

**HOUSE . . . . . No. 02139**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Garrett J. Bradley***

*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 bill:

An Act establishing the correctional officers' procedural bill of rights.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Garrett J. Bradley</i>	<i>3rd Plymouth</i>
<i>Dennis A. Rosa</i>	<i>4th Worcester</i>
<i>Michael F. Rush</i>	<i>Suffolk and Norfolk</i>
<i>Geraldo Alicea</i>	<i>6th Worcester</i>
<i>Demetrius J. Atsalis</i>	<i>2nd Barnstable</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Anne M. Gobi</i>	<i>5th Worcester</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>

# HOUSE . . . . . No. 02139

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 2139) of Swan and others relative to investigations of correctional officers Joint Committee on the Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 1571 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act establishing the correctional officers' procedural bill of rights.

*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. Chapter 125 of the General Laws, as appearing in the most recent edition, is hereby  
2 amended by adding at the end thereof the following new section:

3

4 Section 22. This section shall also be known as "The Correction Officers Bill of Rights".

5 (a) The following words and phrases as used in this section, unless a different meaning is plainly  
6 required by the context, shall have the following meanings:

7 “Correctional officer”, shall mean and refer to a sworn member of the Massachusetts Department  
8 of Correction who holds one of the following titles: Correction Officer, Industrial Instructor, or  
9 Recreation Officer, or a sworn officer of any county jail or house of correction.

10 “Disciplinary action”, shall mean and refer to any action that may lead to dismissal, demotion,  
11 suspension, reduction in pay or benefits, written reprimand, or a transfer or reassignment for  
12 purposes of punishment.

13

14 (b) Whenever a correctional officer is under investigation and subject to interrogation by his  
15 commanding officer, or any other member of the employing agency or office, for any reason  
16 which could lead to disciplinary action, such interrogation shall be conducted under the  
17 following conditions:

18 (1) The interrogation shall be conducted at a reasonable hour, preferably at a time when the  
19 correctional officer is on duty, unless the seriousness of the investigation is of such a degree that  
20 immediate action is required.

21 (2) The interrogation shall take place either at the office headquarters of the investigating officer  
22 or at the correctional unit in which the incident allegedly occurred, as designated by the  
23 investigating officer or employing agency or office.