

By Mr. Tarr, a petition (accompanied by proposal, Senate, No. 915) of Bruce E. Tarr for a legislative amendment to the Constitution relative to certain defective warrants in the course of a search and seizure operation. The Judiciary.

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**The Commonwealth of Massachusetts**

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

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PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION  
RELATIVE TO SEARCH AND SEIZURE.

1 A majority of all the members elected to the Senate and House  
2 of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following  
3 Article of Amendment, to the end that it may become a part of the  
4 Constitution [if similarly agreed to in a joint session of the next  
5 General Court and approved by the people at the state election  
6 next following]:

8 **ARTICLE OF AMENDMENT.**

9 Article XIV of Part One of the Constitution is hereby amended  
10 by inserting after the word "laws" in the last sentence, the following:— " , except when it is deemed exigent circumstances existed  
11 and with it the possibility of the destruction of evidence or when a  
12 search warrant has been issued to seize the material evidence of a  
13 crime and such warrant is later found to have some invalidating  
14 defect and the officer acted with just cause and in good faith".

