

HOUSE No. 1559

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers

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 to promote public safety by improving the parole process.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>

HOUSE No. 1559

By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 1559) of David M. Rogers and others relative to the parole process. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act to promote public safety by improving the parole process.

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

1 SECTION 1. Section 130 of chapter 127 of the General Laws, as appearing in the 2010
2 official edition, is hereby amended by:

3 Striking the first 6 lines prior to the words “In making this determination” and inserting
4 in place thereof the following: There shall be a rebuttable presumption that a parole permit will
5 be granted at a prisoner’s first date of parole eligibility and all subsequent eligibility dates. To
6 rebut the presumption of parole release, the board must make a determination, after consideration
7 of a risk and needs assessment, that there is a reasonable expectation that the prisoner will violate
8 the law if he or she is released on parole and that release is incompatible with the welfare of
9 society.

10 Inserting in line 23 after the words “but no longer” and prior to the words “A prisoner to
11 whom” the following: In the event that the board has not granted a parole permit to a prisoner
12 serving a sentence of two or more years, said prisoner shall be released on parole upon a date six
13 months prior to the expiration of the prisoners’ sentence unless the prisoner on that date remains

14 subject to an unexpired minimum term during which the prisoner is not eligible for parole or the
15 prisoner declines parole release.

16 SECTION 2. Section 133 of chapter 127 of the General Laws, as appearing in the 2010
17 official edition, is hereby amended by inserting in line 6 after the words “and twenty-nine D” and
18 before the words “Where an inmate is serving” the following: and that prisoners serving a
19 sentence of two years or more shall be released on parole upon a date six months prior to the
20 expiration of the prisoners sentence unless the prisoner on that date remains subject to an
21 unexpired minimum term or the prisoner declines parole release.