

HOUSE No. 1587

By Mr. O'Flaherty of Chelsea, a petition (accompanied by bill, House, No. 1587) of Eugene L. O'Flaherty and others relative to the victims of violent crime. The Judiciary.

The Commonwealth of Massachusetts

PRESENTED BY:

Eugene L. O'Flaherty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the victims of violent crime.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Eugene L. O'Flaherty	2nd Suffolk
Attorney General Martha Coakley	
Barry R. Finegold	17th Essex
Frederick E. Berry	Second Essex
Gale D. Candaras	First Hampden and Hampshire
Thomas P. Kennedy	Second Plymouth and Bristol
Peter J. Koutoujian	10th Middlesex
Louis L. Kafka	8th Norfolk
Mary E. Grant	6th Essex
Christine E. Canavan	10th Plymouth
Robert F. Fennell	10th Essex
John D. Keenan	7th Essex
Kevin G. Honan	17th Suffolk
Richard J. Ross	9th Norfolk
Stephen M. Brewer	Worcester, Hampden, Hampshire and Franklin
Joan M. Menard	First Bristol and Plymouth
Katherine Clark	32nd Middlesex
Thomas M. McGee	Third Essex and Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE VICTIMS OF VIOLENT CRIME.

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1 **SECTION 1.** Section 2(f) of chapter 258C of the General Laws is hereby repealed.

2 **SECTION 2.** Section 3(b) of chapter 258C of the General Laws, as appearing in the 2006
3 Official Edition, is hereby amended by striking out subsection 1 in its entirety inserting in place
4 thereof the following paragraphs:-

5 (1)(A) The maximum award or compensation for funeral and burial expenses shall be
6 \$6,500. A legal guardian, dependent or other family member of the victim or a person
7 who actually incurs funeral and burial expenses directly related to the death of a victim
8 shall be eligible for compensation for such funeral and burial expenses.

9 (B) The maximum award or compensation for expenses other than funeral and burial
10 expenses associated with the interment of a victim whose death is the direct result of a
11 crime shall be \$800. For purposes of this subsection compensable expenses shall include,
12 but not be limited to, transportation of the victim to the location of interment; travel of a
13 legal guardian or family member to accompany the victim to the location of interment;
14 memorial markers at the location of interment or other associated expenses as determined
15 by the program director in accordance with section 4 of this chapter.

16 **SECTION 3.** Section 3(b)(2)(A) of chapter 258C of the General Laws, as so appearing, is
17 hereby amended, in lines 22 and 25, by striking out the word "F," and inserting in place thereof
18 the following word:- G.

19 **SECTION 4.** Section 3(b)(2)(C) of chapter 258C of the General Laws, as so appearing, is
20 hereby amended, in line 40, by inserting after the word "victim," the following words:- parent or
21 legal guardian of a victim who is a minor in accordance with section 4 of this chapter.

22 **SECTION 5.** Section 3(b)(2) of chapter 258C of the General Laws, as so appearing, is hereby
23 amended by inserting, after the last paragraph, the following subsections:-

24 Expenses incurred for professional crime scene clean up services necessary as the direct
25 result of the commission of a crime at a private residence or in a motor vehicle that is
26 owned or leased by a victim, family member or other dependent shall be compensable in
27 accordance with this chapter, provided, however, that the maximum amount of
28 compensation shall not exceed \$1,500. For purposes of this section, "crime scene clean
29 up" shall mean the removal of, or the attempted removal of, blood or other stains that are
30 the direct result of the commission of a crime or other dirt and debris caused by the
31 processing of the crime scene, but shall not include the replacement or repair of property
32 damaged during the commission of the crime, in accordance with section 4 of this
33 chapter.

34 A victim shall be eligible for compensation for the reasonable replacement costs of
35 clothing and bedding seized as evidence or rendered unusable as the result of a criminal
36 investigation that is the direct result of a crime provided, however, that the maximum
37 compensable amount shall not exceed \$250.

38 A victim, or a family member residing with the victim at the time a crime is committed,
39 shall be eligible for compensation for the costs associated with the implementation of
40 security measures, provided, however, that the maximum compensable amount shall not
41 exceed \$500. For purposes of this section, "security measures" shall mean the
42 replacement, repair or installation of locks, windows or other security devices deemed to
43 be reasonably necessary for the promotion of the victim's safety by the program director
44 after taking into consideration the nature of the crime in accordance with section 4 of this
45 chapter.

46 **SECTION 6.** Section 8 of chapter 258C, as so appearing, is hereby amended, in line 1, by
47 striking out the word "fifteen," and inserting in place thereof the following word:- 20.

48 **SECTION 7.** Section 8 of chapter 258C, as so appearing, is hereby further amended, in line 12,
49 by striking out the word "twenty," and inserting in place thereof the following word:- 30.

50 **SECTION 8.** Section 9 of chapter 258C, as so appearing, is hereby amended by striking out, in
51 line 7, the word "twenty," and inserting in place thereof the following word:- 30.

52 **SECTION 9.** Section 10 of chapter 258C of the General Laws, as so appearing, is hereby
53 amended by inserting, in line 6, after the word "insurance," the following words:- including, but
54 not limited to, homeowner's insurance, renter's insurance, automobile insurance.