HOUSE DOCKET, NO. 2383 FILED ON: 1/20/2011

HOUSE . . . . . No. 2139

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:

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

PETITION OF:

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

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HOUSE . . . . . No. 2139

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 2139) of Garrett J. Bradley and others relative to investigations of correctional officers. The Judiciary.

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

The Commonwealth of Massachusetts

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:

SECTION 1. Chapter 125 of the General Laws, as appearing in the most recent edition, is hereby amended by adding at the end thereof the following new section:

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

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

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

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

(b) Whenever a correctional officer is under investigation and subject to interrogation by his 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
19 the correctional officer is on duty, unless the seriousness of the investigation is of such a degree
20 that immediate action is required.

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