

Accompanying the ninth recommendation of the Executive Office of Public Safety (House, No. 210). Public Safety.

**The Commonwealth of Massachusetts**

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

AN ACT FURTHER REGULATING COMMITMENT FOR AID IN SENTENCING EVALUATIONS.

*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 15 of chapter 123 of the General Laws, as appearing  
2 in the 1990 Official Edition, is hereby amended by striking out  
3 paragraph (e) and inserting in place thereof the following  
4 paragraph: —

5 (e) After a finding of guilty on a criminal charge, and prior to  
6 sentencing, the court may order a psychiatric or other clinical  
7 examination and, after such examination, it may also order a  
8 period of observation in a facility, or at the Bridgewater State  
9 Hospital if the court determines that strict security is required and  
10 if such person is male. The purpose of such observation or  
11 examination shall be to aid the court in sentencing. Such period  
12 of observation or examination shall not exceed forty days. During  
13 such period of observation, the superintendent or medical director  
14 may petition the court for commitment of such person. The court,  
15 after imposing sentence on said person, may hear the petition as  
16 provided in section eighteen, and if the court makes necessary  
17 findings as set forth in section eight, it may in its discretion commit  
18 the person to a facility or the Bridgewater State Hospital. Such  
19 order of commitment shall be valid for a period of six months.  
20 All subsequent proceedings for commitment shall take place  
21 under the provisions of section eighteen in the district court which  
22 has jurisdiction of the facility or hospital. A person committed  
23 to a facility or Bridgewater State Hospital pursuant to this section  
24 shall have said time credited against the sentence imposed as  
25 provided in paragraph (c) of section eighteen.

