Offenses Ineligible for Decriminalization under G.L. c. 277, § 70C

Offenses a judge may not treat as a civil infraction. Charges on this list are also excluded from pretrial diversion under G.L. c. 276A, § 4. Shaded rows: the entire chapter is excluded.

> *"Upon oral motion by the commonwealth or the defendant at arraignment or pretrial conference, or upon the court's own motion at any time, the court may, unless the commonwealth objects, in writing, stating the reasons for such objection, treat a violation of a municipal ordinance, or by-law or a misdemeanor offense as a civil infraction. This section shall not apply to the offenses in" the chapters and sections below.*

Chapter 90: Motor Vehicles	
c. 90, § 22F	Habitual traffic offender
c. 90, § 24	OUI, negligent or reckless driving, leaving the scene, and related driving offenses
c. 90, § 24D	Probation and alcohol-education programs after an OUI conviction
c. 90, § 24G	Homicide by motor vehicle
c. 90, § 24L	Serious injury by motor vehicle while under the influence
c. 90, § 24N	License suspension when an OUI complaint issues
Chapter 90B: Boats and Boating	
c. 90B, § 8	Boating under the influence, and related boating offenses
c. 90B, § 8A	Boating under the influence causing serious injury
c. 90B, § 8B	Boating under the influence causing death
Chapter 119: Protection and Care of Children	
c. 119, § 34	Transporting children in patrol wagons
c. 119, § 36	Bringing a child into the state for adoption or custody without a permit
c. 119, § 39	Abandoning an infant
c. 119, § 51A	Failing to report suspected child abuse or neglect (mandated reporters)
c. 119, § 51E	Reports of injured children: confidentiality
c. 119, § 51F	Child abuse registry: confidentiality
c. 119, § 55	Delinquent children: summoning a parent or guardian
c. 119, § 63	Inducing or helping a child become delinquent
c. 119, § 63A	Helping a child violate a juvenile court order, or harboring a child
c. 119A	Child support enforcement (entire chapter)
c. 209	Husband and wife (entire chapter)
c. 209A	Abuse prevention orders (entire chapter)
c. 265	Crimes against the person (entire chapter)
Chapter 266: Crimes Against Property	
c. 266, § 25	Larceny from a person (larceny by stealing; victim 65 or older)
Chapter 268: Crimes Against Public Justice	
c. 268, § 1	Perjury
c. 268, § 2	Getting someone else to commit perjury
c. 268, § 3	Attempting to get someone else to commit perjury
c. 268, § 6	False reports or testimony to state agencies
c. 268, § 6A	False written reports by public employees
c. 268, § 6B	False statements by process servers
c. 268, § 8B	Coercing someone to refuse a public appointment or promotion
c. 268, § 13	Corrupting a juror, arbitrator, master, or similar official
c. 268, § 13A	Picketing a court, judge, juror, witness, or court officer
c. 268, § 13B	Intimidating a witness, juror, or person giving information
c. 268, § 13C	Disrupting court proceedings
c. 268, § 14	Juror, arbitrator, or similar official accepting a gift
c. 268, § 14B	Firing an employee for being a witness in a criminal case

Chapter 268: Crimes Against Public Justice (continued)	
c. 268, § 15	Aiding an escape from a correctional institution or jail
c. 268, § 15A	Escape from jail
c. 268, § 16	Escape, or failing to return from furlough or temporary release
c. 268, § 17	Aiding an escape from an officer
c. 268, § 18	Officer or jailer letting a prisoner escape
c. 268, § 19	Allowing an escape from a penal institution
c. 268, § 20	Negligently allowing a prisoner to escape
c. 268, § 23	Refusing or delaying to carry out process, resulting in an escape
c. 268, § 28	Delivering drugs or articles to prisoners
c. 268, § 31	Delivering or receiving articles to or from inmates
c. 268, § 36	Compounding or concealing a felony
c. 268A	State ethics (conflict of interest) offenses (entire chapter)
Chapter 269: Crimes Against Public Peace	
c. 269, § 10	Carrying dangerous weapons, machine guns, sawed-off shotguns, or large-capacity weapons
c. 269, § 10A	Selling, giving, or using a silencer
c. 269, § 10C	Using tear gas in a crime
c. 269, § 10D	Using body armor in a crime
c. 269, § 10E	Firearm sales, distributions, or transfers
c. 269, § 11B	Possessing an untraceable firearm while committing a felony
c. 269, § 11C	Making, selling, or transferring an untraceable firearm
c. 269, § 11E	Section repealed in 2024; still named in § 70C
c. 269, § 12	Making or selling knives, slung shots, swords, bludgeons, and similar weapons
c. 269, § 12A	Selling air rifles to minors
c. 269, § 12B	Minors possessing or shooting air rifles
c. 269, § 12D	Carrying a loaded rifle or shotgun on a public way
c. 269, § 12E	Discharging a firearm near a building
Chapter 272: Crimes Against Chastity, Morality, and Decency	
c. 272, § 1	Enticing a person under 16 away for marriage
c. 272, § 2	Enticing a person away for prostitution or sexual intercourse
c. 272, § 3	Drugging a person for sexual intercourse
c. 272, § 4	Inducing a person under 18 to have sexual intercourse
c. 272, § 4A	Inducing a minor into prostitution
c. 272, § 4B	Living off the earnings of a minor prostitute
c. 272, § 6	Owner allowing a place to be used for sexual intercourse
c. 272, § 7	Living off the earnings of a prostitute
c. 272, § 8	Soliciting for a prostitute
c. 272, § 12	Procuring a person for prostitution
c. 272, § 13	Detaining or drugging a person at a place of prostitution
c. 272, § 16	Open and gross lewdness and lascivious behavior
c. 272, § 28	Distributing matter harmful to minors
c. 272, § 29A	Posing or exhibiting a child in nudity or sexual conduct
c. 272, § 29B	Distributing visual material of a child in nudity or sexual conduct