



## The Commonwealth of Massachusetts

MASSACHUSETTS SENATE

OFFICE OF THE MAJORITY WHIP

**SENATOR KAREN E. SPILKA**

MAJORITY WHIP

*Second Middlesex and Norfolk District*

STATE HOUSE, ROOM 320  
BOSTON, MA 02133-1053

TEL. (617) 722-1640

FAX (617) 722-1077

[KAREN.SPILKA@MASENATE.GOV](mailto:KAREN.SPILKA@MASENATE.GOV)

[WWW.MASENATE.GOV](http://WWW.MASENATE.GOV)

### **AN ACT RELATIVE TO DOMESTIC VIOLENCE**

#### *Conference Committee Report*

*The conference committee report is a comprehensive series of reforms to protect victims and increase awareness of domestic and sexual violence by:*

- Increasing training and education regarding domestic violence
- Creating new domestic violence specific crimes and increase protections for victims of domestic violence
- Providing greater services for victims of domestic violence
- Adjusting the bail statutes for those arrested for domestic violence violations

#### **Domestic Violence Training, Education and Services**

- Establishes employment leave for domestic violence victims, providing up to 15 days of leave for employees to address issue related to domestic violence and providing a private right of action for employees against an employer who violates the DV leave laws
- Requires domestic violence training for:
  - The municipal police, subject to appropriation
  - District attorneys
  - Trial court personnel
  - Medical professionals
- Requires DESE to provide instruction and educational materials on the issues of domestic violence and teen dating violence
- Establishes a special commission to examine housing and shelter options available to victims of domestic violence
- Requires the executive office of public safety and security to file a report on domestic violence statistics

### **Domestic Violence Specific Crimes and Stronger Protections**

- Creates the first offense of assault and battery on a family member and requires violators to complete a certified batterer's intervention program
- Creates new crime of strangulation and suffocation, with increased penalties in certain circumstances
- Prohibits the use of accord and satisfaction agreement in domestic violence cases
- Prohibits the court from granting visitation right to a parent convicted of rape, except if the court deems visitation is in the best interest of the child
- Increases the confidentiality for domestic violence victims by making police records in domestic violence cases unavailable to the public
- Removes the FID requirement for obtaining defensive sprays for most individuals over the age of 18 and for persons who are at least 15 years of age with parent permission
- The bill also increases information available to law enforcement and the courts provided through the domestic violence record keeping system and an individual's Criminal Offender Record Information (CORI)

### **Changes to the Bail Statutes**

- Creates a 6-hour delay in admitting a person to bail for any person arrested for domestic violence to allow for a "cooling off" period and time for law enforcement to fully review an individual's record
- Changes to dangerous hearing under 58A that provide greater protection to victims of domestic violence