
AN ACT IMPROVING PROTECTIONS RELATIVE TO DOMESTIC VIOLENCE / AN ACT TO IMPROVE PROTECTIONS RELATIVE TO DOMESTIC VIOLENCE

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BILL #S.1112 AND #H.1643

MASSACHUSETTS MUST PASS A LAW THAT EXTENDS THE STATUTE OF LIMITATIONS IN DOMESTIC VIOLENCE CASES.

Statute of limitation laws establish the window of time to prosecute an alleged perpetrator of a crime and vary by state. The current statute of limitation for domestic violence crimes in Massachusetts is six years, meaning that the victim of domestic violence must report their abuse and pursue a lawsuit within six years of the crime or the opportunity is forever lost.

A U.S. Department of Justice Special Report states that victims generally do not report their initial intimate partner victimization, and typically suffer multiple assaults or related victimizations before they contact any authority. Many survivors fear for their lives due to threats and coercion from their perpetrators, and it can be years before a victim feels safe enough to come forward. Additionally, while numerous victims with PTSD develop symptoms within three months of their trauma, many will not notice symptoms until years after, when many survivors can no longer seek justice.

This legislation, known as the Phoenix Act, originated in California and became law in 2020, with many more states following suit. In addition to extending the statute of limitations for domestic violence cases from six to fifteen years, it also adds “technological abuse” (abusive behavior occurring via the Internet and other forms of technology) as well as “coercive control” (intimidating or humiliating behavior designed to further the imbalance of power within the relationship) to M.G.L. Ch. 209A.

AT A GLANCE...

- ⇒ 2 states included coercive control in their statutory definition of domestic violence prior to the Phoenix Act
- ⇒ 4 states have already passed Phoenix Act provisions
- ⇒ 10 states have proposed Phoenix Act provisions
- ⇒ 1 state has proposed further judicial training on coercive control



- **More than 1 in 3 women and 1 in 4 men have experienced rape, physical violence, or stalking by an intimate partner**

- 1 in 5 female high school students report being physically or sexually assaulted by a dating partner
- Many of those who commit domestic violence were themselves abused
- Without resources or any intervention, many perpetrators of domestic violence will abuse multiple partners

- **An estimated 33,000 people are reported to be affected by domestic violence in Massachusetts**

- Domestic violence costs the United States \$460 billion annually
- Assuming a conservative number of 30,000 cases in Massachusetts, the total cost to our state is \$2,760,000,000

- **16 other states have already passed or proposed current-session legislation containing Phoenix Act provisions**