HOUSE DOCKET, NO. 3172 FILED ON: 1/18/2013

HOUSE . . . . . No. 1542

The Commonwealth of Massachusetts

PRESENTED BY:

Eugene L. O'Flaherty

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 to increase the use of community corrections in the supervision of criminal defendants and in the re-entry of incarcerated offenders.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Eugene L. O'Flaherty	*2nd Suffolk*
John W. Scibak	*2nd Hampshire*
Thomas J. Calter	*12th Plymouth*

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By Mr. O'Flaherty of Chelsea, a petition (accompanied by bill, House, No. 1542) of Eugene L. O'Flaherty, John W. Scibak and Thomas J. Calter for legislation to implement a pilot project for reforming re-entry and community supervision of criminal defendants and offenders. The Judiciary.

The Commonwealth of Massachusetts

An Act to increase the use of community corrections in the supervision of criminal defendants and in the re-entry of incarcerated offenders.

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 16 of chapter 125 of the General Laws, as appearing in 2010 Official Edition, is hereby amended by adding, at the end thereof, the following sentence:-

The commissioner of corrections may place female prisoners held for trial in a community corrections program under chapter 211F.

SECTION 2. Section 4 of chapter 126, as appearing in the 2010 Official Edition, is hereby amended by inserting, after the first sentence, the following sentence:-

The sheriff, superintendent, keeper or other officer in charge of the jail may place a person, who is charged with crime and committed for trial, in a community corrections program under chapter 211F.

SECTION 3. Section 48 of Chapter 127 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding, after the third sentence, the following sentence:- The commissioner or the administrators of county correctional facilities may place inmates in a community corrections program under chapter 211F.

SECTION 4. Section 49 of Chapter 127 of the General Laws, as so appearing, is hereby amended by adding after the word “facility” in line 7 the following sentence:- or to participate in a community corrections program under chapter 211F;

SECTION 5. Section 90A of Chapter 127 of the General Laws, as so appearing, is hereby amended by adding after subsection (e) the following subsection: - ; (f) to participate in a community corrections program under chapter 211F; or .

20 SECTION 6. Subsection (a) of section 3 of chapter 211F of the General Laws, as
21 appearing in the 2010 Official Edition, is hereby amended by inserting at the end thereof the
22 following sentences:-

23 Under section 49 of chapter 127, the commissioner of corrections or the administrator of
24 a county correctional facility may place in a community corrections program an inmate eligible
25 to participate in education, training or employment under section 48 of chapter 127. Under
26 section 16 of chapter 125 or section 4 of chapter 126, the commissioner of corrections or the
27 administrator of a county correctional facility may place a person who is being held for trial in a
28 community corrections program under chapter 211F.

29

30 SECTION 7. Subsection (c) of section 3 of chapter 211F of the General Laws, as so
31 appearing, is hereby amended by adding before the word "sentence", in line 8, the following
32 words:- court-ordered.

33

34 SECTION 8. Subsection (b) of section 4 of chapter 211F, as so appearing, is hereby
35 amended by adding at the end thereof the following sentence: - and by the commissioner of
36 corrections, under sections 48, 49 and 90A of chapter 127, for the purpose of re-entry and
37 reintegration or, under section 16 of chapter 125 or section 4 of chapter 126, for the purpose of
38 community supervision of persons held for trial.