HOUSE DOCKET, NO. 818 FILED ON: 1/19/2011

HOUSE . . . . . No. 551

The Commonwealth of Massachusetts

PRESENTED BY:

James R. Miceli

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 passage of the accompanying:

An Act relative to the temporary release of persons under the care of the department of mental health.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James R. Miceli	*19th Middlesex*

HOUSE DOCKET, NO. 818 FILED ON: 1/19/2011

HOUSE . . . . . No. 551

By Mr. Miceli of Wilmington, a petition (accompanied by bill, House, No. 551) of James R. Miceli relative to the temporary release of persons under the care of the Department of Mental Health. Mental Health and Substance Abuse.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1942* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the temporary release of persons under the care of the department of mental health.

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

Chapter 123 of the General Laws is hereby amended by inserting after section 30 the following section:-

Section 30A. Prior to the release of a person within the care of the department on a furlough or off the grounds of a facility on any type of pass while unsupervised by a department employee the following requirements shall be met:

1) A criminal offender record information check shall be performed;

2) A review shall be conducted by a group or panel established to review such releases;

3) Written notice shall be given to the chief of police, at least 3 days prior to the release, in any community in which a person with a felony conviction or a serious criminal or violent history is going to receive unattended release. Such notice shall include a copy of such person sanitized criminal offender record information. Such record information shall not identify the person;

4) The chief of police may appeal the release of such person to the direction of the facility where the person is under care who shall have final authority in the matter. The chief of police shall be notified of the decision within 24 hours of his appeal.