

By Mr. Travaline of Somerville, petition of John J. Droney and Joseph T. Travaline relative to sending certain criminals to treatment centers for sexually dangerous persons upon motion of the district attorney prior to sentencing. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT REQUIRING THAT A PERSON CONVICTED OF A SEXUAL CRIME MUST BE SENT FOR OBSERVATION AT THE TREATMENT CENTER FOR SEXUALLY DANGEROUS PERSONS UPON MOTION OF THE DISTRICT ATTORNEY PRIOR TO SENTENCING.

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 4 of chapter 123A of the General Laws is hereby
2 amended by striking out said section 4 and inserting in place
3 thereof the following section:—

4 *Section 4.* Upon the determination of guilt of a person in
5 the superior court of the crime of indecent assault or indecent
6 assault and battery, indecent assault and battery on a child
7 under the age of fourteen, rape, rape of a female child under
8 sixteen, carnal knowledge and abuse of a female child under
9 sixteen, assault with intent to commit rape, open and gross
10 lewdness and lascivious behavior, incest, sodomy, buggery,
11 unnatural and lascivious acts with another person or with a
12 child under the age of sixteen, lewd, wanton and lascivious
13 behavior or indecent exposure, or an attempt to commit any
14 such crime, the court may, upon its own motion, or the court
15 must and shall upon motion of the district attorney, prior to
16 imposing sentence, commit him to the center or to a suitable
17 branch thereof for a period not exceeding sixty days for the
18 purpose of examination and diagnosis under the supervision
19 of not less than two psychiatrists who shall, within said
20 period, file with said court a written report of such examina-

21 tion and diagnosis and their recommendations for the disposi-
22 tion of such person. The court shall supply to the examining
23 psychiatrists copies of the court record, and the probation
24 officer shall supply them with the probation record of the
25 person committed for examination. The probation record
26 shall contain a history as such person's previous offences and
27 previous psychiatric examinations and such other informa-
28 tion as may be helpful to assist such psychiatrists in making
29 their diagnosis.