

SENATE No. 1374

The Commonwealth of Massachusetts

PRESENTED BY:

William N. Brownsberger

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 relative to access to community corrections.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/29/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/29/2019</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	<i>1/29/2019</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>1/31/2019</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>1/31/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/31/2019</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>1/31/2019</i>
<i>Cynthia Stone Creem</i>	<i>First Middlesex and Norfolk</i>	<i>1/31/2019</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>1/31/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/31/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/31/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/1/2019</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/1/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>2/1/2019</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/1/2019</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>2/1/2019</i>

<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/4/2019</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/19/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>2/25/2019</i>
<i>Cindy F. Friedman</i>	<i>Fourth Middlesex</i>	<i>2/25/2019</i>
<i>James T. Welch</i>	<i>Hampden</i>	<i>3/14/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>3/14/2019</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>4/24/2019</i>

SENATE No. 1374

By Mr. Brownsberger, a petition (accompanied by bill, Senate, No. 1374) of William N. Brownsberger, Mary S. Keefe, Jason M. Lewis, Joseph A. Boncore and other members of the General Court for legislation relative to access to community corrections. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to access to community corrections.

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 1 of chapter 211F of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by adding the following definition:-

3 “Re-entry services program”, any program that is operated by a state, local or private
4 service agency, provided, however, that re-entry service programs shall be a separate track of
5 programming from community correction programs offered under section 3 of this chapter;
6 provided further, that sanctions under said section 3 shall not be applicable to the re-entry service
7 program track.

8 SECTION 2. Section 2 of said chapter 211F, as so appearing, is hereby amended by
9 inserting after the word “of”, in line 3, the following words:- re-entry and.

10 SECTION 3. Said section 2 of said chapter 211F, as so appearing, is hereby further
11 amended by inserting after the word “developing” in line 5, the following words:- re-entry and.

12 SECTION 4. Said section 2 of said chapter 211F, as so appearing, is hereby further
13 amended by inserting after the word “corrections” in line 9, the following words:- and re-entry.

14 SECTION 5. Section 3 of Chapter 211F of the General Laws, as appearing in the 2018
15 Official Edition, is hereby amended by striking out the final paragraph and inserting in place
16 thereof:-

17 (e) An offender’s eligibility for sentencing to a community corrections program cannot be
18 based solely on a charge or conviction for a specific offense.

19 SECTION 6. Chapter 211F of the General Laws, as appearing in the 2018 Official
20 Edition, is hereby amended by inserting after Section 3B the following section:-

21 Section 3C. Utilization of re-entry programs offered through community corrections
22 program for persons released from any correctional institution of the commonwealth.

23 (a) The re-entry programs offered by community corrections may be utilized by any
24 person released from any correctional institution for the commonwealth provided (i) there is
25 available space; and (ii) their application is approved by the Office of Community Corrections.

26 (b) The parole status of any released person shall not affect eligibility for re-entry
27 services.

28 (c) The Department of Probation may consider allowing third parties to provide re-entry
29 services through evidence based, effective, and innovative programs.

30 (d) The Department of Probation may work to house the re-entry services in different
31 locations from the sanctions and corrections programs it administers at Community Corrections
32 Centers.

33 SECTION 7. Notwithstanding any general or special law or rule or regulation to the
34 contrary, the Department of Correction and Houses of Corrections and Jails shall furnish
35 government identification to each leaving prisoner, along with information about re-entry
36 services available through Community Corrections Centers and any other re-entry program of
37 note.