

SENATE No.

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.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1028 OF 2023-2024.]

The Commonwealth of Massachusetts

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

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 87 of chapter 276 of the General Laws is hereby amended by adding the
2 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.