HOUSE DOCKET, NO. 2247 FILED ON: 1/20/2011

HOUSE . . . . . No. 2280

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel B. Winslow

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 relative establishing judicial review of Parole Board decisions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Daniel B. Winslow	*9th Norfolk*
Steven L. Levy	*4th Middlesex*

HOUSE DOCKET, NO. 2247 FILED ON: 1/20/2011

HOUSE . . . . . No. 2280

By Mr. Winslow of Norfolk, a petition (accompanied by bill, House, No. 2280) of Daniel B. Winslow and Steven L. Levy for legislation to provide judicial review of Parole Board decisions. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative establishing judicial review of Parole Board decisions.

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

SECTION 1. Section 1 of chapter 30A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking in the definition of "agency" the words "the parole board;"

SECTION 2. Section 1C of chapter 30A of the General Laws, as so appearing, is hereby amended by inserting after the word "inclusive," the following:- "and ten"

SECTION 3. Section 7 of chapter 30A of the General Laws, as so appearing, is hereby amended by inserting after the word “any”, in line 2, the following:-

“decision of the parole board,”

SECTION 4. Section 10 of chapter 30A of the General Laws, as so appearing, is hereby amended by inserting at the end thereof the following:- "Notwithstanding any general or special law to the contrary, decisions of the parole board may be appealed by the Commonwealth and shall be subject to judicial review whether said decisions are an abuse of discretion."

13 SECTION 5. Section 133 of chapter 127, as so appearing, is hereby amended by inserting

14 after the word “sentences”, in line 10, the following:-

15 “provided, that an inmate who has served or is serving more than one sentence of

16 imprisonment for life shall be subject to a rebuttable presumption of being inappropriate for such

17 permit”