

SENATE No. 1071

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. 1071

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 1071) of Jason M. Lewis for legislation relative to judicial discretion for probation. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 979 OF 2019-2020.]

The Commonwealth of Massachusetts

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

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