

HOUSE No. 4636

By Mr. Collaro of Worcester, petition of Andrew Collaro for legislation to provide for mandatory sentences for injuring or defacing tombs. Criminal Justice.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT PROVIDING FOR A MANDATORY SENTENCE FOR INJURING OR DEFACING TOMBS.

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 73 of chapter 272 of the General Laws as appearing in
2 the 1991 Official Edition, is hereby amended by adding the
3 following two paragraphs: —

4 The sentence imposed upon such person shall not be reduced
5 to less than six months, nor suspended, nor shall any person
6 convicted under this section be eligible for probation, parole, or
7 furlough or receive any deduction from his sentence for good
8 conduct until he shall have served six months of such sentence;
9 provided, however, that the commissioner of correction may, on
10 the recommendation of the warden, superintendent, or other
11 person in charge of a facility or correctional institution, or the
12 administrator of a county correctional institution, grant to an
13 offender committed under this section a temporary release in the
14 custody of an officer of such institution for the following purposes
15 only: to attend the funeral of a relative; to visit a critically ill
16 relative; or to obtain emergency medical or psychiatric services
17 unavailable at said institution. Prosecutions commenced under
18 this section shall neither be continued without a finding or placed
19 on file.

20 This provisions of section eighty-seven of chapter two hundred
21 and seventy-six shall not apply to a person charged with a
22 violation of this section.

