

HOUSE No. 1254

The Commonwealth of Massachusetts

PRESENTED BY:

Josh S. Cutler

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 second chances for youthful offenders.

PETITION OF:

NAME:

Josh S. Cutler

DISTRICT/ADDRESS:

6th Plymouth

HOUSE No. 1254

By Mr. Cutler of Duxbury, a petition (accompanied by bill, House, No. 1254) of Josh S. Cutler relative to the expunging of criminal history records of certain youthful offenders . The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to second chances for youthful offenders.

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

1 Chapter 276 of the Section 100E is hereby amended by inserting the following new
2 section.

3 Section 1: Upon motion presented to the court in which the conviction or plea was entered
4 said court, in its discretion, may enter an order expunging the criminal history record of a person;

5 (a) Who's only conviction or guilty plea arose from an offense committed prior to that
6 person's 21st birthday.

7 (b) Did not result in any time served in house of correction or state prison.

8 (c) Who has complied with all provisions of his/her probation and/or sentence.

9 (d) No subsequent criminal history.

10 Any person who's criminal history record has been so expunged shall be regarded as a
11 person who has no criminal history record.

12 For the purpose of this statute, multiple charges arising from a single event or related
13 series of events shall be regarded as a single offense.

14 Factors the Court shall consider may include but are not limited to persons rehabilitative
15 efforts; community service; work and education history, and circumstances of underlying
16 conviction.