

# Massachusetts Judiciary Committee Advances Revenge Porn Bill

After lawmakers failed to push a bill to punish “revenge porn” over the finish line last year, a new bill favorably reported out of the Judiciary Committee on Tuesday seeks to crack down on distribution of sexually explicit content without the subject’s consent.

Disseminating nude photos of another person without permission would be considered criminal harassment under the legislation, and offenders could face up to two and a half years in prison or a fine of \$10,000.

The committee-formed legislation combines aspects of a number of bills that were before Sen. Jamie Eldridge and Rep. Michael Day’s committee, and was passed along to the House Ways and Means Committee with their stamp of approval.

The bill meant to “prevent abuse and exploitation” (H 4115) also deals with sexting, coercive control and criminal harassment.

It would increase the fine for “willfully and maliciously” engaging in a “knowing pattern of conduct or series of acts over a period of time directed at a specific person, which seriously alarms that person” from \$1,000 to \$5,000.

And distributing sexually explicit material of another person without their consent, when doing so is meant to harass, harm or threaten the person and causes them mental or physical harm (so-called “revenge porn”), could be punished with imprisonment in a house of correction for up to two and a half years or a fine of \$10,000.

On a second offense, the punishment can go up to 10 years in state prison or a fine of \$15,000.

The Judiciary Committee bill also makes clear that “a person’s consent to the creation of visual material shall not constitute consent to the distribution of the visual material.”

Survivors and victims’ rights advocates warn that revenge porn has grown increasingly common in the digital age, subjecting people – particularly women – to social and emotional harm often inflicted by former romantic partners.

Lawmakers tried to crack down on revenge porn last year, but senators didn’t leave themselves enough time in the end-of-session push to close a loophole in state law that makes prosecution of revenge porn cases nearly impossible. Part of the problem, reform advocates say, is a 2005 Supreme Judicial Court ruling that made it difficult for prosecutors to pursue charges unless three or more incidents took place.

Supporters said during last year’s debate that 48 other states have clear laws on the books banning revenge porn, but not Massachusetts.

The legislation was a priority for former Gov. Charlie Baker and Lt. Gov. Karyn Polito, who pressed lawmakers for several years to pass legislation to punish the nonconsensual spread of someone else’s nude photos or videos.

“We’re one of only two states in the country in which it’s not a crime to make publicly available on the internet pictures that you take of somebody when you had their permission to do so,” Baker said during a GBH News radio interview last year. “If you’ve ever heard women talk about what this does to them, you’d understand why it’s a crime in 48 states and you would not understand why it’s not a crime in Massachusetts.”

The House unanimously passed a similar teen sexting and

revenge porn bill in May of 2022, but senators didn't take it up until the last days of December. With only about a week to get the legislation through their chamber, the bill died at the early January end of session without action taken on it.

In addition to addressing revenge porn, the bill would require the attorney general, Department of Elementary and Secondary Education, Department of Youth Services and the state's district attorneys to develop an "educational diversion program" to warn minors of the legal consequences of "sexting," or sending nude photos and sexually explicit content over text.

This program would be given to school districts to use in educational materials on the topic.

The curriculum would also seek to show young people the non-legal consequences of sexting: "the effect on relationships, loss of educational and employment opportunities, and removal, exclusion or expulsion from school programs and extracurricular activities... how the unique characteristics of the internet can produce long-term and unforeseen consequences for sexting and posting sexual images online, including the impact on health relationships and risk of trafficking... and the connection between bullying and cyber-bullying, sexual assault and dating violence and juveniles sexting or posting sexual images."

Minors who break the law, by distributing nude photos of someone else without their consent, could be punished by a commitment to the Department of Youth Services, under the new bill. They would not, however, have to register as a sex offender.

The legislation also adds "coercive control" to the definition of "abuse" in state law – which includes non-physical forms of abuse by family or household members, such as financial, technological and emotional abuse.

It would also extend the statute of limitations for assault and battery on a family or household member, or against someone with an active protective order against the perpetrator, from six years to 15 years.

