HOUSE DOCKET, NO. 3364 FILED ON: 2/18/2011

HOUSE . . . . . No. 3286

The Commonwealth of Massachusetts

PRESENTED BY:

Carolyn C. Dykema and Jonathan Hecht

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 implement evidence-based practices in the Massachusetts justice system.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Carolyn C. Dykema	*8th Middlesex*
Jonathan Hecht	*29th Middlesex*
William N. Brownsberger	☐ *[District]* ☐
Alice K. Wolf	*25th Middlesex*
Jason M. Lewis	*31st Middlesex*
John W. Scibak	*2nd Hampshire*
Jennifer E. Benson	*37th Middlesex*
James J. Dwyer	*30th Middlesex*
Carl M. Sciortino, Jr.	*34th Middlesex*
Denise Provost	*27th Middlesex*
Kay Khan	*11th Middlesex*
Ellen Story	*3rd Hampshire*

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By Representatives Dykema of Holliston and Hecht of Watertown, a petition (accompanied by bill, House, No. 3286) of Carolyn C. Dykema, Jonathan Hecht and others for an investigation by a special commission (including members of the General Court) of the implementation of evidence-based practices in the judicial system. The Judiciary.

The Commonwealth of Massachusetts

An Act to implement evidence-based practices in the Massachusetts justice system.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

There shall be a special commission to be known as the commission on evidence-based practices, to identify and implement evidence-based practices across all agencies of the Massachusetts justice system for the purpose of promoting public safety, reducing recidivism, limiting incarceration and overcrowding of correctional facilities, and reducing costs.

The commission shall consist of the house and senate chairs of the joint committee on public safety & homeland security, the house and senate chairs of the joint committee on the judiciary, the attorney general or a designee, the chief justice of administration and management or a designee, the secretary of public safety and security or a designee, the secretary of health and human services or a designee, the commissioner of corrections or a designee, the commissioner of probation or a designee, the executive director of the parole board or a designee, a sheriff appointed by the governor, a district attorney appointed by the governor, the chief counsel of the committee for public counsel services or a designee, a representative of the Massachusetts Bar Association, a representative of the Crime and Justice Institute, and 3 experts in the field of criminal justice, one each appointed by the governor, the senate president, and the speaker of the house.

The commission shall, within 1 year of the effective date of this act, identify and implement evidence-based, scientifically-validated risk and needs assessment instruments to be used in guiding dispositions at all stages of the judicial process, including, but not limited to, arraignment, bail, pre-trial diversion, pre-trial detention, disposition, sentencing, incarceration, pre-release programs, probation, parole and reentry. The instruments shall be consistent across agencies within the commonwealth to facilitate coordination among agencies and achieve effective individual case management that promotes public safety and successful correctional outcomes.

24 The commission shall also, within 1 year of the effective date of this act, identify data
25 required to be collected by all agencies of the Massachusetts justice system relating, but not
26 limited to arrest, arraignment, bail, pre-trial diversion, pre-trial detention, disposition, sentencing,
27 incarceration, pre-release programs, probation, parole, and reentry. The data shall be collected
28 consistently and in a format that facilitates sharing and coordination among the agencies and
29 shall be linked to the evidence-based risk and needs assessment instruments and other evidence-
30 based practices.

31 The commission shall meet regularly, and in no event, less often than quarterly, to review
32 the data so collected and to identify and implement additional evidence-based practices to
33 promote public safety, reduce recidivism, limit incarceration and overcrowding of correctional
34 facilities, and reduce costs.

35 The commission shall, within 1 year of the effective date of this act and annually
36 thereafter, submit a report to the senate ways and means committee, the house ways and means
37 committee, the joint committee on public safety & homeland security, and the joint committee on
38 the judiciary concerning the implementation of this act.