

HOUSE No. 4218

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 reform the parole board.

PETITION OF:

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

HOUSE No. 4218

By Representative Holmes of Boston, a petition (accompanied by bill, House, No. 4218) of Russell E. Holmes relative to reforming the parole board. The Judiciary.

The Commonwealth of Massachusetts

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

An Act to reform the parole board.

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 4 of chapter 27 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking out the third and fourth paragraphs and inserting
3 in place thereof the following 2 paragraphs:-

4 The governor shall designate 1 of the members as chair, said member to serve as chair at
5 the will of the governor. In the case of the absence or disability of the chair, the governor may
6 designate 1 of the members to act as chair during such absence or disability.

7 The salary of each member of the board shall be equal to 80 per cent of the salary paid to
8 the chief justice of the trial court. Members shall devote full time to their duties. No member
9 shall hold any other salaried public office or engage in any activity in violation of any law or that
10 interferes or conflicts with the member’s full-time service as a member during their incumbency.

11 SECTION 2. Said chapter 27 is hereby further amended by inserting after section 4 the
12 following section:-

13 Section 4A. (a) The parole board shall employ an executive director. The executive
14 director shall serve at the pleasure of the board and shall report to the board through the
15 chairperson. The salary of the executive director shall be equal to the salary paid to the chief
16 justice of the trial court.

17 (b) The executive director shall be responsible for all administrative, operational and
18 financial functions of the board, including but not limited to:

19 (i) employing subject to appropriation and the requirements of chapter 30 and
20 chapter 31 an executive secretary and such hearing officers, clerks, attorneys and other
21 employees and consultants as the work of the parole board may require;

22 (ii) overseeing the day-to-day operations of the board;

23 (iii) managing the preparation and administration of the board's budget;

24 (iv) administering human resources functions for the board;

25 (v) make rules relative to the conduct of its employees in the performance of their
26 duties;

27 (vi) overseeing information technology services for the board;

28 (vii) directing facility operations and maintenance.

29 (viii) ensuring compliance with all applicable laws and regulations; and

30 (ix) performing other duties as assigned by the board.

31 (c) The chairperson of the board shall retain authority and responsibility for:

- 32 (i) directing assignments of members of the board;
- 33 (ii) establishing policies for parole decisions;”
- 34 (iii) presiding over board meetings;
- 35 (iv) coordinating with other agencies on policy matters; and
- 36 (v) other duties as provided by law.

37 SECTION 3. Section 5 of said chapter 27 of the General Laws, as appearing in the 2022
38 Official Edition, is hereby amended by inserting after the word “terminated”, in line 13, the
39 following words:- “provided, however that in any parole hearing for life sentenced inmates the
40 board shall not require a unanimous vote of all 7 members of the parole board for any initial
41 hearing or review hearing vote by the board.

42 SECTION 4. Said section 5 of said chapter 27, as so appearing, is hereby further
43 amended by striking out, in lines 24 and 25, the words “and for the conduct of its employees in
44 the performance of their duties”.

45 SECTION 5. Said section 5 of said chapter 27, as so appearing, is hereby further
46 amended by striking out, in lines 32 to 36, inclusive, the words “; (h) employ subject to
47 appropriation and the requirements of chapter thirty and chapter thirty-one an executive secretary
48 and such hearing officers, clerks, attorneys, and other employees and consultants as the work of
49 the parole board may require”.

50 SECTION 6. Said chapter 27, as so appearing, is hereby further amended by inserting
51 after section 5 the following section:-

52 Section 5A. (a) Notwithstanding any general or special law to the contrary, the parole
53 board may conduct any parole hearings and other board meetings through remote means,
54 including but not limited to telephonic or video conferencing technology provided that: (1) all
55 participants have access to the technology necessary to participate; (2) the identity of each
56 participant can be verified; (3) the public has access to observe any public portions of the
57 proceedings in accordance with section 20 of chapter 30A; (4) the remote technology provides
58 for clear audio and, where applicable, visual communication among all participants; and (5) the
59 board establishes procedures to ensure that the rights of prisoners, paroled prisoners and victims
60 to participate meaningfully in parole hearings are preserved.

61 (b) The board shall adopt regulations governing the use of remote meetings, which shall
62 include procedures for: (1) providing notice to all participants; (2) maintaining the confidentiality
63 of information as required by law; (3) recording and maintaining records of the proceedings; and
64 (4) addressing technical difficulties that may arise during remote proceedings.

65 (c) The executive director shall ensure that the board has the technical resources
66 necessary to conduct remote meetings effectively.

67 SECTION 7. Section 133A of chapter 127 of the General Laws, as so appearing, is
68 hereby amended by striking out, in lines 12 to 14 inclusive, the words “the full membership” and
69 inserting in place thereof the following words:- a majority of the board.

70 SECTION 8. The parole board shall develop and implement a transition plan for
71 separating the positions of chairperson and executive director to allow for a smooth transition of
72 administrative functions from the chairperson to the executive director. The transition plan shall
73 include:

74 (a) developing position descriptions, responsibilities and qualifications for the
75 chairperson and executive director positions to ensure the duties are distinct and appropriate for
76 each position;

77 (b) creating a formalized process for selecting the executive director;

78 (c) establishing time frames for completing transition activities;

79 (d) developing protocols for communication between the chairperson and executive
80 director; and

81 (e) identifying necessary amendments to existing statutes, regulations and policies.

82 SECTION 9. The parole board shall complete the transition plan required by section 8
83 within 90 days after the effective date of this act and shall implement the transition plan within
84 180 days after the effective date of this act.

85 SECTION 10. The parole board shall file a report with the clerks of the house of
86 representatives and the senate, the joint committee on public safety and homeland security, and
87 the house and senate committees on ways and means detailing the implementation of this act not
88 later than 1 year after the effective date of this act.