SENATE DOCKET, NO. 310 FILED ON: 1/10/2025

SENATE . . . . . No. 1081

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 to prevent the imposition of mandatory minimum sentences based on juvenile adjudications.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
James B. Eldridge	*Middlesex and Worcester*	
Liz Miranda	*Second Suffolk*	*7/8/2025*

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SENATE . . . . . No. 1081

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 1081) of James B. Eldridge for legislation to prevent the imposition of mandatory minimum sentences based on juvenile adjudications. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *2593* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act to prevent the imposition of mandatory minimum sentences based on juvenile adjudications.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 52 of chapter 119 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 24, the words ", (c) or (d)" and inserting in place thereof the following words:- or (c).

SECTION 2. Said section 52 of said chapter 119, as so appearing, is hereby further amended by striking out, in lines 24 - 28, the words "; provided that, nothing in this clause shall allow for less than the imposition of the mandatory commitment periods provided in section fifty-eight of chapter one hundred and nineteen".

SECTION 3. Section 54 of said chapter 119, as so appearing, is hereby amended by striking out, in line 26, the words ", (c) or (d)" and inserting in place thereof the following words:- or (c).

SECTION 4. Section 58 of said chapter 119, as so appearing, is hereby amended by striking out the seventh and eighth paragraphs.

SECTION 5. Subsection (d) of section 10 of chapter 269 of the General Laws, as so appearing, is hereby amended by adding the following 2 sentences to the end thereof:- For purposes of this section, any type of juvenile adjudication shall not be considered a prior conviction and shall not be used as a prior predicate conviction that triggers an enhanced sentence for an adult or for a juvenile. For purposes of this subsection, a juvenile adjudication shall include, but not be limited to, a delinquent child or youthful offender adjudication, a juvenile adjudication in another jurisdiction, or an adult conviction in another jurisdiction that would be a juvenile adjudication in the commonwealth.

SECTION 6. Section 10G of said chapter 269, as so appearing, is hereby amended by striking out, in lines 36 and 37, the words "have the meaning set forth in section 121 of chapter 140" and inserting in place thereof the following words:- shall mean any crime punishable by imprisonment for a term exceeding 1 year that: (i) has as an element of the offense the use, attempted use or threatened use of physical force or a deadly weapon against the person of another; (ii) is burglary, extortion, arson or kidnapping; or (iii) involves the use of explosives.

SECTION 7. Said section 10G of said chapter 269, as so appearing, is hereby further amended by adding the following sentence to the end thereof:- (f) For purposes of this section, any type of juvenile adjudication shall not be considered a prior conviction and shall not be used

as a prior predicate conviction that triggers an enhanced sentence for an adult or a juvenile. For purposes of this subsection, a juvenile adjudication shall include, but not be limited to, a delinquent child or youthful offender adjudication, a juvenile adjudication in another jurisdiction, or an adult conviction in another jurisdiction that would be a juvenile adjudication in the commonwealth.

SECTION 8. Notwithstanding any general or special law to the contrary, if any person is currently serving a sentence pursuant to section 10 of chapter 269 or section 10G of chapter 269, including being on probation or parole, where a juvenile adjudication, including but not limited to, a delinquent child or youthful offender adjudication, a juvenile adjudication in another jurisdiction, or an adult conviction in another jurisdiction that would be a juvenile adjudication in the commonwealth, has been used as a prior predicate conviction, then such person shall be resentenced without that juvenile adjudication being used as a prior predicate conviction. If a defendant is resentenced under this section, the sentence shall not be increased in length of committed time, probation, or parole.