

HOUSE No. 2486

By Mr. Menton of Watertown, petition of Ronald J. Chisholm and Paul C. Menton for legislation to provide that certain records shall not be presented to the court prior to the disposition of certain complaints. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT CERTAIN RECORDS SHALL NOT BE PRESENTED TO THE COURT BY PROBATION OFFICERS PRIOR TO DISPOSITION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 279 of the General Laws is hereby amended by strik-
2 ing out section 4A and inserting in place thereof the following
3 section:—

4 *Section 4A.* Before disposition by sentence or placing on
5 file or probation of any criminal prosecution for an offense pun-
6 ishable by imprisonment for more than one year, the court shall
7 obtain from its probation officer all available information relative
8 to prior criminal prosecutions, if any, of the defendant and to
9 the disposition of each such prosecution. Such record of the
10 probation officer presented to the court shall not contain as part
11 thereof any information of prior criminal prosecutions, if any,
12 of the defendant wherein the defendant was found not guilty
13 by the court or jury, or wherein the charge was dismissed, nolle
14 prosequi or not billed, in said prior criminal prosecution.

