

SENATE No. 694

[Senate, No. 694. — Moved (O'Neil) as a substitute for House Bill No. 2404, amended.]

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty.

AN ACT TO PERMIT DAY WORK OUTSIDE OF THE REFORMATORY FOR WOMEN OR JAILS OR HOUSES OF CORRECTION BY CERTAIN INMATES THEREOF.

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
2 hereby amended by striking out section 85 and in-
3 serting in place thereof the following section:—
4 *Section 85.* The superintendent of the reformatory
5 for women or the county commissioners of any county
6 may, subject to rules and regulations established in
7 accordance with the provisions of this section, permit
8 an inmate of said reformatory, except an inmate
9 serving a life sentence or committed as a defective
10 delinquent, or a female inmate serving a sentence in
11 a county jail or house of correction, who shall consent
12 thereto, to be employed by the day outside the pre-
13 cincts or dependencies of said reformatory of jail or
14 house of correction. The commissioner shall, with
15 the approval of the governor and council, establish

16 rules and regulations to govern the administration of
17 said day work and may, with like approval, amend,
18 annul or repeal said rules and regulations. Said rules
19 and regulations shall provide for reasonable periods of
20 confinement to said reformatory or jail or house of
21 correction before an inmate may be permitted to
22 engage in day work under this section, shall designate
23 the form of permit by which an inmate shall be em-
24 ployed in day work under this section, shall establish
25 the conditions of agreements to be entered into by
26 an employer of an inmate engaged in day work under
27 this section, and shall provide for proper supervision
28 during such day work employment; provided, (a) no
29 inmate shall be employed at wages less than those
30 paid by her employer to non-inmate employees doing
31 similar work, and (b) no inmate shall be employed at
32 a place where there exists any strike or stoppage of
33 employment arising from any dispute over wages,
34 working conditions, union security or from a labor
35 dispute of any kind.

1 SECTION 2. Said chapter 127 is hereby further
2 amended by striking out section 86 and inserting in
3 place thereof the following section:—
4 *Section 86.* Any inmate employed at day work
5 under section eighty-five shall, during the time said
6 inmate is outside the precincts or dependencies of the
7 reformatory for women or jail or house of correction
8 for the purpose of such employment, be in the status
9 of a day-work permittee. The superintendent or the
10 county commissioners or the commissioner may revoke
11 at any time, for reasons stated in writing, the permit
12 of any inmate employed as a day-work permittee. If
13 any inmate in the status of a day-work permittee

14 leaves her place of employment, or, having been or-
15 dered by the superintendent or the county commis-
16 sioners or the commissioner to return to the reforma-
17 tory for women or a jail or house of correction neglects
18 or refuses so to do, she shall be held to have escaped
19 from said reformatory or jail or house of correction
20 and she shall be arrested and returned to said re-
21 formatory or jail or house of correction and shall,
22 upon conviction of such escape, be sentenced to said
23 reformatory or jail or house of correction for a term
24 of not more than one year. The expense of her arrest
25 and return to said reformatory or jail or house of cor-
26 rection shall be paid in the same manner as the ex-
27 pense of the arrest and return of an inmate escaping
28 from said reformatory or jail or house of correction.

