

HOUSE No. 555

By Mr. Kiernan of Lowell (by request), petition of John F. Brocklesby and another for legislation to establish a penalty for assault and assault and battery by prisoners in jails and houses of correction on custodians or guards. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Four.

AN ACT ESTABLISHING A PENALTY FOR ASSAULT OR ASSAULT AND BATTERY BY PRISONERS IN JAILS AND HOUSES OF CORRECTION ON THEIR CUSTODIANS OR GUARDS.

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 127 of the General Laws is hereby amended by strik-
2 ing out section 38B, inserted by section 1 of chapter 445 of the
3 acts of 1959, and inserting in place thereof the following sec-
4 tion:—

5 *Section 38B.* A prisoner in any jail, house of correction or
6 in any correction institution of the commonwealth who com-
7 mits an assault or an assault and battery upon an officer, guard
8 or other employee of such jail, house of correction or institution
9 shall be punished by imprisonment in the state prison for not
10 more than five years. Such sentence shall begin from and after
11 all sentences currently outstanding and unserved at the time
12 of said assault or assault and battery.

...

The Government of the State of New York

...

...

...

...

...

...

...