

HOUSE No. 75

By Mr. Ayers of Quincy, petition of Bruce J. Ayers for legislation to establish penalties for the filing of false reports against police officers. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

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 Chapter 268 of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by inserting after section 32B
3 the following new section:—

4 Section 32C. Every person who files any allegation of miscon-
5 duct against any police officer, knowing the report to be false,
6 shall be punished by imprisonment in the state prison for not more
7 than twenty years or by a fine of not more than \$1000 or by
8 imprisonment in jail for not more than 2½ years, or by both such a
9 fine and imprisonment in jail. For the purposes of this section,
10 “police officer” shall mean an employee of a city, town, county,
11 the Commonwealth or the Massachusetts Bay Transportation
12 Authority authorized to make arrest.

13 Any law enforcement agency accepting an allegation of mis-
14 conduct against a police officer shall require the complainant to
15 read and sign the following information advisory, all in bold-face
16 type:

17 **YOU HAVE THE RIGHT TO MAKE A COMPLAINT**
18 **AGAINST A POLICE OFFICER FOR ANY IMPROPER**
19 **CONDUCT. THIS AGENCY MAY FIND THERE IS NOT**
20 **ENOUGH EVIDENCE TO SUBSTANTIATE YOUR ALLE-**
21 **GATION AND WARRANT ACTION ON YOUR COM-**
22 **PLAINT: EVEN IF THIS IS THE CASE, YOU HAVE THE**
23 **RIGHT TO MAKE THE COMPLAINT AND HAVE IT**
24 **INVESTIGATED IF YOU BELIEVE AN OFFICER**
25 **BEHAVED IMPROPERLY.**

26 PLEASE BE ADVISED THAT IT IS ILLEGAL TO MAKE
27 A COMPLAINT YOU KNOW TO BE FALSE. IF YOU
28 MAKE A COMPLAINT AGAINST AN OFFICER
29 KNOWING IT IS FALSE, YOU MAY BE PROSECUTED ON
30 A FELONY CHARGE.

31 I HAVE READ AND UNDERSTOOD THE ABOVE
32 STATEMENT. I FURTHER REALIZE THIS COMPLAINT
33 IS SIGNED UNDER THE PAINS AND PENALTIES OF PER-
34 JURY.

35 _____
36 COMPLAINANT.