

**HOUSE . . . . . No. 760**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Josh S. Cutler*

*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 adoption of the accompanying bill:

An Act relative to second chances for youthful offenders.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Paul Tucker</i>	<i>7th Essex</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>

**HOUSE . . . . . No. 760**

By Mr. Cutler of Duxbury, a petition (accompanied by bill, House, No. 760) of Josh S. Cutler and others relative to the expunging of criminal history records of certain youthful offenders. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1254 OF 2015-2016.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to second chances for youthful offenders.

*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 276 of the Section 100E is hereby amended by inserting the following new  
2 section.

3 Section 1: Upon motion presented to the court in which the conviction or plea was entered  
4 said court, in its discretion, may enter an order expunging the criminal history record of a person;

5 (a) Who's only conviction or guilty plea arose from an offense committed prior to that  
6 person's 21st birthday.

7 (b) Did not result in any time served in house of correction or state prison.

8 (c) Who has complied with all provisions of his/her probation and/or sentence.

9 (d) No subsequent criminal history.

10 Any person who's criminal history record has been so expunged shall be regarded as a  
11 person who has no criminal history record.

12 For the purpose of this statute, multiple charges arising from a single event or related  
13 series of events shall be regarded as a single offense.

14 Factors the Court shall consider may include but are not limited to persons rehabilitative  
15 efforts; community service; work and education history, and circumstances of underlying  
16 conviction.