

SENATE No. 979

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

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 judicial discretion for probation.

PETITION OF:

NAME:

Jason M. Lewis

DISTRICT/ADDRESS:

Fifth Middlesex

SENATE No. 979

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 979) of Jason M. Lewis for legislation relative to judicial discretion for probation. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to judicial discretion for 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 87 of chapter 276 of the General Laws is hereby amended by
2 adding the following paragraph:-

3 “A judge may exercise discretion in placing a defendant on probation and consider the
4 following:

5 (i) age;

6 (ii) nature of the defendant’s military service, if any;

7 (iii) education;

8 (iv) injuries or wounds sustained;

9 (v) military discipline record, if the defendant served in the military;

10 (vi) past and current medical status;

- 11 (vii) family and medical psychological reports;
- 12 (viii) nature of past criminal convictions, if any;
- 13 (ix) age of previous criminal convictions, if any convictions occurred; and
- 14 (x) employment status.