

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Erika Uytterhoeven

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 strengthen the right to petition of incarcerated people.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>1/16/2025</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>2/28/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act to strengthen the right to petition of incarcerated people.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 127 of the General Laws is here by amended by adding the following section:-

2 Section 172. (a) For the purposes of this section, the following words shall, unless the
3 context clearly requires otherwise, have the following meanings:

4 “County correctional facility”, as defined in section 1 of chapter 125.

5 “Department”, department of correction.

6 “Incarcerated person”, a committed offender and such other person as is placed in
7 custody in a prison or correctional facility.

8 “Prison or correctional facility administration”, administrative officers of a prison or
9 correctional facility correctional facility assigned to engage with incarcerated persons councils.

10 “State correctional facility”, as defined in section 1 of chapter 125.

11 "State prison", as defined in section 1 of chapter 125.

12 (b)(1) Each state prison, state correctional facility and county correctional facility shall
13 establish an incarcerated persons council composed of no fewer than 5 and no more than 15
14 members, all of whom shall be incarcerated persons within each prison or correctional facility.

15 (2) The members of the council shall be elected by the incarcerated person population
16 within the prison or correctional facility, with elections held at least once per year.

17 (3) Council members shall meet the following qualifications: (i) must be incarcerated in
18 the facility for no less than 6 months prior to the election; (ii) must not have a history of violent
19 misconduct or disciplinary violations within the last year; and (iii) shall not be serving a sentence
20 for a crime involving institutional violence or escape.

21 (4) Council members shall serve a term of 1 year and may be re-elected to additional
22 terms.

23 (5) If a council member violates the council's code of conduct or is found guilty of
24 misconduct within the prison or correctional facility, they may be removed from the council by a
25 majority vote of the other members, subject to review and approval by the prison or correctional
26 facility administration.

27 (c) The incarcerated persons council shall:

28 (i) serve as a liaison between the incarcerated person population and the prison or
29 correctional facility administration;

30 (ii) provide a forum for incarcerated persons to express concerns, complaints and
31 suggestions regarding prison or correctional facility policies, conditions and programs;

32 (iii) promote conflict resolution strategies among the incarcerated person population;

33 (iv) advocate for the development of educational, rehabilitative and vocational programs
34 for incarcerated persons;

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36 (v) assist the prison or correctional facility administration in maintaining safety, order
37 and discipline within the prison or correctional facility; and

38 (vi) review and make recommendations regarding the prison or correctional facility's
39 policies, including those relating to healthcare, food and visitation.

40 (d) The incarcerated persons council shall meet at least once every month and may hold
41 additional meetings as needed.

42 (e) The incarcerated persons council shall provide a written report of its activities and
43 recommendations to the prison or correctional facility administration at least quarterly.

44 (f) The prison or correctional facility administration shall meet with at least twice a year
45 to review the incarcerated persons council's concerns and recommendations.

46 (g) Incarcerated persons council members shall have the right to bring concerns forward
47 without fear of retaliation from the prison or correctional facility administration. The
48 administration shall ensure that no adverse actions are taken against any incarcerated person for
49 participation in the council, including retaliation related to complaints or recommendations made
50 by the council.

51 (h) Each prison or correctional facility shall allocate funding to provide administrative
52 support for the operations of the incarcerated persons council and shall allocate sufficient
53 resources for the functioning of the council, including meeting spaces and communication tools.

54 (i) The department shall develop and implement regulations for the establishment and
55 operation of incarcerated persons councils, including guidelines for elections, code of conduct
56 and duties of the council.

57 (j) The department shall review the effectiveness of incarcerated persons councils every 2
58 years and recommend changes as necessary to improve their function and impact.