

**HOUSE . . . . . No. 1552**

The Commonwealth of Massachusetts

PRESENTED BY:

*Alice Hanlon Peisch*

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 ensuring confidentiality for victims of rape and domestic violence.

PETITION OF:

| NAME:                        | DISTRICT/ADDRESS:            |
|------------------------------|------------------------------|
| <i>Alice Hanlon Peisch</i>   | <i>14th Norfolk</i>          |
| <i>Jason M. Lewis</i>        | <i>31st Middlesex</i>        |
| <i>Kay Khan</i>              | <i>11th Middlesex</i>        |
| <i>Ruth B. Balsler</i>       | <i>12th Middlesex</i>        |
| <i>Martin J. Walsh</i>       | <i>13th Suffolk</i>          |
| <i>Danielle W. Gregoire</i>  | <i>4th Middlesex</i>         |
| <i>Denise Andrews</i>        | <i>2nd Franklin</i>          |
| <i>David Paul Linsky</i>     | <i>5th Middlesex</i>         |
| <i>Sal N. DiDomenico</i>     | <i>Middlesex and Suffolk</i> |
| <i>Ann-Margaret Ferrante</i> | <i>5th Essex</i>             |
| <i>Jonathan Hecht</i>        | <i>29th Middlesex</i>        |
| <i>James J. Dwyer</i>        | <i>30th Middlesex</i>        |
| <i>Denise Provost</i>        | <i>27th Middlesex</i>        |
| <i>Bradley H. Jones, Jr.</i> | <i>20th Middlesex</i>        |
| <i>Carolyn C. Dykema</i>     | <i>8th Middlesex</i>         |
| <i>Linda Dorcena Forry</i>   | <i>12th Suffolk</i>          |
| <i>Daniel B. Winslow</i>     | <i>9th Norfolk</i>           |
| <i>Cory Atkins</i>           | <i>14th Middlesex</i>        |

*Thomas P. Kennedy*  
*Geoff Diehl*

*Second Plymouth and Bristol*  
*7th Plymouth*

**HOUSE . . . . . No. 1552**

By Ms. Peisch of Wellesley, a petition (accompanied by bill, House, No. 1552) of Alice Hanlon Peisch and others relative to ensuring confidentiality for victims of rape and domestic violence. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION

SEE

□ HOUSE  
□ , NO. 2252 OF 2011-2012.]

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act ensuring confidentiality for victims of rape and domestic violence.

*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 97D of chapter 41 of the General Laws, as appearing in the 2010  
2 Official Edition, is hereby amended by striking out said section and inserting in place thereof the  
3 following section:-

4 Section 97D. All reports of rape and sexual assault or attempts to commit such offenses,  
5 all reports of abuse perpetrated by family or household members as defined in G.L. 209A,  
6 section 1, and all conversations between police officers and victims of said offenses and abuse  
7 shall not be public reports and shall be maintained by the police departments in a manner which  
8 will assure their confidentiality, except that all such reports shall be accessible at all reasonable  
9 times to the victim and victim’s attorney, to others specifically authorized by the victim to obtain  
10 such information, and to prosecutors, victim-witness advocates as defined in section 1 of chapter  
11 258B, domestic violence victim’s counselors as defined in section 20K of chapter 233, sexual  
12 assault counselors as defined in section 20J of chapter 233, and to other law enforcement  
13 officers, if such access is necessary in the performance of their duties. Conversations between  
14 police officers and victims of said offenses and abuse may also be shared with the forgoing  
15 named persons if such access is necessary in the performance of their duties.

16           Whoever violates any provision of this section shall be punished by imprisonment for not  
17 more than one year or by a fine of not more than one thousand dollars, or both.

18           SECTION 2. Section 98F of chapter 41 of the General Laws, as appearing in the 2010  
19 Official Edition, is hereby amended by striking out said section and inserting in place thereof the  
20 following section:-

21           Section 98F. Each police department and each college or university to which officers  
22 have been appointed pursuant to the provisions of section sixty-three of chapter twenty-two C  
23 shall make, keep and maintain a daily log, written in a form that can be easily understood,  
24 recording, in chronological order, all responses to valid complaints received, crimes reported, the  
25 names, addresses of persons arrested and the charges against such persons arrested. All entries in  
26 said daily logs shall, unless otherwise provided in law, be public records available without  
27 charge to the public during regular business hours and at all other reasonable times; provided,  
28 however, that any entry in a log which pertains to a handicapped individual who is physically or  
29 mentally incapacitated to the degree that said person is confined to a wheelchair or is bedridden  
30 or requires the use of a device designed to provide said person with mobility, any information  
31 concerning responses to reports of domestic violence, rape or sexual assault, or any entry  
32 concerning the arrest of a person for assault, assault and battery, or violation of a protective order  
33 where the victim is a family or household member, as defined in G.L. 209A, section 1, shall be  
34 kept in a separate log and shall not be a public record nor shall such entry be disclosed to the  
35 public.