

HOUSE No. 1227

By Mr. Driscoll of Boston, petition of The United Prison Association of Massachusetts that the consideration of releases on parole by the Parole Board be required in the cases of certain life prisoners. Public Welfare.

The Commonwealth of Massachusetts

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

AN ACT REQUIRING CONSIDERATION FOR RELEASE ON PAROLE BY THE PAROLE BOARD OF THE CASES OF CERTAIN LIFE 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 Chapter 127 of the General Laws (Tercentenary
2 Edition), as amended by chapter 225 of the acts of
3 1935, and as most recently amended by chapter 451 of
4 the acts of 1939, is hereby amended by striking out
5 section 154A and inserting in place thereof the follow-
6 ing section:—

7 *Section 154A.* In every case where a person is
8 confined in a penal institution, except the Bridgewater
9 state hospital, under a sentence for the term of his or
10 her natural life, the parole board, shall within sixty
11 days of expiration of fifteen years of such sentence,
12 consider carefully and thoroughly the merits of such
13 case on the question of releasing such person on parole.

14 After such consideration the parole board may grant
15 to such prisoner a parole permit to be at liberty upon
16 such terms and conditions as it may prescribe for the
17 unexpired term of his sentence. Such terms and con-
18 ditions may be revised, altered, and amended, and
19 may be revoked by the parole board at any time.
20 The violation of the holder of such a permit to be at
21 liberty of any of its terms or conditions, or the violation
22 of any law of the Commonwealth shall render such
23 release void. If a permit to be at liberty has become
24 void, or has been revoked, the parole board may order
25 the arrest of the holder of such permit, or of such
26 prisoner on parole, by any officer authorized to serve
27 criminal process in any county, and the return of such
28 holder or such prisoner to the prison to which he was
29 originally sentenced. A prisoner who has been so re-
30 turned to prison shall be detained therein according
31 to the term of his original sentence. In computing
32 the term of his confinement, the time between the re-
33 lease on parole and his return to prison shall not be
34 taken to be a part of his sentence. If at the time of
35 the order to be returned to prison or the revocation
36 of his permit he is confined in any prison, service of
37 such order shall not be made until his release therefrom.

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