

HOUSE No. 3500

By Ms. Hildt of Amesbury (by request), petition of Roger Glidden relative to requiring persons convicted for certain crimes to be in court when the justices impose the sentencing for such crimes. Criminal Justice.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Six.

AN ACT RELATIVE TO THE SENTENCING OF CERTAIN PERSONS.

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 2 of chapter 220 of the General Laws,
2 as most recently amended by section 25 of chapter 319 of the acts
3 of 1953, is hereby further amended by inserting at the end thereof
4 the following paragraph: —

5 No justice shall impose a sentence of contempt upon any person
6 unless said person is present in court and represented by counsel,
7 unless he has waived his right to counsel.

1 SECTION 2. Section 4 of chapter 279 of the General Laws,
2 as most recently amended by section 4 of chapter 554 of the acts
3 of 1982, is hereby further amended by striking out the first para-
4 graph and inserting in place thereof the following paragraph: —

5 Sentence shall be imposed upon conviction of a crime, regard-
6 less of whether an appeal has been taken, except as otherwise
7 provided in section sixty-one in case of a conviction of a capital
8 crime, provided, however, no sentence shall be imposed on any
9 person unless said person is present in court and represented by
10 counsel, unless he has waived his right to counsel.

THE HOUSE OF REPRESENTATIVES

The Committee of Education

REPORT

ON THE PROGRESS OF THE EDUCATION OF THE PEOPLE

IN THE UNITED STATES OF AMERICA

IN SENATE, JANUARY 1, 1868.

WASHINGTON: GPO, 1868.