

MASSACHUSETTS SUPREME JUDICIAL COURT

Commonwealth v. Grimaldi

SJC-13842 · No. SJC-13842 · Decided June 2, 2026

SUMMARY

The Massachusetts Supreme Judicial Court held that State police troopers did not willfully intercept oral communications under the Massachusetts wiretap statute when their body-worn cameras recorded a defendant during field sobriety testing at a sobriety checkpoint. The court concluded that the prominent recording warning sign, visible cameras and recording lights, and open use of a camera foreclosed an intent to secretly record. It reversed the District Court judge’s order suppressing the recordings.

CASE DETAILS

COURT	Massachusetts Supreme Judicial Court
WRITING FOR THE COURT	Gaziano, J.; Budd, C.J.; Kafker, J.; Wendlandt, J.; Georges, J.; Dewar, J.; Wolohojian, J.
JURISDICTION	Massachusetts Supreme Judicial Court
DECIDED	June 2, 2026
DOCKET	SJC-13842
DISPOSITION	reversed
PROCEDURAL POSTURE	The Commonwealth brought an interlocutory appeal from a District Court order allowing the defendant's motion to suppress body-worn-camera recordings under the Massachusetts wiretap statute. The Supreme Judicial Court transferred the appeal from the Appeals Court on its own initiative.
STANDARD OF REVIEW	The court accepts the motion judge's subsidiary factual findings absent clear error, independently reviews admitted video footage and ultimate findings and conclusions of law, and reviews statutory-interpretation questions de novo.
PRECEDENTIAL VALUE	Published opinion of the Massachusetts Supreme Judicial Court
PARTIES	Commonwealth v. Scott M. Grimaldi

TOPICS

suppression of evidence

criminal procedure

statutory interpretation

interlocutory appeal

appellate procedure

PRACTICE AREAS

criminal procedure

evidence

appellate procedure

motor vehicle offenses

QUESTIONS PRESENTED

1. Whether State police troopers willfully intercepted the defendant's oral communications under G. L. c. 272, § 99 by recording him with openly displayed body-worn cameras during a sobriety-checkpoint field sobriety examination.
2. Whether the troopers' alleged failure to comply with State police body-worn-camera notification policy independently required suppression under the wiretap statute.

HOLDINGS

1. The troopers did not willfully commit an interception under G. L. c. 272, § 99 because the evidence showed that they intended to notify motorists of the recording and did not intend to record the defendant secretly. The defendant's lack of actual knowledge or failure to see the warning sign did not establish willfulness.
2. Any failure by the troopers to comply with the State police body-worn-camera notification policy was not an independent ground for suppression under G. L. c. 272, § 99 P, because the interception was not willful.

KEY QUOTATIONS

“That is, willfulness requires not merely an intent to record, but rather an intent to secretly record -- i.e., an intent to record someone without their knowledge.” (9)

“Because the troopers did not commit a willful interception under the wiretap statute, we reverse the motion judge's allowance of the defendant's motion to suppress.” (13)

FACTUAL BACKGROUND

Massachusetts State police operated a sobriety checkpoint in Springfield, where Scott Grimaldi was directed to a secondary screening area after a trooper observed the smell of alcohol, slurred speech, and glassy eyes. Troopers used openly displayed body-worn cameras, including one that was detached and pointed directly at Grimaldi's feet during a field sobriety test; a large reflective sign near the checkpoint stated that video and audio recording was occurring. Grimaldi was not orally informed of the recording and was arrested after performing field sobriety tests, after which he moved to suppress the recordings.

PROCEDURAL HISTORY

The defendant was charged in the Springfield Division of the District Court Department with operating a motor vehicle while under the influence of intoxicating liquor. After an evidentiary hearing, the District Court judge

allowed the defendant's motion to suppress the body-worn-camera recordings, finding that the defendant was not reasonably put on notice of the recording and that the recordings violated the wiretap statute. The county court allowed the Commonwealth's application for leave to pursue an interlocutory appeal, and the Supreme Judicial Court transferred the case from the Appeals Court.

DISPOSITION

reversed

CASES CITED

- Commonwealth v. Robinson, 497 Mass. 156, 157 (2026)
- Commonwealth v. Clarke, 461 Mass. 336, 341 (2012)
- Commonwealth v. Morris, 492 Mass. 498, 502-503 (2023)
- Commonwealth v. Karen K., 491 Mass. 165, 169 (2023)
- Commonwealth v. Jackson, 370 Mass. 502, 505-506 (1976), S.C., 391 Mass. 749 (1984)
- Commonwealth v. Rainey, 491 Mass. 632, 637 (2023)
- Commonwealth v. Du, 495 Mass. 103, 104 (2024)
- Commonwealth v. Boyarsky, 452 Mass. 700, 704, 706-707 (2008)
- Commonwealth v. Brennan, 481 Mass. 146, 154 (2018)
- Commonwealth v. McDonald, 462 Mass. 236, 242 (2012)
- Commonwealth v. Ennis, 439 Mass. 64, 65-70 (2003)
- Commonwealth v. Barillas, 484 Mass. 250, 257-259 (2020)
- Commonwealth v. Morales, 462 Mass. 334, 343 n.9 (2012)