

HOUSE No. 1281

By Messrs. Linehan, Owens and Leary of Boston, petition of Thomas E. Linehan and other members of the General Court for legislation to prohibit public inspection of proceedings and records relative to delinquent children. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Eight.

AN ACT TO PREVENT PUBLIC INSPECTION OF DELINQUENCY PROCEEDINGS AND RECORDS.

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 one hundred and nineteen of the General
2 Laws is hereby amended by inserting after section
3 sixty, as appearing in the Tercentenary Edition, the
4 following three new sections:—

5 *Section 60A.* The records of all cases arising under
6 sections fifty-two to sixty-three inclusive shall be
7 withheld from public inspection except with the
8 consent of the court, but such records pertaining to
9 any particular case shall be open, at all reasonable
10 times, to the inspection of the child concerned, its
11 parent, or parents, its guardian and its attorney.
12 Provided, however, that in subsequent cases of delin-
13 quency or waywardness against the same child such
14 records shall be available to all courts before whom said
15 cases are pending or being heard.

16 *Section 60B.* An adjudication or disposition of any
17 child under sections fifty-two to sixty-three inclusive,
18 or any evidence given in any case arising thereunder,
19 shall not in any proceeding in any court, excepting
20 subsequent cases of delinquency and waywardness,
21 against the same child, be lawful or proper evidence
22 against such child for any purpose, provided, however,
23 that any court, in imposing sentence upon a person
24 after conviction, may receive and consider the records
25 and information pertaining to any cases arising under
26 sections fifty-two to sixty-three inclusive concerning
27 such person.

28 *Section 60C.* No adjudication or disposition of a
29 child under the provisions of sections fifty-two to
30 sixty-three inclusive shall operate as a disqualification
31 of such child subsequently to hold public office or to
32 be employed in any civil service under any branch
33 of the government.