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## **Arrest made after man stabbed at downtown New Bedford bus station**

On Friday, October 6th a man was stabbed at the downtown New Bedford SERTTA bus station. Police have since arrested the suspect, Derek Wiggins, 51, of New Bedford and released the following statement on the situation:

*NEW BEDFORD – Patrol officers have arrested a man for assaulting another with a knife in the downtown sector.*

On October 6th, at approximately 1 PM, west-end patrol units were dispatched to the SERTTA bus terminal regarding a stabbing victim. Upon arrival, Ofc. Christopher Cotter located an adult male who had sustained injuries from a knife.

The victim stated that he had exchanged words with another man before being lunged at and attacked. He then realized that he had been stabbed. The victim was transported to the hospital for treatment and is expected to recover.

Viewing surveillance video of the incident, Ofc. Cotter was able to identify the suspect as Mr. DEREK WIGGINS, 51, of New Bedford. WIGGINS was located later in the afternoon by Sgt. Shane Ramos and was found to be in possession of a pocket knife. WIGGINS was taken into custody and charged with assault

and battery, as well as assault and battery by means of a dangerous weapon.

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## **Man wanted after dragging New Bedford police officer in fleeing stolen vehicle**

NEW BEDFORD – A New Bedford police officer was dragged by a stolen motor vehicle he had just stopped in the city's south end.

On October 6th, at around 1:30 PM, Ofc. James Marinelli spotted a vehicle that had been reported stolen while traveling on Route 18 South. He conducted a traffic stop of the vehicle near the Conway St. intersection. He approached the operator who was later identified as Mrs. KENDRA BLACKLER, 38. Seated beside KENDRA, was her husband, Mr. TODD BLACKLER, 50.

SUSAN exited the vehicle to speak with Ofc. Marinelli on the nearby sidewalk when he suddenly observed TODD moving into the driver's seat. Ofc. Marinelli quickly returned to the driver's side door to secure him. A brief struggle ensued during which TODD shifted into drive and accelerated forward, causing Ofc. Marinelli to be dragged alongside the vehicle for an estimated 90 feet. The vehicle then successfully fled the scene. It was later discovered, abandoned in a nearby south-end neighborhood.

Fortunately, Ofc. Marinelli received only minor injuries for which he was treated shortly thereafter. KENDRA had tried to flee the scene on foot but was taken into custody a short

distance away from the scene of the stop. She is charged with larceny of a motor vehicle and failing to stop for police. TODD was found to have active warrants for his arrest but remains at large at this time.

If you have any information concerning the location of TODD BLACKLER, the NBPd wants to hear from you. Anonymous information can be provided at 508-99-CRIME or our website, [www.newbedfordpd.com](http://www.newbedfordpd.com).

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## **Two Massachusetts women charged with abuse of autistic, disabled 10-year-old**

METHUEN – Chief Scott J. McNamara reports that the Methuen Police Department arrested and charged two women in connection with the physical abuse of a 10-year-old child on a bus contracted with Methuen Public Schools.

On Friday, Sept. 29, Methuen Public Schools contacted the Methuen Police Department regarding an inquiry they received from the parents of a student. A School Department investigation found that a bus monitor had physical contact with the child, and that the bus driver failed to intervene or report the matter.

As a result of a further investigation, Methuen Police obtained arrest warrants from Lawrence District Court for 56-year-old Nancy Vasquez of Lawrence, identified as the bus monitor, and 38-year-old Marlene Cruz, identified as the bus

driver.

Vasquez and Cruz were arrested Tuesday. They were arraigned Tuesday in Lawrence District Court.

Vasquez was arrested and charged with Assault and Battery on a Disabled Person.

Cruz was arrested and charged with Permitting Abuse of a Disabled Person.

Vasquez was ordered held without bail pending a dangerousness hearing that took place on Friday, Oct. 6.

Cruz was released on personal recognizance, with conditions that she does not contact the victim or their family, the victim's school, Vasquez or the bus company. She is also prohibited from working with children. She is due back in court on Nov. 3 for a pre-trial conference.

