

By Mr. Caron of Springfield, petition of Paul E. Caron for legislation to impose mandatory prison sentences on persons convicted of dealing in drugs in public and private schools. Criminal Justice.

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**The Commonwealth of Massachusetts**

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

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**AN ACT IMPOSING MANDATORY SENTENCES ON DRUG DEALERS IN PUBLIC AND PRIVATE SCHOOLS.**

*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 32 of Chapter 94C, as most recently  
2 amended by Chapter 571 of the Acts of 1983, is hereby amended  
3 by adding the following paragraph: —

4 (c) Any person convicted of violating this section where the vio-  
5 lation occurred in a building, or on the grounds or property owned  
6 or operated by primary or secondary school, public or private,  
7 shall be punished by a term of imprisonment in the state prison  
8 for not less than ten nor more than fifteen years and a fine of not  
9 less than two thousand and five hundred nor more than twenty-  
10 five thousand dollars may be imposed but not in lieu of the man-  
11 datory minimum term of imprisonment, as established here.

1 SECTION 2. Section 32A of Chapter 94C, as most recently  
2 amended by Chapter 571 of the Acts of 1983 is hereby amended  
3 by adding the following paragraph: —

4 (d) Any person convicted of violating this section where the  
5 violation occurred in a building or on the grounds or property  
6 owned or operated by a primary or elementary school, public or  
7 private, shall be punished by a term of imprisonment in the state  
8 prison for not less than five years and not more than ten years  
9 and a fine of not less than two thousand five hundred dollars nor  
10 more than twenty-five thousand dollars may be imposed but not

11 in lieu of the mandatory minimum term of imprisonment, as estab-  
12 lished herein.

1 SECTION 3. Section 32B of Chapter 94C, as most recently  
2 amended by Chapter 650 of the Acts of 1982, is hereby amended  
3 by adding the following paragraph: —

4 (c) Any person convicted of violating this section where the vio-  
5 lation occurs in a building or on the grounds or property owned  
6 or operated by a primary or secondary school, public or private,  
7 shall be punished by a term of imprisonment in the state prison  
8 for not less than three and one-half nor more than ten years and  
9 a fine of not less than one thousand nor more than ten thousand  
10 dollars may be imposed but not in lieu of the mandatory mini-  
11 mum term of imprisonment, as established herein.

1 SECTION 4. Section 32C of Chapter 94C, as most recently  
2 amended by Chapter 650 of the Acts of 1982, is hereby amended  
3 by adding the following paragraph: —

4 (c) Any person convicted of violating this section where the vio-  
5 lation has occurred in a building or on the grounds of property  
6 owned or operated by a primary or secondary school, public or  
7 private, shall be punished by a term of imprisonment in a house  
8 of correction for not less than two nor more than two and one-  
9 half years and a fine of not less than one thousand nor more than  
10 ten thousand dollars may be imposed but not in lieu of the man-  
11 datory minimum term of imprisonment, as established herein.

1 SECTION 5. Section 32D of Chapter 94C, as most recently  
2 amended by Chapter 650 of the Acts of 1982, is hereby amended  
3 by adding at the end thereof the following paragraph: —

4 (c) Any person convicted of violating this section where the vio-  
5 lation occurred in a building or on the grounds of property owned  
6 or operated by a primary or secondary school, public or private,  
7 shall be punished by a term of imprisonment in a house of cor-  
8 rection for not less than two nor more than two and one-half years  
9 and fine of not more than five hundred nor more than five thou-  
10 sand dollars may be imposed but not in lieu of the mandatory  
11 minimum term of imprisonment, as established herein.

1 SECTION 6. Section 32H of Chapter 94C, as most recently  
2 amended by Chapter 650 of the Acts of 1982, is hereby further  
3 amended by striking out the first paragraph thereof and insert-  
4 ing the following new paragraph: —

5 A prosecution commenced under paragraphs (b) and (c) of Sec-  
6 tion thirty-two, paragraphs (b), (c) and (d) of section thirty-two  
7 A, paragraphs (b) and (c) of section thirty-two B, paragraph (c)  
8 of section thirty-two C, paragraph (c) of section thirty-two D, sec-  
9 tions thirty-two E and thirty-two F, shall not be placed on file  
10 or continued without a finding, and the sentence imposed upon  
11 a person convicted of violating any provision of said sections shall  
12 not be reduced to less than the mandatory minimum term of  
13 imprisonment as established in said section, nor shall any sentence  
14 of imprisonment imposed upon any person suspended or reduced  
15 until such person shall have served said mandatory minimum term  
16 of imprisonment.

The first of these is the fact that the  
 population of the country has increased  
 rapidly during the last few years. This  
 is due to a number of causes, the most  
 important of which are the discovery of  
 gold in California and the opening of  
 the Oregon and California routes. The  
 result has been a great increase in the  
 number of immigrants from Europe and  
 Asia, and a corresponding increase in the  
 number of people engaged in agriculture,  
 mining, and other pursuits. This has  
 led to a great increase in the demand  
 for land, and has resulted in the  
 rapid settlement of the country.

The second of these is the fact that the  
 government has adopted a policy of  
 non-interference with the rights of  
 the people. This policy has been  
 based on the principle that the  
 government should not interfere with the  
 rights of the people, but should  
 protect them from the wrongs of  
 other people. This policy has been  
 successful in securing the rights of the  
 people, and has resulted in the  
 rapid development of the country.

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