

By Mr. Fishman of Newton, petition of Gerald A. Berlin for legislation to make certain evidentiary changes in the proof or defense of actions for false arrest. The Judiciary.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy.

AN ACT MAKING CERTAIN EVIDENTIARY CHANGES IN THE PROOF OR DEFENSE OF ACTIONS FOR FALSE ARREST.

*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. Section 94A of chapter 231 of the General Laws  
2 is hereby amended by adding the following sentence at the  
3 end thereof:—There shall be no presumption of false arrest  
4 or imprisonment from the fact that a release from custody  
5 was given prior to arraignment.

1 SECTION 2. Chapter 276 of the General Laws is hereby  
2 amended by adding after section 33A thereof the following  
3 new section:—

4 *Section 33B.* Any release, covenant not to sue or instru-  
5 ment of like effect executed by any person while under arrest  
6 or simultaneously with his release therefrom in favor of any  
7 officer or officers in connection with the arrest or imprison-  
8 ment of such person shall be no defense to an action for false  
9 arrest or false imprisonment, provided, however, that the  
10 procedures stated in chapter two hundred and seventy-two,  
11 section forty-five shall not be modified by this section.

to Mr. Tolson or Assistant Attorney General or their successors in office to cause to be made a study of the laws relating to the subject of the subject.

The Constitutionality of Espionage

In the Year One Thousand Nine Hundred and Twenty

THE HOUSE OF REPRESENTATIVES

General Court assembled and by the authority of the same as follows:

Section 1. Section 237 of Chapter 93A of the General Laws is hereby amended by adding the following words as the 2nd sentence—There shall be no punishment in this case if the defendant from the fact that a person has committed a crime given proof in mitigation.

Section 2. Chapter 93A of the General Laws is hereby amended by adding after section 237 the following:

Section 238. Any person, corporation or firm or partnership in this State excluded by any person with an intent to or in connection with his business in this State or otherwise or officers in connection with the same or business of such person shall be no defense in an action for damages or false imprisonment, provided however, that the provisions stated in chapter two hundred and twenty-two of the General Laws shall not be modified by this section.