

# HOUSE . . . . . No. 4028

---

## The Commonwealth of Massachusetts

PRESENTED BY:

*Russell E. Holmes*

*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 return DOC and Parole to Health and Human Services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>1/15/2025</i>

# HOUSE . . . . . No. 4028

---

By Representative Holmes of Boston, a petition (accompanied by bill, House, No. 4028) of Russell E. Holmes for an investigation and study by a special commission (including members of the General Court) relative to transferring the Department of Correction and the Parole Board from the Executive Office of Public Safety and Security to the Executive Office of Health and Human Services. State Administration and Regulatory Oversight.

---

## The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Ninety-Fourth General Court  
(2025-2026)  
\_\_\_\_\_

An Act to return DOC and Parole to Health and Human Services.

*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. (a) The general court hereby finds that:

2           (i)     Prior to 1991, the department of correction operated under the governance of the  
3 executive office of health and human services with a focus on rehabilitating vulnerable residents.  
4 The department's focus included addressing substance use disorder, mental illness, and system-  
5 involved youth.

6           (ii)    Legislative reports have identified structural issues within correctional  
7 institutions, with significant percentages of incarcerated individuals lacking adequate treatment.  
8 Constitutional violations in mental health care have been reported throughout department of  
9 correction facilities, leading to agreements that remain unmet.

(iii) The department of correction's annual budget allocates approximately 70 per cent for labor costs while only 2 per cent is spent on programming for incarcerated individuals. Following the 1991 executive order transferring the department of correction to the executive office of public safety and security, health conditions and treatment quality have been significantly affected.

(iv) The executive office of health and human services serves approximately 1 in 3 residents of the commonwealth with a focus on healthcare, treatment, and support services. The executive office of public safety and security focuses primarily on policy development and budgetary oversight rather than rehabilitative services.

(b) There shall be a special commission to study the feasibility and advisability of transferring the department of correction and the parole board from the executive office of public safety and security to the executive office of health and human services. The commission shall investigate: (i) the historical organization and governance of the department of correction and parole board; (ii) the legal implications of transferring supervision of the department of correction and parole board; (iii) the potential impacts on services, programming, healthcare, rehabilitative efforts, and recidivism rates; (iv) the fiscal implications of such transfer; (v) practices of other states regarding similar governance structures; and (vi) any other matters the commission deems relevant to its investigation and study.

SECTION 2. The commission shall consist of: 3 members of the senate, 1 of whom shall be the senate chair of the joint committee on public safety and homeland security who shall serve as co-chair, 1 of whom shall be the senate chair of the joint committee on mental health, substance use and recovery, and 1 of whom shall be appointed by the minority leader of the

senate; 3 members of the house of representatives, 1 of whom shall be the house chair of the joint committee on public safety and homeland security who shall serve as co-chair, 1 of whom shall be the house chair of the joint committee on mental health, substance use and recovery, and 1 of whom shall be appointed by the minority leader of the house; the secretary of public safety and security or a designee; the secretary of health and human services or a designee; the commissioner of correction or a designee; the chair of the parole board or a designee; and 7 persons to be appointed by the governor, 1 of whom shall be a representative of a prisoners' rights organization, 1 of whom shall be a representative of a correctional officers' union, 1 of whom shall be a representative of a mental health advocacy organization, 1 of whom shall be a formerly incarcerated individual, 1 of whom shall be an expert in criminal justice reform, 1 of whom shall be an expert in correctional healthcare, and 1 of whom shall be a representative of a legal services organization.

SECTION 3. The commission shall hold at least 4 public hearings in geographically diverse regions of the commonwealth. The commission may request from all state agencies such information as the commission may require in the course of its investigation and study.

SECTION 4. The commission shall issue a report of its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the senate and house of representatives not later than December 31, 2026. The commission may issue interim reports as it deems appropriate.