According to CBS News, the boy that Cruz is accused of assaulting is non-verbal and autistic.

Vasquez was released without bail Friday and must remain under house arrest with a GPS tracker.

"I would like to thank Methuen Public Schools for immediately bringing this incident to our attention upon learning about it," said Chief McNamara. "It was the school department's prompt and thorough response to a parent's concerns that prompted this investigation."

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# **Massachusetts Trooper Matthew McRae released from Spaulding Rehabilitation Hospital**

"Trooper Matthew McRae departed from Spaulding Rehabilitation Hospital in Charlestown on his way home.

The Association is thankful to witness yet another significant milestone in Trooper McRae's recovery. As he recovers, we can only hope for a return to full duty. Trooper McRae was struck by an alleged drunk driver and suffered several broken bones in a crash, including a broken neck and spinal injury. Here is the original story.

The Association would also like to extend our heartfelt gratitude to everyone who has supported the McRae family throughout this challenging journey, particularly those who were integral his care, transport, and transition.

Special thanks to the Salt Lake City Police Department, Utah Highway Patrol, Boston Medflight, UniCARE Health Insurance, Lahey Health, Armstrong Ambulance, and Spaulding Rehabilitation."-State Police Association of Massachusetts.



*Massachusetts State Police photo.*

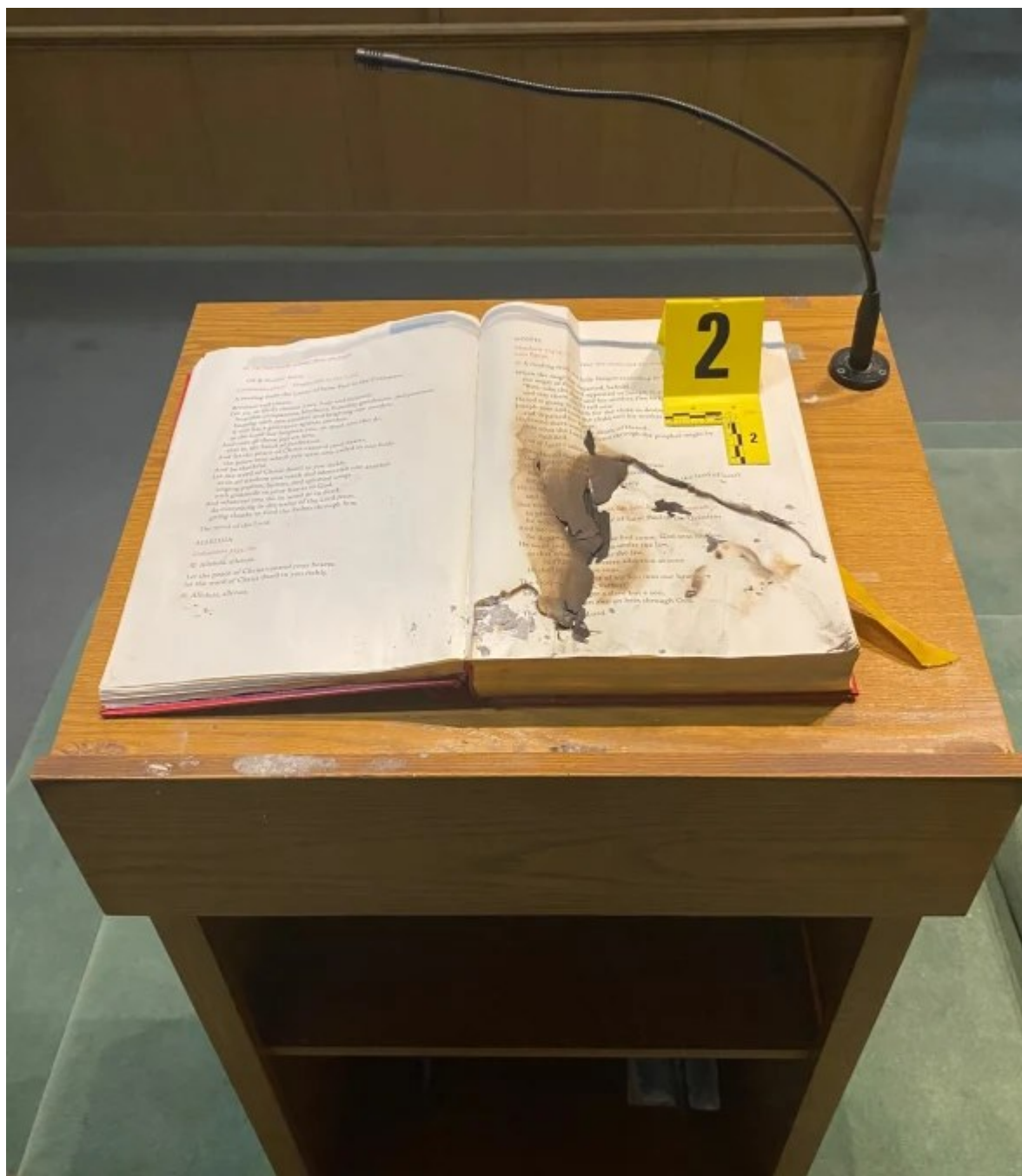
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## **Altar at Massachusetts church set afire, items from food pantry stolen**

