

Offenses Ineligible for Decriminalization under G.L. c. 277, § 70C¹

“Upon oral motion by the commonwealth or the defendant at arraignment or pretrial conference, or upon the court’s own motion at any time, the court may, unless the commonwealth objects in writing, stating the reasons for such objection, treat a violation of a **municipal ordinance**, or **by-law** or a **misdemeanor** offense as a civil infraction,” **EXCEPT** for the following offenses:

G.L. c.90, § 24 G.L. c.90, § 24G G.L. c.90, § 24L	OUI-Liquor or .08% Blood Alcohol OUI-Drugs Leaving the Scene of Personal Injury or Property Damage Racing a Motor Vehicle Negligent or Reckless Operation Use of a Motor Vehicle Without Authority False Statement in Application for License or Registration Motor Vehicle Homicide OUI with Serious Injury
G.L. c.90B, § 8 G.L. c.90B, § 8A G.L. c.90B, § 8B	OUI Boat Negligent/Night Use of Water Skis/Surfboard Leaving the Scene of Motorboat Accident Leaving the Scene of Personal Injury or Property Damage by Boat Unsafe Operation of Boat Use Boat Without Authority OUI Boat with Serious Injury Homicide by Boat
G.L. c.209A	Violation of Abuse Restraining Order
G.L. c.265	Crimes against the Person
G.L. c. 266, § 25	Larceny from a Person
G.L. c. 268, § 1-3 G.L. c. 268, § 6 G.L. c. 268, § 6A G.L. c. 268, § 6B G.L. c. 268, § 8B G.L. c. 268, § 13 G.L. c. 268, § 13A G.L. c. 268, § 13B G.L. c. 268, § 13C G.L. c. 268, § 14 G.L. c. 268, § 14B G.L. c. 268, § 15 G.L. c. 268, § 15A G.L. c. 268, § 16 G.L. c. 268, § 17 G.L. c. 268, § 18 G.L. c. 268, § 19 G.L. c. 268, § 20 G.L. c. 268, § 23	Perjury Offenses False Statement to Specified State Agencies False Report by Public Employee False Return by Process Server Compel Person to Decline Civil Service Appointment Bribing Juror, Master or Arbitrator Picketing Court, Judge or Juror Intimidating or Harassing Witness, Juror, Court Official, Prosecutor or Police Disrupting Court Proceedings Juror, Master or Arbitrator Accept Bribe Employer Discharge Witness Aiding Felon or Convict to Escape Escape from Municipal Lockup Escape from Penal Institution or Court Aiding Escape from Officer Permit Prisoner to Escape Permit Escape from Penal Institution Negligently Permit Prisoner to Escape Fail or Delay Service of Warrant
G.L. c. 268A	State Ethics Act offenses

¹ These offenses are also ineligible for adult diversion pursuant to G.L. c. 276A, except for assault and battery in violation of G.L. c. 265, § 13A(a).

G.L. c. 269, § 10	Firearms & Dangerous Weapons violations
G.L. c. 269, § 10A	Sell, Use or Possess a Silencer
G.L. c. 269, § 10C	Use Tear Gas or Mace in Crime
G.L. c. 269, § 10D	Use Body Armor in Felony
G.L. c. 269, § 10E	Trafficking in Firearms
G.L. c. 269, § 11B	Possess Firearm with Defaced Serial No. during Felony
G.L. c. 269, § 11C	Deface Firearm Serial No.
	Receive Firearm with Defaced Serial No.
G.L. c. 269, § 11E	Manufacturer Firearm Serial No. Violation
G.L. c. 269, § 12	Make or Sell Certain Dangerous Weapons
G.L. c. 269, § 12A	Sell or Give a BB Gun or Air Rifle to Minor
G.L. c. 269, § 12B	Discharge BB Gun or Air Rifle on Way
	Minor Discharge BB Gun or Air Rifle
G.L. c. 269, § 12D	Carry Rifle or Shotgun on Way
G.L. c. 269, § 12E	Discharge Firearm within 500 ft. of Building
G.L. c. 272, § 1	Abduct Person under 16 for Marriage
G.L. c. 272, § 2	Abduct Person for Prostitution
G.L. c. 272, § 3	Drug for Sexual Intercourse
G.L. c. 272, § 4	Induce Chaste Minor to Sexual Intercourse
G.L. c. 272, § 4A	Induce Minor to Prostitution
G.L. c. 272, § 4B	Derive Support from Minor Prostitute
G.L. c. 272, § 6	Maintain House of Prostitution
G.L. c. 272, § 7	Derive Support from Prostitute
G.L. c. 272, § 8	Solicit for Prostitution
G.L. c. 272, § 12	Procure for Prostitution
G.L. c. 272, § 13	Detain or Drug Person in Brothel
G.L. c. 272, § 16	Open and Gross Lewdness
G.L. c. 272, § 28	Obscene Matter to Minor
G.L. c. 272, § 29A	Pose or Exhibit Child in Nude or Sexual Act
G.L. c. 272, § 29B	Distribute Material of Child in Nude or Sexual Act