

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers

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 establishing presumptive parole.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/17/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act establishing presumptive parole.

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 130 of chapter 127 of the General Laws, as amended by St.2018, c.
2 72, § 6, eff. Jan. 13, 2019, is hereby amended by striking the first four sentences and inserting in
3 place thereof the following paragraphs:-

4 Unless the parole board determines by clear and convincing evidence that, if the prisoner
5 is released with appropriate conditions and community supervision, the prisoner will not live and
6 remain at liberty without violating the law, a parole permit shall be granted at a prisoner's first
7 date of parole eligibility and at any subsequent review hearing. The parole board shall make this
8 determination using structured, actuarially based parole guidelines and the findings of a validated
9 risk and needs assessment tool, both of which must consider the prisoner's participation in
10 available work opportunities, educational opportunities and treatment program and the prisoner's
11 demonstrated good behavior. The parole board shall also consider whether risk reduction
12 programs, made available through collaboration with criminal justice agencies, community
13 organizations, or with the Department of Mental Health or Department of Public Health, and

14 other aspects of the prisoner's parole plan would minimize the probability of the prisoner re-
15 offending once released.

16 For any prisoner with a disability, the parole board must consider whether provision of
17 reasonable accommodations will enable the prisoner to live and remain at liberty without
18 violating the law. If a prisoner has a disability that may impair the ability of the prisoner to be
19 successful on parole, the parole board shall, in collaboration with counsel, where applicable,
20 arrange for a psychological or medical examination to ascertain and evaluate the nature of the
21 risk posed by the disability and to identify any services, supports, or programs that might
22 mitigate the risk. The parole board shall consider the examination in making its decision.

23 Upon issuance of a grant of parole to anyone who needs specialized care due to bodily
24 infirmity, disease, or mental or developmental disability, and who is unable to secure a home
25 plan, the parole board shall notify the Commissioner of the Department of Public Health or the
26 Commissioner of the Department of Mental Health, as appropriate, who shall secure a medically
27 appropriate placement for such prisoner within 60 days. No individual who has been granted
28 parole shall remain incarcerated for failure to secure an appropriate home plan.