

The Commonwealth of Massachusetts

PRELIMINARY REPORT
OF
THE
SPECIAL COMMISSION ON FIREARMS,
PAROLES
AND RELATED MATTERS

March 30, 1964

The Commonwealth of Massachusetts

RESOLVE CREATING THE COMMISSION

[CHAPTER 162]

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE LAWS OF THE COMMONWEALTH RELATIVE TO THE ILLEGAL USE OF FIREARMS, THE CURRENT PROGRAMS OF PRISONER REHABILITATION AND PSYCHIATRIC TREATMENT, AND THE PROCEDURES EMPLOYED IN THE RELEASE OF PRISONERS ON PAROLE.

Resolved, That a special commission to consist of three members of the senate, five members of the house of representatives and seven persons to be appointed by the governor, is hereby established to make an investigation and study of (1) the laws of the commonwealth relative to the illegal possession, purchase, sale, transportation and use of firearms, machine guns, switch knives, and other dangerous weapons, and of the penalties provided for violations thereof, to determine whether the protection of the public requires that mandatory sentences of imprisonment be imposed for such violations; (2) the laws of the commonwealth relative to the release of prisoners on parole, and of the procedures employed in carrying out the provisions of such laws, to determine whether proper safeguards are observed for the protection of the public, and whether the protection of the public would be further promoted by the establishment of "halfway houses", so called, to provide an orderly return to society of prisoners released on parole and to provide a place of supervised return for prisoners who temporarily fail to achieve satisfactory rehabilitation; (3) the current programs for rehabilitation of prisoners, including instruction in trades and crafts during confinement, to determine whether such programs are being utilized to the best advantage and whether they should be further expanded; (4) the psychiatric treatment of prisoners while confined and while on parole to determine whether psychiatric facilities and personnel are adequate and utilized to the fullest extent and whether adequate reports of such treatment are currently available to the parole board; and (5) such other matters as may be necessary for the better protection of the public and improved procedures for a more effective operation of the parole system.

Said commission may travel without the commonwealth. Said commission shall report to the general court on or before the fifth Monday of March, nineteen hundred and sixty-four.

Approved November 16, 1963.

The Commonwealth of Massachusetts

MEMBERSHIP

Appointed by the President of the Senate

Senator JOHN E. POWERS of Boston, *Chairman*

Senator A. FRANK FOSTER of Boston

Senator GEORGE D. HAMMOND of Westfield

Appointed by the Speaker of the House of Representatives

Rep. WILLIAM H. FINNEGAN of Everett, *Vice-Chairman*

Rep. GEORGE B. WALSH of Malden

Rep. JOHN P. BUCKLEY of Arlington

Rep. GERALD J. MORRISSEY of Boston

Rep. THEODORE J. VAITSES of Melrose

Appointed by the Governor of the Commonwealth

Sheriff JOSEPH A. SMITH of Worcester

Mr. JOHN MORAN of Bridgewater

Lt. JOHN F. COLLINS of Chelsea

Hon. STANLEY E. QUA of Lowell

Msgr. ROBERT J. WHITE of Old Orchard, Maine

FREDERICK R. DRISCOLL of Boston

The Commonwealth of Massachusetts

PRELIMINARY REPORT
OF THE SPECIAL COMMISSION ON FIREARMS,
PAROLES AND RELATED MATTERS

March 30, 1964.

To the Honorable Senate and House of Representatives:

The Special Commission created by Chapter 162 of the Resolves of 1963 providing for an investigation and study by a special commission of the laws of the Commonwealth relative to the illegal use of firearms, the current programs of prisoner rehabilitation and psychiatric treatment, and the procedures employed in the release of prisoners on parole herewith submits a preliminary report.

In accordance with the resolve, appointments were made by the President of the Senate, the Speaker of the House and the Governor of the Commonwealth.

Shortly after the foregoing appointments were made, the Commission met and organized with Senator John E. Powers as Chairman and Representative William H. Finnegan as Vice-Chairman.

