

## MASSACHUSETTS TRESPASS ACT

MWCC is governed by the Massachusetts Trespass Act, enacted June 2, 1969, Chapter 266, Section 123 Trespassing Upon State Land; Public Institutions; Trespass; Penalty: Whoever willfully trespasses upon land or premises belonging to the Commonwealth, or to any authority established by the general court for purposes incidental to higher education, appurtenant to a public institution of higher education, any correctional institution of the Commonwealth, Tewksbury hospital, Soldiers' Home in Massachusetts, Soldiers' Home in Holyoke, any public institution for the care of the mentally ill and developmentally disabled persons, any Massachusetts training school or state charitable institution, or upon land or premises belonging to any county and appurtenant to a jail, house of correction or courthouse, or whoever after notice from an officer of any of said institutions to leave said land, remains thereon, shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than three months.

Additionally, Chapter 266, Section 120 Entry Upon Private Property After Being Forbidden as Trespass; Prima Facie Evidence; Penalties; Arrest; Tenants or Occupants Excepted: Whoever, without right enters or remains in or upon the dwelling house, buildings, boats, or improved or enclosed land, wharf, or pier of another, or enters or remains in a school bus, as defined in section 1 of chapter 90, after having been forbidden to do so by the person who has lawful control of said premises, whether directly or by notice posted thereon, or in violation of a court order pursuant to section thirty-four B of chapter two hundred and nine A, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days or both such fine and imprisonment. Proof that a court has given notice of such court order to the alleged offender shall be prima facie evidence that the notice requirement of this section has been met. A person found committing such trespass may be arrested by a sheriff, deputy sheriff, constable or police officer and kept in custody in a convenient place, not more than twenty-four hours, Sunday excepted, until a complaint can be made against him for the offence, and he may be taken upon a warrant issued upon such complaint.