

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1053

Anne M. Gobi
STATE REPRESENTATIVE
5th Worcester District

Tel. (617) 722-2210
Fax (617) 722-2239
E-Mail: Anne.Gobi@mahouse.gov

PRESS RELEASE

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CONTACT: Brian Ferrarese

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PHONE: 617-722-2210

Rep. Gobi (D-Spencer) Helps Pass Comprehensive Domestic Violence Legislation

Will close loopholes in current law and create innovative approaches to end the cycle of domestic violence

(BOSTON) – Representative Anne Gobi (D- Spencer) joined her colleagues in the House last week to pass comprehensive domestic violence legislation which creates new criminal offenses and elevated penalties, boosts prevention efforts and seeks to empower victims.

The legislation establishes a first offense domestic assault and battery charge that will allow officials to immediately identify an offender who has a history of domestic violence and take appropriate punitive action. As a result, a second offense charge of domestic violence will include cases in which a first offense had resulted in probation or a continuance without a finding. The bill also creates a specific charge of strangulation and suffocation, actions that statistically indicate an abuser is more likely to commit domestic violence related homicide in the future.

The bill provides enhanced resources to help balance prevention and punishment. By standardizing records and mandating that they are shared across jurisdictions, the legislation ensures key decision-makers have the most accurate information and that parties have access to an offender's complete history.

The bill abolishes the antiquated practice of allowing accord and satisfaction, a practice in which parties agree to a private financial settlement, in domestic violence cases and establishes the below crimes:

- Domestic assault or domestic assault and battery near a court house;

- Domestic assault or domestic assault and battery with the intent to intimidate or prevent access to courts.

In an effort to consistently improve prevention efforts the legislation establishes enhanced training programs and creates Domestic Fatality Review Teams which will investigate domestic violence related fatalities. The state-level review teams will serve as a tool to help officials understand any shortcomings present in current protocol.

The bill also includes the following provisions:

- Delays bail for offenders to provide the victim with time for safety planning and authorizes the revocation bail in certain cases;
- Establishes employment leave for victims of domestic violence;
- Establishes fees for domestic violence offenses. These will be invested in the newly created Domestic Violence Prevention and Victim Assistance fund;
- Broadens court authorization related to custody and support orders;
- Requires law enforcement agencies to provide information on batterer's intervention to defendants when serving them with a Chapter 209A restraining order.

The legislation also promotes innovative approaches such as multi-disciplinary high risk teams and a grants program to provide assistance to victims of domestic violence. The bill passed the House unanimously.

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