

SENATE No. 1077

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 improving protections relative to domestic violence.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Michael O. Moore	Second Worcester	
Susannah M. Whipps	2nd Franklin	1/25/2023
Jack Patrick Lewis	7th Middlesex	1/26/2023
Rebecca L. Rausch	Norfolk, Worcester and Middlesex	2/8/2023
Jason M. Lewis	Fifth Middlesex	2/8/2023
James K. Hawkins	2nd Bristol	2/8/2023
Walter F. Timilty	Norfolk, Plymouth and Bristol	2/13/2023
Patrick M. O'Connor	First Plymouth and Norfolk	2/13/2023
Anne M. Gobi	Worcester and Hampshire	2/22/2023
Joanne M. Comerford	Hampshire, Franklin and Worcester	2/28/2023
Paul R. Feeney	Bristol and Norfolk	3/2/2023
Steven George Xiarhos	5th Barnstable	3/9/2023

SENATE No. 1077

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1077) of Michael O. Moore, Susannah M. Whipps, Jack Patrick Lewis, Rebecca L. Rausch and other members of the General Court for legislation to improve protections relative to domestic violence. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1112 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act improving protections relative to 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. For the purposes of this section, the following words shall have the
2 following meanings:

3 “Coercive control,” a pattern of conduct that has the purpose or effect of substantially
4 restricting an individual’s safety or autonomy through intimidation, isolation, implicit or explicit
5 threats, or by compelling compliance. Conduct undertaken by an individual to protect themselves
6 or their children from the risk of present or future harm does not constitute coercive control.

7 Examples of coercive control include:

8 (i) Isolating the other parent from friends, relatives, faith cultural, or linguistic
9 communities, employment, education, or other supporting networks;

10 (ii) Repeatedly humiliating or using degrading language or behaviors towards the
11 petitioner;

12 (iii) Controlling, regulating, or monitoring the individual's activities, communications,
13 movements, finances, economic resources, or access to resources;

14 (iv) Threatening to harm, abduct or kill the individual or a child or relative of the
15 individual;

16 (v) Threatening to publish information or make false reports to the police or the
17 authorities;

18 (vi) Damaging property or household goods; and

19 (vii) Forcing the individual to take part in criminal activity;

20 (viii) Committing or threatening to commit cruelty or abuse to animals connected to the
21 family;

22 (xi) using repeated court actions not warranted by existing law or good faith argument to
23 harass, coerce, or control the other party, diminish or exhaust the other party's financial
24 resources, or compromise th other party's employment or housing;

25 (x) cleaning, accessing, displaying, using or wearing a firearm in an intimidating or
26 threatening manner; and

27 (xi) threatening deportation or to contact federal agencies based on actual or perceived
28 immigration status, refusing to file immigration applications, refusing to sponsor, withholding
29 essential documents needed for immigration applications, or threatening to withdraw

30 immigration applications filed on the other parent or child’s behalf or coercing or forcing the
31 other parent to violate the terms of their immigration visa.

32 “Technological abuse”, an act or pattern of behavior intended to harm, threaten,
33 intimidate, control, stalk, harass, impersonate, exploit, or extort, such as cyberstalking or other
34 forms of electronic monitoring or surveillance, nonconsensual sharing of explicit images, or
35 impersonation. Technological abuse can utilize any form of technology, including but not limited
36 to Internet, social networking sites, computers, mobile devices, cellular telephones, apps,
37 location tracking devices, instant messages, text messages, and other forms of technology.

38 SECTION 2. Section 1 of chapter 209A as appearing in the 2020 Official Edition, is
39 hereby amended, by striking the definition of “abuse” and inserting in place thereof the
40 following definition:-

41 “Abuse”, the occurrence of one or more of the following acts between family or
42 household members:

- 43 (a) Attempting to cause or causing physical harm;
- 44 (b) Placing another in fear of imminent serious physical harm;
- 45 (c) Causing another to engage involuntarily in sexual relations by force, threat or duress;
- 46 (d) Coercive control
- 47 (e) Technological abuse

48 SECTION 3. The fourth sentence of section 63 of chapter 277, as appearing in the 2020
49 Official Edition, is hereby amended by inserting after the word “sections”, in line 13, the
50 following language:- 13A, 13M,.