“Police Chief Michael Jenkins and Fire Chief Timothy M. Harhen say that the East Bridgewater Police and Fire Departments are investigating after a local church was vandalized and a fire was set on Friday.

One or more people are believed to have entered St. John the Evangelist Catholic Church at 210 Central St. during the middle of the day. Most of the damage took place near the altar, where a fire was set that burned the altar cloth and a Bible.

"There is no place for this type of incident in East Bridgewater, no matter the denomination," Police Chief Jenkins said. "We are working with the parish to determine how this happened, and why. We ask that anyone with information please step forward."



*East Bridgewater Police Department photo.*

East Bridgewater police and fire units were dispatched to the church at about 3:40 p.m. During their initial investigation, first responders learned that the parish pastor smelled smoke at about 3:30 p.m. and went inside. Investigators observed

that the fire around the altar had been put out with a fire extinguisher, based on the yellow, difficult-to-remove powder seen throughout the front of the church.

Investigators subsequently determined that a water jug was removed from the water dispenser in the adjacent sacristy. Investigators believe the suspect or suspects attempted to douse the fire with the water, then used the fire extinguisher when that failed.

At the front of the church, the entrant lit the votive candles and left used matches littered nearby.



*East Bridgewater Police Department photo.*

Investigators determined that the suspect or suspects took items from the food pantry, dropping some items as they exited through the rear entrance.

An employee was at the food pantry at 2 p.m. and did not notice any damage or smoke, so police believe the incident happened between 2 p.m. and 3:40 p.m.

An investigation by the East Bridgewater Police and Fire Departments, with assistance from the State Police Fire and

Explosion Investigation Unit attached to the State Fire Marshal's Office, remains ongoing.

Investigators ask any neighbors or residents who have information about this incident to call East Bridgewater Police at 508-378-7223. Investigators also ask residents to look out for anyone wearing clothing or shoes with yellow fire retardant powder, which is not removed easily."-East Bridgewater Fire Department.



*East Bridgewater Police Department photo.*

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# **New Bedford man with 60 prior arraignments arrested again on cocaine charges, high speed chase**

The New Bedford Police Department recently arrested a 31 year old New Bedford man with an extensive criminal history consisting of 60 adult arraignments. Some of which include convictions for distribution of cocaine, assault and battery with a dangerous weapon, and trafficking a controlled substance.

The even bigger issue is that according to the New Bedford Police Department, New Bedford District Court Judges have dismissed nearly half of these cases.

On Wednesday, October 5th, detectives concluded an investigation into a cocaine distribution operation being run by this individual. At around 4 PM, detectives located him operating a vehicle in the area of Rockdale Ave. and Dartmouth St.

