SENATE DOCKET, NO. 2146 FILED ON: 1/17/2025

SENATE . . . . . No. 1702

The Commonwealth of Massachusetts

PRESENTED BY:

Dylan A. Fernandes

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 resolve:

Resolve to establish a commission to study expanding sentencing jurisdiction in Houses of Correction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Dylan A. Fernandes	*Plymouth and Barnstable*	
David T. Vieira	*3rd Barnstable*	*2/24/2025*
Hadley Luddy	*4th Barnstable*	*2/24/2025*
Christopher Richard Flanagan	*1st Barnstable*	*3/12/2025*
Kip A. Diggs	*2nd Barnstable*	*2/24/2025*
Julian Cyr	*Cape and Islands*	*2/24/2025*

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By Mr. Fernandes, a petition (accompanied by resolve, Senate, No. 1702) of Dylan A. Fernandes, David T. Vieira, Hadley Luddy, Kip A. Diggs and others that provisions be made for an investigation and study by a special commission (including members of the General Court) to study the expansion of statutory sentencing guidelines in Houses of Correction. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

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

Resolve to establish a commission to study expanding sentencing jurisdiction in Houses of Correction.

Resolved, SECTION 1. Purpose.

Whereas the current statutes of the Commonwealth of Massachusetts allow for the housing of inmates sentenced to a term of incarceration up to two and one-half years in the Houses of Correction under the jurisdiction of the county sheriffs, this legislation initiates a study to assess the feasibility, impact, and potential benefits of expanding the jurisdiction of Houses of Correction to include inmates sentenced to terms of incarceration of up to ten years.

SECTION 2. Establishment of a Commission.

There shall be established a special commission to study and evaluate the feasibility and implications of expanding the statutory sentencing guidelines to allow sheriffs to house inmates sentenced to a maximum of ten years in the Houses of Correction.

SECTION 3. Composition of the Commission.

12 The commission shall consist of the following members: 1 member of the Massachusetts
13 House of Representatives, appointed by the Speaker of the House, who shall serve as co-chair; 1
14 member of the Massachusetts House of Representatives, appointed by the House Minority
15 Leader; 1 member of the Massachusetts Senate, appointed by the Senate President, who shall
16 serve as co-chair; 1 member of the Massachusetts Senate, appointed by the Senate Minority
17 Leader; the Secretary of Public Safety and Security, or their designee; the Commissioner of the
18 Department of Correction, or their designee; 3 sheriffs of the Commonwealth, appointed by the
19 Massachusetts Sheriffs' Association; one member of the Committee for Public Counsel Services,
20 appointed by the Governor; 1 member of the Massachusetts Association of Criminal Defense
21 Lawyers, appointed by the Governor; 2 members of the judiciary, appointed by the Chief Justice
22 of the Supreme Judicial Court; 2 District Attorneys appointed by the Massachusetts District
23 Attorneys Association; and 2 members of the public with expertise in sentencing policy,
24 appointed by the Attorney General.

25 SECTION 4. Duties of the Commission.

26 The commission shall: (a) review current sentencing statutes and guidelines and their
27 alignment with the operational capacity and rehabilitation programs in Houses of Correction; (b)
28 assess the fiscal, operational, and public safety impacts of expanding sheriffs' jurisdiction to
29 house inmates sentenced to terms of up to ten years; (c) evaluate the potential benefits of
30 enhanced local rehabilitation services, family connections, and community-based programming
31 for inmates serving longer sentences; (d) solicit input from stakeholders, including victims'
32 advocates, legal professionals, correctional staff, and community organizations; (e) consider the
33 best practices from other states with similar sentencing models; and (f) consider the use of the
34 current step-down system from the Department of Corrections to the Houses of Correction.

SECTION 5. Report and Recommendations.

The commission shall file a report with its findings and recommendations, including any proposed legislative or regulatory changes, with the Clerk of the House of Representatives, the Clerk of the Senate, and the Governor no later than one year from the date of the commission's first meeting.

SECTION 6. Implementation and Funding.

The commission shall be funded through existing appropriations to the Executive Office of Public Safety and Security, with additional funding as necessary to be allocated through the state budget.

SECTION 7. This act shall take effect immediately upon passage.