HOUSE DOCKET, NO. 2976 FILED ON: 1/18/2013

HOUSE . . . . . No. 1287

The Commonwealth of Massachusetts

PRESENTED BY:

Viriato Manuel deMacedo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to clarifying procedures for the custodial protection of a child requiring assistance.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Viriato Manuel deMacedo	*1st Plymouth*
Stephen L. DiNatale	*3rd Worcester*
Angelo J. Puppolo, Jr.	*12th Hampden*
Michael J. Rodrigues	*First Bristol and Plymouth*
John H. Rogers	*12th Norfolk*
Thomas J. Calter	*12th Plymouth*
Michael R. Knapik	*Second Hampden and Hampshire*
Angelo L. D'Emilia	*8th Plymouth*
Randy Hunt	*5th Barnstable*
Michael F. Rush	*Norfolk and Suffolk*
Denise C. Garlick	*13th Norfolk*
Todd M. Smola	*1st Hampden*
Donald H. Wong	*9th Essex*
Cleon H. Turner	*1st Barnstable*
Leonard Mirra	*2nd Essex*
James M. Cantwell	*4th Plymouth*
Anne M. Gobi	*5th Worcester*

Bradford Hill	*4th Essex*
Christine E. Canavan	*10th Plymouth*
Nicholas A. Boldyga	*3rd Hampden*
Elizabeth A. Poirier	*14th Bristol*
Alice Hanlon Peisch	*14th Norfolk*
Richard J. Ross	*Norfolk, Bristol and Middlesex*
Sarah K. Peake	*4th Barnstable*
Kenneth I. Gordon	*21st Middlesex*
Matthew A. Beaton	*11th Worcester*
Geoff Diehl	*7th Plymouth*
David Paul Linsky	*5th Middlesex*
John F. Keenan	*Norfolk and Plymouth*
Theodore C. Speliotis	*13th Essex*
Bruce E. Tarr	*First Essex and Middlesex*
Bradley H. Jones, Jr.	*20th Middlesex*
James R. Miceli	*19th Middlesex*
Harold P. Naughton, Jr.	*12th Worcester*
Patricia A. Haddad	*5th Bristol*
Keiko M. Orrall	*12th Bristol*
Paul K. Frost	*7th Worcester*
Cheryl A. Coakley-Rivera	*10th Hampden*
William C. Galvin	*6th Norfolk*
Danielle W. Gregoire	*4th Middlesex*
George N. Peterson, Jr.	*9th Worcester*
Brian M. Ashe	*2nd Hampden*
Thomas P. Conroy	*13th Middlesex*

HOUSE DOCKET, NO. 2976 FILED ON: 1/18/2013

HOUSE . . . . . No. 1287

By Mr. deMacedo of Plymouth, a petition (accompanied by bill, House, No. 1287) of Viriato Manuel deMacedo and others relative to clarifying procedures for the custodial protection by law enforcement and court officials of a child requiring assistance. The Judiciary.

The Commonwealth of Massachusetts

An Act relative to clarifying procedures for the custodial protection of a child requiring assistance.

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

SECTION 1. Section 39H of Chapter 119 of the General Laws, as most recently amended by chapter 240 of the acts of 2012, is hereby amended by inserting in the first line of clause (ii) after the word “and” the word:- preferably.

SECTION 2. Section 39H of Chapter 119 of the General Laws, as so appearing in the 2010 Official Edition, is hereby further amended by striking the sentence “A child in custodial protection may not be confined in shackles or similar restraints or in a court lockup facility in connection with any proceedings under sections 39E to 39I inclusive.” and inserting in place thereof :- The preferred response by law enforcement and court officials when a child is in custodial protection in connection with any proceedings under sections 39E to 39I inclusive is to avoid the use of shackles and court lockup facilities when practicable.