HOUSE DOCKET, NO. 1099 FILED ON: 1/13/2009

HOUSE . . . . . No. 1660

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to time of sentence while in solitary confinement.

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 127 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after section 41, the following section: --

Section 48. Time of sentence while in confinement to isolation: Any prisoner in any correctional institution of the commonwealth or in any house of correction or jail, who after a disciplinary hearing is ordered to serve a sanction in disciplinary detention for disciplinary reasons, shall not have any day or part of a day served in disciplinary detention confinement deducted from their sentence. Time served in disciplinary detention shall be recorded by the superintendent in accordance with Section 4 of this Chapter. A prisoner shall have the right to appeal their confinement through established institutional means and the court system. The commissioner or any sheriff or their designee may restore such forfeited days after an inmate's release from disciplinary or administrative segregation if the inmate shows improvement in behavior and/or takes part in educational, substance abuse and other such programming and remains discipline free. This section shall not apply to any prisoner who is placed in segregations for non disciplinary or for protective purposes.