

# HOUSE . . . . . No. 5513

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By Mr. McKenna of Springfield, petition of Thomas H. D. Mahoney, Arthur J. McKenna and Martin T. Reilly for legislation to impose mandatory prison sentences for assault on senior citizens or for maliciously breaking into or entering the domiciles of such elderly persons. The Judiciary.

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## **The Commonwealth of Massachusetts**

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

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AN ACT TO MAKE IMPRISONMENT FOR NO LESS THAN ONE YEAR WITHOUT PAROLE MANDATORY FOR ASSAULT ON SENIOR CITIZENS OR FOR MALICIOUSLY BREAKING INTO OR ENTERING THEIR DOMICILE.

*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. That imprisonment without parole for no less  
2 than one year will be mandatory for all persons 16 years of age or  
3 older who are found guilty of assault on the elderly or for mali-  
4 ciously breaking into or entering their domicile.

1 SECTION 2. The elderly and senior citizens herein referred to  
2 shall be male or female and 60 years of age or older.

1 SECTION 3. Since the primary aim of this bill is to be a deter-  
2 rent against assaults on the elderly, it is recommended that during  
3 their imprisonment, a program of correction and rehabilitation for  
4 offenders should be given high priority so that after release from  
5 confinement they will be better able to amend their way of life. The  
6 purpose of the bill is not to seek retribution. It is to protect the  
7 elderly who are defenseless when faced with assault and to provide  
8 correction and rehabilitation for the offenders so that they become  
9 better citizens of our State and Nation after their release.

1 SECTION 4. Efforts to reduce crime against the elderly, and to  
2 reduce their fear of crime, must be instituted at the State and  
3 community level. Since the primary aim of this bill is to be a  
4 deterrent against criminal assault on the elderly, it is recommend-  
5 ed that programs of correction and rehabilitation and prevention  
6 of would-be offenders be given high priority so that after release  
7 from imprisonment they will be better able to amend their ways.

8 The enactment of this law by our Great and General Court of the  
9 Commonwealth of Massachusetts will be a most worthy considera-  
10 tion for our senior citizens and a manifestation of our concern for  
11 their welfare and their safety on the streets and in their homes.