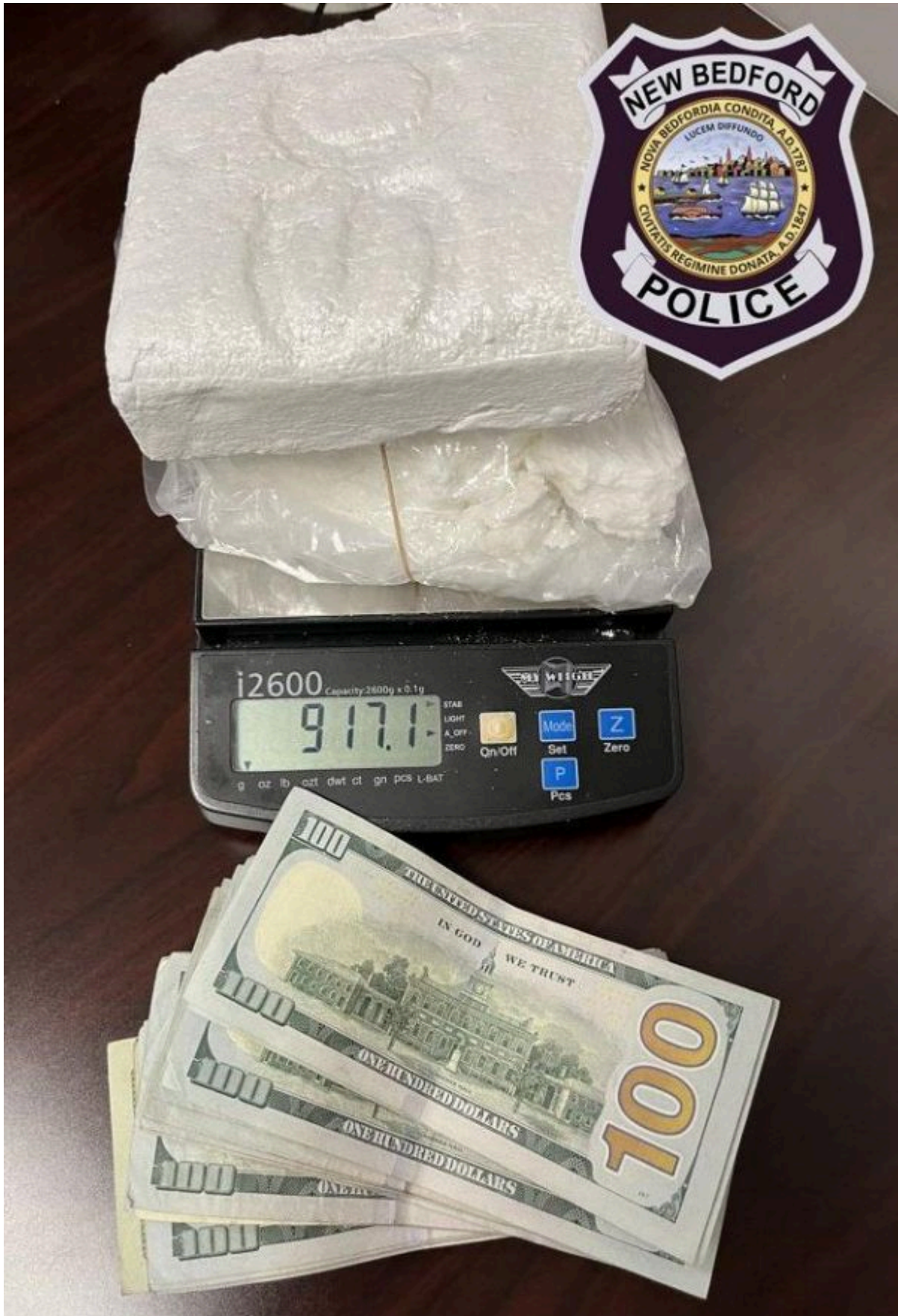
While attempting to stop him, the suspect fled at a high rate of speed, recklessly traveling deeper into the south end with detectives chasing him. After blowing a tire, the vehicle came to a stop in the area of George St. where he then fled on foot before being stopped and secured in a nearby yard.

