

HOUSE No. 3094

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher M. Markey

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 concerning the arrest without a warrant of persons on probation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>1/20/2017</i>

HOUSE No. 3094

By Mr. Markey of Dartmouth, a petition (accompanied by bill, House, No. 3094) of Christopher M. Markey relative to arrests without a warrant of persons on probation. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act concerning the arrest without a warrant of persons on probation.

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 3 of chapter 279 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by striking, in the title, the words “; temporary custody”

3 SECTION 2. Section 3 of said chapter 279, as so appearing, is hereby further amended
4 by inserting before line 1 the following paragraph:- For the purposes of this section, probation
5 officer shall include a chief probation officer, a regional probation supervisor, a statewide
6 probation supervisor, the director of the ELMO center, the deputy commissioner of field
7 services, and any other personnel whom the commissioner of probation shall direct.

8 SECTION 3. Section 3 of said chapter 279, as so appearing, is hereby further amended
9 by striking out, in line 51, the word “temporary”.

10 SECTION 4. Section 3 of said chapter 279, as so appearing, is hereby further amended
11 by striking out, in lines 52-53, the words “for a period not to exceed 72 hours or until the next

12 sitting of the court, during which period the” and inserting in place thereof the following words:-
13 . The

14 SECTION 5. Section 3 of said chapter 279, as so appearing, is hereby further amended
15 by striking out, in line 59 the word “temporary”.

16 SECTION 6. Section 3 of said chapter 279, as so appearing, is hereby further amended
17 by inserting, after the last sentence in line 60, the words:- Notwithstanding any law to the
18 contrary, persons held on such warrants shall not be admitted to bail.