

# SENATE . . . . . No. 831

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By Mr. Backman, a petition of Jack H. Backman and Jonathan L. Healy for legislation to permit the use of summonses rather than warrants for parole violations. Social Welfare.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Seventy-Two.

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### AN ACT PERMITTING THE USE OF SUMMONSES RATHER THAN WARRANTS FOR PAROLE VIOLATIONS

*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 is hereby amended by add-  
2 ing the following section:—

3 Section 149B: If a parole officer has probable cause to be-  
4 lieve that a parolee has violated the conditions of his parole,  
5 provided that such violation is not commission of a felony or  
6 misdemeanor, the parole officer may issue a summons instead  
7 of a warrant for temporary custody of said parolee, fixing a day  
8 and hour of appearance for a final decision of the parole board,  
9 in accordance with section 149A of this chapter, if the parole  
10 officer and a parole supervisor or other superior officer believe  
11 that the parolee will appear upon a summons. Such summons  
12 shall be served by a parole officer by giving to the parolee in  
13 hand or by leaving at his last and usual place of abode an at-  
14 tested copy, not less than twenty-four hours before the re-  
15 turn hour. If a parolee so summoned fails, without reasonable  
16 cause, to appear before the parole board, a warrant may be  
17 issued pursuant to Section 149A of this chapter.