Since your Commission was not authorized until November 16, 1963 and a still further delay of some weeks occurred before all the members were appointed, little more than two months have been available to the Commission to make its study and report.

Your commission has been able to hold only a few executive sessions and has barely had time to begin to study the subject matters assigned to it.

This study involves a tremendously vital and important subject, and affects thousands of people in the prison systems throughout the State as well as the five million inhabitants of the Commonwealth and should receive our careful and painstaking analysis after extensive research and study before any recommendations can be made. This cannot be done in three or four months.

We feel it is necessary to devote much more time to it in order to make as factual and complete a report as is required by the Resolve creating the Commission.

Therefore your Commission respectfully requests further time in which to complete its study and appends the accompanying legislation for that purpose. (See Appendix A).

Respectfully submitted,

A. FRANK FOSTER
JOHN F. COLLINS
Msgr. ROBERT J. WHITE
WILLIAM H. FINNEGAN
GEORGE B. WALSH
FRANCIS X. McCANN
GEORGE D. HAMMOND
JOHN P. BUCKLEY
THEODORE J. VAITSES
GERALD J. MORRISSEY

APPENDIX A

The Commonwealth of Massachusetts

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

RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION PROVIDING FOR AN INVESTIGATION AND STUDY OF THE LAWS OF THE COMMONWEALTH RELATIVE TO THE ILLEGAL USE OF FIREARMS, THE CURRENT PROGRAMS OF PRISONER REHABILITATION AND PSYCHIATRIC TREATMENT, AND THE PROCEDURES EMPLOYED IN THE RELEASE OF PRISONERS ON PAROLE.

1 *Resolved*, That the special commission, established
2 by chapter one hundred and sixty-two of the resolves
3 of nineteen hundred and sixty-three, is hereby revived
4 and continued for the purpose of continuing its investi-
5 gation and study of (1) the laws of the common-
6 wealth relative to the illegal possession, purchase, sale,
7 transportation and use of firearms, machine guns, switch
8 knives, and other dangerous weapons, and of the penalties pro-
9 vided for violations thereof, to determine whether the pro-
10 tection of the public requires that mandatory sentences of im-
11 prisonment be imposed for such violations; (2) the laws of the
12 commonwealth relative to the release of prisoners on parole,
13 and of the procedures employed in carrying out the provisions
14 of such laws, to determine whether proper safeguards are ob-
15 served for the protection of the public, and whether the protec-
16 tion of the public would be further promoted by the establish-
17 ment of "halfway houses", so called, to provide an orderly re-
18 turn to society of prisoners released on parole and to provide
19 a place of supervised return for prisoners who temporarily fail
20 to achieve satisfactory rehabilitation; (3) the current programs
21 for rehabilitation of prisoners, including instruction in trades
22 and crafts during confinement, to determine whether such pro-
23 grams are being utilized to the best advantage and whether

24 they should be further expanded; (4) the psychiatric treatment
25 of prisoners while confined and while on parole to determine
26 whether psychiatric facilities and personnel are adequate and
27 utilized to the fullest extent and whether adequate reports of
28 such treatment are currently available to the parole board; and
29 (5) such other matters as may be necessary for the better pro-
30 tection of the public and improved procedures for a more effec-
31 tive operation of the parole system.

32 Said commission may travel without the commonwealth.

33 Said commission may expend the unexpended balance of the
34 amount appropriated in item 0264-13 of section two of chapter
35 eight hundred and 38, of the acts of 1963, for clerical, expert
36 and other services and expenses, and any other sums which
37 may be appropriated therefor.

38 Said commission may hold public hearings, shall have the
39 power to summon witnesses, and to require the production of
40 books, records, contracts and papers, and the giving of testi-
41 mony under oath.

42 Said commission shall report its recommendations, together
43 with drafts of recommended legislation, from time to time, if
44 any, but shall file its final report in any event not later than
45 the third Wednesday in March 1965, with the clerk of the
46 Senate.

