

By Mr. Creedon, a petition (accompanied by bill, Senate, No. 833) of Robert S. Creedon, Jr., for legislation to authorize the appeals of certain sentences. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT AUTHORIZING THE APPEAL OF CERTAIN SENTENCES.

*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 28A of chapter 278 of the General Laws,  
2 as appearing in the 1998 Official Edition, is hereby amended by  
3 inserting after the word “cases”, in line 6, the following words:—  
4 , and for the review of sentences imposed by final judgement in  
5 any case resulting in the death of the victim appealed by the com-  
6 monwealth, whether or not any term of imprisonment is imposed.

1 SECTION 2. Section 28B of said chapter 278, as so appearing,  
2 is hereby amended by inserting after the word “reviewed”, in  
3 lines 1 and 2, the following words:— , or the commonwealth in  
4 any case resulting in the death of the victim.

1 SECTION 3. Said section 28B of said chapter 278, as so  
2 appearing, is hereby further amended by striking out, in line 4, the  
3 words “of his” and inserting in place thereof the following  
4 words:— or the commonwealth of the.

1 SECTION 4. Said section 28B of said chapter 278, as so  
2 appearing, is hereby further amended by striking out, in lines 14  
3 and 15, the words “consider an appeal with or without hearing”.

1 SECTION 5. Said section 28B of said chapter 278, as so  
2 appearing, is hereby further amended by striking out, in lines 21  
3 and 22, the words “review, but no” and inserting in place thereof  
4 the following words:— review. Family members of deceased vic-

5 tims shall have the right to be heard at the hearing in cases  
6 resulting in death and appealed by the commonwealth, through  
7 oral, written or videotape impact statements, or any combination  
8 thereof. No.

1 SECTION 6. This act shall take effect upon its passage and  
2 shall apply to any pending criminal cases in which final disposi-  
3 tion has not yet been imposed.