

HOUSE No. 1159

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 16, 1927.

The committee on Bills in the Third Reading, to whom was referred the Bill relative to the commitment to jail of children awaiting examination or trial (House, No. 1122), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 1159).

For the committee,

THOMAS R. BATEMAN.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Seven.

An Act relative to the Commitment to Jail of Children awaiting Examination or Trial.

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 sixty-seven of chapter one hundred and nine-
2 teen of the General Laws is hereby amended by insert-
3 ing after the word "jail" in the eleventh line the follow-
4 ing new paragraph:— A child so committed to jail to
5 await examination or trial by the court shall be returned
6 thereto within three days after each such commitment,
7 and not more than fifteen days shall elapse after the
8 original commitment before disposition of such case by
9 the court, by adjudication or otherwise. Any child
10 committed to jail under this section shall, while so
11 confined, be kept in a place separate and apart from
12 all other persons committed thereto who are seventeen
13 years of age or over, and shall not at any time be per-
14 mitted to associate or communicate with any other such
15 persons committed as aforesaid, except when attending
16 religious exercises or receiving medical attention or
17 treatment, — so as to read as follows:— *Section 67.*
18 A child under fourteen held for examination or trial, or
19 to prosecute an appeal to the superior court, if unable
20 to furnish bail shall be committed to the care of the
21 department or of a probation officer. The person to

22 whose care he is committed shall provide for his safe
23 keeping and for his appearance at such examination or
24 trial, or at the prosecution of his appeal.

25 A child fourteen years of age or over so held, if
26 unable to furnish bail shall be so committed to a pro-
27 bation officer unless the court on immediate inquiry
28 shall be of opinion that, if so committed, such child will
29 not appear at such examination or trial, in which case
30 said child may be committed to jail.

31 A child so committed to jail to await examination or
32 trial by the court shall be returned thereto within
33 three days after each such commitment, and not more
34 than fifteen days shall elapse after the original commit-
35 ment before disposition of any case by the court, by
36 adjudication or otherwise. Any child committed to
37 jail under this section shall, while so confined, be kept
38 in a place separate and apart from all other persons
39 committed thereto who are seventeen years of age or
40 over, and shall not at any time be permitted to associate
41 or communicate with any other such persons committed as
42 aforesaid, except when attending religious exercises or
43 receiving medical attention or treatment.

44 Said probation officer shall have all the authority,
45 rights and powers in relation to a child committed to
46 his care under this section, and in relation to a child
47 released to him as provided in section sixty-six, which
48 he would have if he were surety on the recognizance of
49 such child.

