

HOUSE No. 1579

By Mr. Linsky of Natick, petition of David Paul Linsky and others requiring the inclusion of certain civil rights offense information in the statewide domestic violence record keeping system. The Judiciary.

The Commonwealth of Massachusetts

PETITION OF:

| | |
|------------------------|----------------------|
| David Paul Linsky | Martha M. Walz |
| Matthew C. Patrick | Douglas W. Petersen |
| Barbara A. L'Italien | Alice K. Wolf |
| Timothy J. Toomey, Jr. | Anthony J. Verga |
| Frank I. Smizik | Louis L. Kafka |
| John W. Scibak | Joseph R. Driscoll |
| Ruth B. Balsler | Alice Hanlon Peisch |
| John V. Fernandes | Jennifer M. Callahan |
| William Lantigua | |

In the Year Two Thousand and Seven.

AN ACT REQUIRING THE INCLUSION OF CERTAIN CIVIL RIGHTS OFFENSE INFORMATION IN THE STATEWIDE DOMESTIC VIOLENCE RECORD-KEEPING SYSTEM.

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. The commissioner of probation is hereby authorized
2 and directed to include any injunction issued, whether a temporary,
3 preliminary, permanent or final injunction, pursuant to sections 11H
4 or section 11I of chapter 12, or section 127B of chapter 266, in the
5 statewide domestic violence record keeping system created pursuant
6 to St. 1992, c. 188 § 7. Such information shall be made available to
7 judges considering the issuance of any injunction pursuant to
8 sections 11H or 12I of chapter 12, or section 127B of chapter 266.
9 Further, such information shall be made available to criminal justice
10 agencies through the criminal justice information system maintained
11 by the executive office of public safety.

1 SECTION 2. Section 11H of chapter 12 of the General Laws, as
2 appearing in the 2000 Official Edition, is hereby amended by
3 inserting after the second sentence the following sentences:—

4 Upon issuance of an injunction, whether a final injunctive order,
5 or a temporary, preliminary, or permanent injunction, as provided in
6 this section, the clerk shall transmit a certified copy of such order to
7 the commissioner of probation for entry into the statewide domestic
8 violence record keeping system. The Attorney General shall
9 transmit to the commissioner of probation a certified copy of each
10 order obtained under this section that is in effect on the effective
11 date of this amendment, for entry into the statewide domestic
12 violence record keeping system.

1 SECTION 3. Section 11I of chapter 12 of the General Laws, as
2 appearing in the 2000 Official Edition, is hereby amended by
3 inserting after the second sentence the following sentence:—

4 Upon issuance of an injunction, whether a final injunctive order,
5 or a temporary, preliminary, or permanent injunction, as provided in
6 this section, the clerk shall transmit a certified copy of such order to
7 the commissioner of probation for entry into the statewide domestic
8 violence record keeping system.

1 SECTION 4. Section 127B of chapter 266 of the General Laws,
2 as appearing in the 2000 Official Edition, is hereby amended by
3 inserting after the last sentence of the first paragraph, the following
4 sentence: Upon issuance of an injunction, whether a final injunctive
5 order, or a temporary, preliminary, or permanent injunction, as
6 provided in this section, the clerk shall transmit a certified copy of
7 such order to the commissioner of probation for entry into the
8 statewide domestic violence record keeping system.