

By Mr. Danovitch of Norwood, petition of Alan Paul Danovitch and Mary B. Newman for requiring a majority of the members of the Parole Board to act on parole permits. Social Welfare.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Nine.

AN ACT REQUIRING A MAJORITY OF THE MEMBERS OF THE PAROLE BOARD TO ACT ON THE PAROLE PERMITS OF CERTAIN PRISONERS.

*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. Chapter 127 of the General Laws is hereby  
2 amended by striking out section 133, as most recently amended  
3 by chapter 261 of the acts of 1966, and inserting in place  
4 thereof the following section:—

5 *Section 133.* Parole permits may be granted by the parole  
6 board to prisoners subject to its jurisdiction at such time as  
7 the board in each case may determine; provided (a) that no  
8 prisoner, convicted for a violation of section thirteen, thir-  
9 teen B, fourteen, fifteen, fifteen A, fifteen B, sixteen, seventeen,  
10 eighteen, eighteen A, nineteen, twenty, twenty-one, twenty-  
11 two, twenty-two A, twenty-three, twenty-four, twenty-four B,  
12 twenty-five, or twenty-six of chapter two hundred and sixty-  
13 five, or section seventeen, thirty-five, or thirty-five A of chap-  
14 ter two hundred and seventy-two, or for an attempt to com-  
15 mit any crime referred to in said sections, and held under a  
16 sentence containing a minimum sentence shall receive a pa-  
17 role permit until he shall have served two thirds of such  
18 minimum sentence, nor in the case of a first offender until he  
19 shall have served one third of such minimum sentence, but  
20 in any event not less than two years or if he has two or more  
21 sentences to be served otherwise than concurrently, two thirds  
22 of the aggregate of the minimum terms of such several sen-  
23 tences, but in any event not less than two years for each such  
24 sentence; provided further, however, that upon the written

25 recommendation of the superintendent or the director of the  
26 prison camp, and the commissioner of correction, and with  
27 the consent and approval of the majority of the members  
28 of the parole board, such a prisoner shall become eligible  
29 for parole consideration, and, with like consent and approval,  
30 may be given a parole permit before such time, but in any  
31 event not sooner than such a parole permit may be granted to  
32 other prisoners under clause (b) of this section. (b) that no  
33 other prisoner held under a sentence containing a minimum  
34 sentence shall receive a parole permit until he shall have  
35 served one third of such minimum sentence, but in any event  
36 not less than one year, or, if he has two or more sentences  
37 to be served otherwise than concurrently, one third of the  
38 aggregate of the minimum terms of such several sentences,  
39 but in any event not less than one year for each such sen-  
40 tence; (c) that no prisoner held under a sentence containing  
41 a minimum sentence for a crime committed while on parole  
42 shall receive a parole permit until he shall have served two  
43 thirds of such minimum sentence, or, if he has two or more  
44 sentences to be served otherwise than concurrently for of-  
45 fenses committed while on parole, two thirds of the aggregate  
46 of the minimum terms of such several sentences, but in any  
47 event not less than two years for each such sentence; pro-  
48 vided, further, that the portion of a minimum sentence or  
49 sentences which a prisoner is required to serve before being  
50 eligible for a parole permit shall, in each of the above in-  
51 stances, be reduced by the number of days allowed for blood  
52 donations as provided in section one hundred and twenty-  
53 nine A.

1 SECTION 2. The provisions of section one hundred and thirty-  
2 three of chapter one hundred and twenty-seven of the General  
3 Laws, as amended by section one of this act, shall not apply  
4 in the case of any person sentenced prior to the effective date  
5 of this act if application of the provisions thereof would have  
6 the effect of making his punishment more severe.