HOUSE . . . . No. 3865

The Commonwealth of Massachusetts

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PRESENTED BY:

John J. Binienda

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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 passage of the accompanying:

An Act relative to criminal defendants.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
John J. Binienda	*17th Worcester*

HOUSE . . . . No. 3865

By Mr. Binienda of Worcester, a petition (subject to Joint Rule 12) of John J. Binienda relative to the commitment for observation of criminal defendants requiring strict security. The Judiciary.

The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen

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An Act relative to criminal defendants.

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 15 of Chapter 123 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking in line 15 the following: "and appears to require
3 strict security,"

4 SECTION 2. Section 15 of Chapter 123 of the General Laws, as appearing in the 2012
5 Official Edition, is hereby further amended by striking in lines 57-58 the following: "if the court
6 determines that strict security is required and"

7 SECTION 3. Section 15 of Chapter 123 of the General Laws, as appearing in the 2012
8 Official Edition, is hereby further amended by inserting after paragraph (f), the following new
9 paragraph:

10 (g) "Notwithstanding any law, rule or regulation to the contrary, any judge who decides
11 that a male criminal defendant requires evaluation at a facility under the provisions of paragraphs
12 (b) or (e) of this section shall be required to commit said defendant to Bridgewater State Hospital
13 or a facility of equal or greater security, regardless of whether the judge determines that the
14 defendant requires strict security."