

By Mr. DiMasi of Boston, petition of Salvatore F. DiMasi, Thomas G. Palumbo and Richard T. Moore for legislation to exclude homicide from the jurisdiction of the Juvenile Court when committed by a juvenile fourteen years of age or older. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT TO EXCLUDE HOMICIDE FROM THE JURISDICTION OF THE JUVENILE COURT WHEN COMMITTED BY A JUVENILE FOURTEEN YEARS OF AGE OR OLDER.

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 fifty-two of chapter one hundred and
2 nineteen of the General Laws as appearing in the 1984 Official
3 Edition is hereby amended by adding the following provision at
4 the end of the definition of "Delinquent child": —
5 except for a child between fourteen and seventeen who commits
6 a violation of sections one or thirteen of chapter two hundred and
7 sixty-five.

1 SECTION 2. Section sixty-seven of chapter one hundred and
2 nineteen of the General Laws as appearing in the 1984 Official
3 Edition is hereby amended by adding the following paragraph at
4 the end of the present section: —
5 The provisions of this section shall not apply to any child
6 between fourteen and seventeen years of age charged with a
7 violation of sections one or thirteen of chapter two hundred and
8 sixty-five.

1 SECTION 3. Section sixty-eight of chapter one hundred and
2 nineteen of the General Laws as appearing in the 1984 Official
3 Edition is hereby further amended by adding the following
4 paragraph at the end of the present section: —

5 The provisions of this section shall not apply to any child
6 between fourteen and seventeen years of age charged with a
7 violation of sections one or thirteen of chapter two hundred and
8 sixty-five.

1 SECTION 4. Section seventy-two A of chapter one hundred
2 and nineteen of the General Laws appearing in the 1984 Official
3 Edition is hereby further amended by adding in line 2 following
4 the word "birthday" the following provisions: —

5 except for a person who commits a violation of sections one
6 or thirteen of chapter two hundred and sixty-five between the ages
7 of fourteen and seventeen.

1 SECTION 5. Section seventy-four of chapter one hundred and
2 nineteen of the General Laws as appearing in the 1984 Official
3 Edition is hereby amended by adding the following provision at
4 the end of the present section: —

5 and providing further that a criminal complaint alleging
6 violation of sections one or thirteen of chapter two hundred and
7 sixty-five, may issue against a person between fourteen and
8 seventeen years of age without first proceeding against such
9 person as a delinquent child.