

HOUSE No. 2119

By Mr. Hannon of Lee, petition of James E. Hannon that illegally obtained evidence be inadmissible in civil or criminal actions. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Nine.

AN ACT PROVIDING THAT EVIDENCE ILLEGALLY OBTAINED
SHALL NOT BE COMPETENT IN EVIDENCE.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

- 1 In all actions, civil or criminal, no evidence shall be
- 2 competent that was obtained through illegal means,
- 3 any evidence shall be presumed to have been legally
- 4 obtained, the fact that it was not shall be an affirmative
- 5 defense to be set up and proved by the defendant.

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