

# HOUSE . . . . . No. 2599

By Mr. Mackey of Somerville, petition of Joseph K. Mackey relative to aiding in the apprehension of defaulting criminal defendants. The Judiciary.

## The Commonwealth of Massachusetts

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

### AN ACT TO AID IN THE APPREHENSION OF DEFAULTING CRIMINAL DEFENDANTS.

*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. Chapter 10 of the General Laws is hereby amended  
2 by inserting after Section 15 the following section: —

3 *Section 15A.* There shall be established and set up on the books  
4 of the Commonwealth, a separate fund to be known as the fund to  
5 aid in the apprehension of defaulting criminal defendants for the  
6 purpose of assisting the district attorneys of the various counties  
7 effecting the apprehension, detention, and return to court of any  
8 criminal defendant who has been defaulted upon the conditions of  
9 his recognizance and for whose arrest, as a consequence of said  
10 default, a warrant has been issued.

11 Said fund shall consist of all sums received by the State Treasurer  
12 pursuant to the terms and conditions of sections seventy-one and  
13 eighty of Chapter two hundred and seventy-six of the General  
14 Laws, and all other monies credited or transferred thereto from any  
15 other fund or source pursuant to law. Within such fund a separate  
16 account shall be maintained for each county as set forth in section  
17 thirteen of Chapter twelve of the General Laws.

18 Reasonable fees and expenses, not to exceed fifty dollars without  
19 the prior authorization of the particular county District Attorney in  
20 the case of any one criminal defendant, shall be paid from the  
21 account of the particular county District Attorney who has submit-

22 ted a written approval of said fees and expenses incurred in the case  
23 of each such defendant; provided that (1) no payment shall be made  
24 in contravention of section fifty of Chapter two hundred and sixty-  
25 two of the General Laws and (2) no individual who is authorized to  
26 serve criminal process within the Commonwealth shall be entitled  
27 to any particular payment hereunder.

28 Payment under the provisions of this section is intended, where  
29 applicable, to supplement the fee for serving a warrant of capias in a  
30 criminal proceeding, as provided in section eight of Chapter two  
31 hundred and sixty-two of the General Laws.

1 SECTION 2. Section 10 of Chapter 262 of the General Laws is  
2 hereby amended by striking out the first sentence in said section and  
3 inserting in place thereof the following new sentence: — If it is  
4 necessary in the service of civil process for an officer to use convey-  
5 ance for a distance exceeding two miles, he may be allowed therefor  
6 fifteen cents a mile for the distance actually traveled.