

By Mr. Murphy of Burlington, petition of Charles A. Murphy and Gale D. Candaras relative to batterer's intervention programs. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

AN ACT RELATIVE TO BATTERER'S INTERVENTION PROGRAMS.

*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 3 of chapter 209A of the General Laws is  
2 hereby amended by striking the first sentence of subsection (i) and  
3 replacing it with: "(i) the judge may recommend to the defendant  
4 that the defendant attend a batterer's intervention program that is  
5 certified by the Department of Public Health."

1 SECTION 2. Section 7 of chapter 209A of the General Laws is  
2 hereby amended by striking paragraph 5, second sentence and  
3 replacing it with: "For any violation of a criminally-enforceable  
4 provision of such order, the court shall order the defendant to  
5 complete a certified batterer's intervention program, unless, upon  
6 good cause shown, the court issues specific written findings  
7 describing the reasons that batterer's intervention should not be  
8 ordered, or unless the batterer's intervention program deems that  
9 the defendant is not suitable for intervention. The court shall not  
10 order substance abuse or anger management treatment, or any  
11 other form of treatment, as a substitute for certified batterer's  
12 intervention."

