

**SENATE . . . . . No. 1071**

---

**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. 1071**

---

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 1071) of Jason M. Lewis for legislation relative to judicial discretion for probation. The Judiciary.

---

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 979 OF 2019-2020.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

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."