Detectives later made an entry into his residence where a search was conducted. As a result, over 930 grams of cocaine was discovered along with cutting agent, scales, and packaging materials.

Over \$2500 in cash was found and seized as a result of the nature of his charges. The suspect was taken into custody and charged with trafficking in excess of 200 grams of cocaine and failing to stop for police among other charges.

He was already wanted in connection with a drug transaction that had taken place in early August during which he sold crack cocaine to an individual in a pharmacy parking lot. He was charged with the distribution of crack cocaine and conspiracy to violate the Controlled Substance Act regarding that incident.

Will this 61st arraignment finally send a message to New Bedford District Court judges? Or should the New Bedford Police anticipate opening another investigation on this career criminal in the near future? Only time will tell!



*City of New Bedford photo.*

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# **New Bedford Police make sizable cocaine seizure, arrest repeat offender**

“NEW BEDFORD – Detectives seized over 900 grams of cocaine from a local man yesterday afternoon.

On Wednesday, October 5th, detectives concluded an investigation into a cocaine distribution operation being run by Mr. TRAVIS MELLO, 31, out of Nemasket Pl. At around 4 PM, detectives located MELLO operating a vehicle in the area of Rockdale Ave. and Dartmouth St. While attempting to stop him, MELLO fled at a high rate of speed, recklessly traveling deeper into the south end with detectives chasing him. After blowing a tire, the vehicle came to a stop in the area of George St. where MELLO then fled on foot before being stopped and secured in a nearby yard.

Detectives later made an entry into MELLO’s Nemasket St. residence where a search was conducted. As a result, over 930 grams of cocaine was discovered along with cutting agent, scales, and packaging materials. Over \$2500 in cash was found and seized as a result of the nature of his charges. MELLO was taken into custody and charged with trafficking in excess of 200 grams of cocaine and failing to stop for police among other charges.

MELLO was already wanted in connection with a drug transaction that had taken place in early August during which he sold crack cocaine to an individual in a pharmacy parking lot. He was charged with the distribution of crack cocaine and conspiracy to violate the Controlled Substance Act regarding

that incident. MELLO has an extensive criminal history with 60 adult arraignments, nearly half of which have been dismissed by New Bedford district court judges. MELLO has previous convictions for distribution of cocaine, assault and battery with a dangerous weapon, and trafficking a controlled substance.

Det. Jordan DaSilva was the lead investigator on this case and the arresting officer.

If you have any information you would like to share with the police, you can do so anonymously by visiting our website, [newbedfordpd.com](http://newbedfordpd.com), or by calling 508-99-CRIME."-City of New Bedford Police Department.



*City of New Bedford Police Department photo.,/center>*

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# **\$3.6 million awarded to 52 Massachusetts police departments for body-worn cameras, including New Bedford**

“BOSTON – The Healey-Driscoll Administration announced the award of over \$3.6 million in grant funds to 52 local police departments for the implementation or expansion of body-worn camera programs in communities across Massachusetts.

Now in its third year, the Law Enforcement Body-Worn Camera Program awarded \$3,610,598.95 to support municipal police agencies’ purchase of body-worn camera equipment and data storage during Fiscal Year 2024. The state-funded program is managed by the Office of Grants and Research, a state agency that is part of the Executive Office of Public Safety and Security.

“These grants provide local police agencies with resources to implement technology that strengthens police-community relations while improving investigations and advancing the fundamental principles of transparency and accountability,” said Governor Maura Healey. “This investment reflects our Administration’s commitment to increasing public safety, promoting best practices among law enforcement, and nurturing strong relationships between police and the communities they serve.”

“Body-worn cameras are a transformative tool that promotes police transparency and accountability, enhances community

trust, and positively impacts the quality of investigations,” said Lt. Governor Kim Driscoll. “These grants underscore our Administration’s commitment to creating safer communities and supporting municipalities with the resources needed to deliver exemplary police services.”

