

An Act to Prevent Harassment

SB

Senator Pamela Resor (D – Middlesex and Worcester)
Representative Peter J. Koutoujian (D – Tenth Middlesex)

General Summary of the Act

The act would establish a criminally enforceable Harassment Protection Order.

Relevant Specifics of the Act

Specifically An Act to Prevent Harassment would amend chapter M.G.L. c. 265 (Crimes Against the Person) by:

Proposing that any person who is a victim of harassment, (defined as the occurrence of one or more of the following: (a) willfully and maliciously engaging in conduct or acts directed at a specific person, which seriously alarms that person and would cause a reasonable person to suffer emotional distress; or (b) causing another to engage involuntarily in sexual conduct; or (c) causing another to engage involuntarily in sexual conduct by force, threat, or duress, included but not limited to, incapacitation through chemical restraint, drugs or intoxication; or (d) engaging in the enticement of a child under the age of 16 under the provisions of chapter 265 section 26C of the Massachusetts General Laws). Such protection is not conditioned on the victim's reporting of the crime. Additionally, all orders under the proposed statute will also be filed in the statewide domestic violence record keeping system. The legislation identifies the remedies as ordering the respondent to refrain from harassing the petitioner; ordering the respondent to refrain from contacting the petitioner; ordering the respondent to stay away from the petitioner; and ordering the respondent to pay the petitioner monetary compensation for losses suffered as a direct result of the harassment. It establishes that records of cases arising under an action brought under these provisions shall be withheld from public inspection except by order of the court where the petitioner or respondent is a minor. It establishes that the petitioner's residential and workplace information be withheld from public inspection at all times, except by order of the court.

Current Status

This bill is waiting assignment to a committee.