

By Representatives Gray of Framingham and Johnston of Marshfield, petition of Barbara E. Gray and Philip W. Johnston for legislation to establish rape or battered person reporting and prosecution units within the police department of the cities and towns in the Commonwealth. Public Safety.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT ESTABLISHING RAPE OR BATTERED PERSON REPORTING AND PROSECUTION UNITS.

*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 97B, 97C and 97D of chapter 41 of the General Laws, as  
2 established by section 3 of chapter 581 of the acts of 1974, are  
3 hereby amended by striking out said sections and inserting in place  
4 thereof the following new section: —

5 *Section 97B.* There shall be within the police department of  
6 every city and town, or groupings of cities and towns with the  
7 approval of the secretary of the executive office of public safety, a  
8 rape or battered person reporting and prosecution unit which shall  
9 be designed to improve the quality of rape and battered person  
10 reporting, counseling, and prosecution. Said units shall consist of  
11 police investigators who shall have completed a course of training  
12 in the counseling of victims of rape or battering; the reporting of a  
13 case of physical or emotional injury to a child to the department of  
14 public welfare in accordance with the provisions of section fifty-  
15 one A of chapter one hundred and nineteen of the General Laws;  
16 and the prosecution of alleged perpetrators of the crime of rape or  
17 battery which shall be approved and funded by the Massachusetts  
18 criminal justice training council established by section one  
19 hundred and sixteen of chapter six. Each department shall make  
20 efforts to employ women police officers to serve in said units. Each  
21 unit shall in addition make use of such counselors, social workers,

22 attorneys, and medical personnel as are necessary to provide a  
23 broad range of therapeutic services for victims of rape or battering.

24 For the purposes of this section and sections ninety-seven C and  
25 ninety-seven D, a "battered person" shall mean: (1) a person who is  
26 the victim of an incidence of domestic violence; or (2) a person less  
27 than eighteen years of age who is suffering serious physical or  
28 emotional injury resulting from abuse inflicted upon said person,  
29 or from neglect, including malnutrition.

30 *Section 97C.* Each rape or battered person reporting and  
31 prosecution unit shall, in addition to the services provided in  
32 ninety-seven B, establish a special telephone exchange for the  
33 reporting of rape or battered persons which may be utilized at any  
34 hour of day or night and shall widely publicize this number and  
35 information concerning the activities of the unit throughout the  
36 city or town.

37 *Section 97D.* All reports of rape, sexual assault, battering of a  
38 person, or attempts to commit such offenses, and all conversations  
39 between police officers and victims of said offenses shall not be  
40 public reports and shall be maintained by the police departments in  
41 a manner which will assure their confidentiality. Whoever violates  
42 any provision of this section shall be punished by imprisonment  
43 for not more than one year or by a fine of not more than one  
44 thousand dollars, or both.