

HOUSE No. 3865

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Binienda

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 adoption of the accompanying bill:

An Act relative to criminal defendants.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John J. Binienda</i>	<i>17th Worcester</i>	<i>1/15/2014</i>

HOUSE No. 3865

By Mr. Binienda of Worcester, a petition (subject to Joint Rule 12) of John J. Binienda relative to the commitment for observation of criminal defendants requiring strict security. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to criminal defendants.

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 15 of Chapter 123 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking in line 15 the following: “and appears to require
3 strict security,”

4 SECTION 2. Section 15 of Chapter 123 of the General Laws, as appearing in the 2012
5 Official Edition, is hereby further amended by striking in lines 57-58 the following: “if the court
6 determines that strict security is required and”

7 SECTION 3. Section 15 of Chapter 123 of the General Laws, as appearing in the 2012
8 Official Edition, is hereby further amended by inserting after paragraph (f), the following new
9 paragraph:

10 (g) “Notwithstanding any law, rule or regulation to the contrary, any judge who decides
11 that a male criminal defendant requires evaluation at a facility under the provisions of paragraphs
12 (b) or (e) of this section shall be required to commit said defendant to Bridgewater State Hospital
13 or a facility of equal or greater security, regardless of whether the judge determines that the
14 defendant requires strict security.”