

HOUSE No. 02677

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas A. Golden, Jr.

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 bill:

An Act Relative To Caseworkers at the Department of Youth Services..

PETITION OF:

NAME:

Thomas A. Golden, Jr.

DISTRICT/ADDRESS:

16th Middlesex

HOUSE No. 02677

By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 2677) of Golden relative to caseworkers at the Division of Youth Yervices Joint Committee on Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act Relative To Caseworkers at the Department of Youth Services..

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

2 Chapter 18a is hereby amended by adding the following section:

3 “Section 10: (a) For the purposes of this section, "bodily substance" shall mean any human
4 secretion, discharge or emission including, but not limited to, blood, saliva, mucous, semen,
5 urine or feces.

6 (b):A youthful offender in any department of youth services institution of the
7 commonwealth who commits an assault or an assault and battery upon an caseworker or other
8 employee, any volunteer or employee of a contractor in any such facility or any duly authorized
9 employee of any such facility engaged in the transportation of a youthful offender for any lawful
10 purpose shall be punished by imprisonment for not more than 2 and one-half years in a jail or
11 house of correction or for not more than 10 years in a state prison. Such sentence shall begin

12 from and after all sentences currently outstanding and unserved at the time of said assault or
13 assault and battery.

14 (c): Any person in the custody of the department of youth services institution who
15 commits an assault or an assault and battery by means of a bodily substance upon an caseworker
16 or other employee, any volunteer or employee of a contractor in any such facility or any duly
17 authorized employee of any such facility engaged in the transportation of a youthful offender for
18 any lawful purpose shall be punished by imprisonment for not more than 2 and one-half years in
19 a jail or house of correction or for not more than 10 years in a state prison. Such sentence shall
20 begin from and after all sentences currently outstanding and unserved at the time of said assault
21 or assault and battery.

22 Section 11: (a) The department of youth services shall promulgate regulations to investigate
23 claims of assault by any person in the custody of a department of youth services institution

24 (b): Whenever the commissioner of the department of youth services of the
25 commonwealth determines that a felony has been committed therein, he shall forthwith notify the
26 district attorney for the county in which such institution is located.

27 Section 12: The department of youth services shall promulgate regulations to protect the privacy
28 of the personal information of department of youth services employees.”