished by imprisonment in the state prison for not more than twenty years or by a fine of not
5 more than \$1000 or by imprisonment in jail for not more than 2 ½ years, or by both such a fine and imprisonment in
6 jail. For the purposes of this section, “police officer” shall mean an employee of a city, town, county, the
7 Commonwealth or the Massachusetts Bay Transportation Authority authorized to make arrest.
8 Any law enforcement agency accepting an allegation of misconduct against a police officer shall require the
9 complainant to read and sign the following information advisory, all in bold-face type:
10 **YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY**
11 **IMPROPER CONDUCT. THIS AGENCY MAY FIND THERE IS NOT ENOUGH EVIDENCE TO**
12 **SUBSTANTIATE YOUR ALLEGATION AND WARRANT ACTION ON YOUR COMPLAINT: EVEN IF**
13 **THIS IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT**
14 **INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY.**
15 **PLEASE BE ADVISED THAT IT IS ILLEGAL TO MAKE A COMPLAINT YOU KNOW TO BE FALSE.**
16 **IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING IT IS FALSE, YOU MAY BE**
17 **PROSECUTED ON A FELONY CHARGE.**
18 **I HAVE READ AND UNDERSTOOD THE ABOVE STATEMENT. I FURTHER REALIZE THIS**
19 **COMPLAINT IS SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.**