

HOUSE No. 47

Accompanying the fifth recommendation of the Commissioner of Correction (House, No. 42). Public Welfare.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Three.

AN ACT RELATIVE TO TIME OFF FOR DILIGENCE AND LABOR IN THE CASE OF PRISONERS PERFORMING WORK WHILE CONFINED IN CERTAIN STATE PENAL AND REFORMATORY INSTITUTIONS.

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

1 Chapter one hundred and twenty-seven of the
2 General Laws is hereby amended by inserting after
3 section one hundred and twenty-nine, as appearing in
4 section two of chapter six hundred and ninety of the
5 acts of nineteen hundred and forty-one, the following
6 new section:—

7 *Section 129A.* The officers in charge of the state
8 prison, the state prison colony, the Massachusetts
9 reformatory and the reformatory for women shall
10 keep a record of the diligence and labor of each pris-
11 oner performing work while serving a sentence in the
12 respective institutions under the control of said officers.
13 The commissioner may grant a conditional deduction

14 from the maximum term for which a prisoner may be
15 held under his sentence in any of said institutions of
16 not more than three days for each month, to each
17 prisoner for his diligence and labor in the performance
18 of work while confined. Rules and regulations for
19 the granting of conditional deductions hereunder shall
20 be made by said officers with respect to prisoners
21 serving a sentence in the respective institutions under
22 their control. Said rules and regulations shall take
23 effect when approved by the commissioner and by the
24 governor and council. Every such prisoner who has
25 been granted a conditional deduction by the commis-
26 sioner from his maximum term of imprisonment shall
27 be entitled to a written permit by the parole board
28 to be at liberty during the time so deducted, upon the
29 same terms and conditions as provided in the case of
30 a prisoner who is released on parole. If a prisoner to
31 whom such a permit has been granted violates any
32 of the terms thereof, it may be revoked by the parole
33 board, and such prisoner shall thereupon be ordered
34 to be returned to the prison to which he was originally
35 sentenced. He shall serve the portion of his sentence
36 originally imposed which remained at the time of his
37 receiving a conditional deduction hereunder from his
38 sentence. A prisoner given a permit to be at liberty
39 who, during time he is at liberty, commits a crime
40 for which he is sentenced, or violates the terms of a
41 parole or permit to be at liberty from the sentence
42 which he is then serving and is returned for such vio-
43 lation of parole or permit, or who, during the term of
44 his imprisonment commits any offence for which he
45 has been convicted and sentenced to any prison, shall
46 not be entitled to a conditional deduction hereunder
47 for his diligence and labor in the performance of work

48 by him while serving such sentence, or any additional
49 sentence. Any time off allowed under the provisions
50 of this section shall be in addition to the conditional
51 deduction that may be granted under section one
52 hundred and twenty-nine.

