

**SENATE . . . . . No. 1652**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*John C. Velis*

*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:	
<i>John C. Velis</i>	<i>Second Hampden and Hampshire</i>	
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>3/1/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>3/1/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/9/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>3/16/2021</i>

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By Mr. Velis, a petition (accompanied by bill, Senate, No. 1652) of John C. Velis, Timothy R. Whelan, Steven G. Xiarhos, Michael O. Moore and others for legislation relative to paper warrants and persons on probation. Public Safety and Homeland Security.

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**The Commonwealth of Massachusetts**

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

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 2018  
2 Official Edition, is hereby amended by inserting before line 1 the following paragraph:-

3           For the purposes of this section, probation officer shall include a chief probation officer, a  
4 regional probation supervisor, a statewide probation supervisor, the director of the ELMO center,  
5 the deputy commissioner of field services, and any other personnel whom the commissioner of  
6 probation shall direct.

7           SECTION 2. Section 3 of said chapter 279, as so appearing, is hereby further amended by  
8 striking out, in line 51 the word “temporary”.

9           SECTION 3. Section 3 of said chapter 279, as so appearing, is hereby further amended by  
10 striking out, in lines 52-53 the words “for a period not to exceed 72 hours or until the next sitting  
11 of the court, during which period the” and inserting in place thereof the following words:- .The

12 SECTION 4. Section 3 of said chapter 279, as so appearing, is hereby further amended by  
13 inserting, in line 55, after the word “before the following:- the next sitting of

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

16 SECTION 6. Section 3 of said chapter 279, as so appearing, is hereby further amended by  
17 inserting in line 60 after the word “thereto.” the words: - The probationer shall be brought before  
18 the next session of the court having jurisdiction over the place where the person is held or to the  
19 court that set the conditions of release.