

HOUSE . . . . . No. 23

---

---

**The Commonwealth of Massachusetts**

---

DEPARTMENT OF CORRECTION,  
120 TREMONT STREET, BOSTON 8, October 18, 1957.

*To the General Court of Massachusetts, State House, Boston.*

GENTLEMEN:— In accordance with the provisions of section 33 of chapter 30 of the General Laws, a copy of the recommendations for legislation to be contained in the Annual Report of the Department of Correction is submitted herewith, together with drafts of bills embodying the legislation recommended.

These drafts have been submitted to the Counsel for the House, as required by law.

Very truly yours,

ARTHUR T. LYMAN,  
*Commissioner.*

## RECOMMENDATIONS.

1. AN ACT RELATIVE TO THE PENAL INSTITUTIONS OF THE COMMONWEALTH IN THE MATTER OF DEDUCTION OF SENTENCE FOR GOOD CONDUCT.

This bill is recommended to clarify the existing law and is made necessary by decisions of the Supreme Judicial Court, the Superior Court in actions for declaratory judgment, the interpretations and opinions of the Attorney General, and in addition is to provide for good conduct deductions of prisoners while on parole, and for the statutory forfeiture of good conduct deduction of those who violate parole and are returned, or who are convicted of an offence committed while confined.

2. AN ACT RELATIVE TO THE CONDITIONAL RELEASE OF PRISONERS SENTENCED FOR DRUNKENNESS TO PENAL INSTITUTIONS OF THE COMMONWEALTH.

Under the amendment to our laws made by chapter 715 of the Acts of 1956, many changes were made to provide for the care and treatment of alcoholics and those sentenced for drunkenness. One of the changes was the substitution in place of the conditional release by the Commissioner of Correction at any time within a year by an absolute discharge after the mandatory period of servitude of sixty days and thereafter at any time within six months. It was found that the mandatory period of sixty days required to be served before a release could be made was contra to and made less effective any treatment program for this type of offender. It was also found that the absolute discharge also increased the judicial process of recommitment and expenses caused thereby; therefore it is recommended in the instant bill that those sentenced to the Massachusetts Correctional Institutions at Bridgewater and Framingham for drunkenness may be granted a conditional release at any time after sentence up to the maximum term of a sentence of six months. Under this type

of release conditions could be set up including those matters necessary for treatment, and upon violation of the conditions or law the offender could be returned during the six-month period to the institution from which released, and thereby eliminate the need for a further court commitment and the expense entailed.