“Body-worn camera programs provide law enforcement agencies with an important tool to improve training and advance best practices. This grant program and the resulting technology implementation will improve safety for police and communities statewide,” said Secretary of Public Safety and Security Terrence Reidy. “As a growing number of departments launch or expand body-worn camera programs, this funding has become a vital resource for police departments across the state.”

“Creating safe communities requires ensuring that our local police departments have the resources necessary to meet the needs of their communities and their officers. The Law Enforcement Body-Worn Camera Program aims to promote officer safety and the security of the towns and cities they serve,” said OGR Executive Director Kevin Stanton.

**The following departments on the South Coast received funding through the FY24 Law Enforcement Body-Worn Camera Program:**

- Fall River Police Department  
\$7,400.00
  - Marion Police Department  
\$42,530.00
  - New Bedford Police Department  
\$250,000.00”
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# **New Bedford Police officers frustrated after not seeing promised pay increase by city**

The New Bedford Police Union is raising concern over officers not seeing the promised pay increase from the collective bargaining agreement reached between the City of New Bedford and the Police Union in July.

*"The wage increase is yet to be seen by officers, despite the three-month mark approaching. The issue of wages is certainly important to any employee. But the underlying problem, once again, is a lack of communication and attention by the department administration regarding such a common concern.*

The only information shared was in an email sent by a member of the Union Executive Board to the department in September. That email was a result of asking Chief Oliveira about the increases and included a date in the second week of October for the wage increase to take place.

Interestingly, officers who happened to be present at certain roll calls this week were provided with a different date, the following pay period, for the wage increase. That information was provided by Chief Oliveira, and was only provided to the limited number of officers who were present.

No department email. No record of the communication. No consistency in the message. Seemingly no care to create such a public record, in the event that any of the words are possibly questioned in the future."



*City of New Bedford photo.*

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**Below is the original July 12th press release from the City of New Bedford detailing the agreement.**

New Bedford, MA – After months of negotiation, the City and the New Bedford Police Union have entered a new collective bargaining agreement, which will increase police wages and benefits to address the Police Department's staffing shortages. The agreement also paves the way for the use of body-worn cameras by all officers. The agreement runs from July 1, 2021, through June 30, 2024, and is subject to City Council approval.

The agreement includes the following new provisions:

- The residency requirement for new officers would be reduced from ten years to four years, and the City is authorized to waive the requirement if the Department's staffing needs demand it.
- 2% cost of living adjustment in each year of the contract.
- 2% added to the base pay for the officer's certification by the Peace Officer Standards and Training (POST) Commission,

effective January 1, 2024, and again on June 30, 2024.

- Effective on July 1, 2022: Step 1 on the pay scale is eliminated.
- Effective on July 1, 2023: Step 2 on the pay scale is eliminated and a new step, Step 6, is created at 2% above Step 5.
- For officers with 15+ years of service in the New Bedford Police Department, a new 15-year step is created at 4% above Step 5.
- Step 5A becomes the 25-year step at 6% above Step 5 for officers with 25+ years of service.
- Rank differential is increased to 18%.
- \$3,000 retention payment for officers who remain employed with the City 30 days after City Council funds the contract.
- Education incentive payments are increased, and additional degrees are added to the list of qualifying degrees.
- Vacation time added for officers with 15-20 years of service.
- Added pay for officers who work on Thanksgiving and Christmas.
- Restrictions on the use of sick time.
- The police chief may use retired officers to conduct background checks.
- After training, the department can begin to introduce body-worn cameras.

*"I am pleased that both sides worked toward a resolution that enables us to address staffing shortages with which departments across America are struggling," said Mayor Jon Mitchell. "I am proud of the work our officers do to keep New Bedford safe, and I believe that this new contract will put them in a stronger position to achieve professional success."*

"I'm very pleased that the City has reached an amicable agreement with the union and settled this contract," said Police Chief Paul Oliveira. "I look forward to working with

the union leadership as we continue to serve the citizens of New Bedford. As always, I remain very proud of the men and women of this department.”

The term of the contract is estimated to cost \$3.5 million from the City’s General Fund.