

By Mr. Fitzgerald of Boston, petition of Kevin W. Fitzgerald, Kevin G. Honan, Richard J. Rouse and others for legislation to establish county regional lock-up facilities. Counties.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Eight.

### AN ACT RELATIVE TO THE ESTABLISHMENT OF REGIONAL LOCK-UP FACILITIES.

*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. Section 34 of Chapter 40 of the General Laws,  
2 as most recently amended by Chapter 240 of the Acts of 1985,  
3 is hereby further amended by adding after the word "shall" in the  
4 first sentence the words "unless a member of a regional lock-up  
5 facility", and by adding after the word "thereby" in the first  
6 sentence the words "or the regional lock-up facility, if the city or  
7 town is a member of such a facility, pursuant to section thirty-  
8 four A of this chapter."

1 SECTION 2. Chapter 40 of the General Laws is hereby  
2 amended by adding the following new section 34A:

3 The sheriff of each county may establish one or more regional  
4 lock-up facilities within the county which shall only be used for  
5 pre-arraignment persons arrested with or without a warrant  
6 within the county by a member of a police department, or a deputy  
7 sheriff. Said facilities may also be used for the detention of persons  
8 detained or committed by the courts of the United States, or any  
9 person arrested under any civil process. Any county regional lock-  
10 up facility established under this section shall have the same func-  
11 tion and power as a lock-up established under section thirty-four  
12 of chapter forty.

13 A city or town may become a member of a county regional lock-  
14 up facility system by executing, with the consent of the county

15 commissioners, a written agreement with the county sheriff. Said  
16 agreement shall be filed with the city or town clerk, the county  
17 commissioners, and the secretary of state, and shall set forth the  
18 details as to the transportation, booking, fees to be paid per  
19 prisoner, and an indemnification agreement.

20 Member police officers who are transporting a prisoner to a  
21 regional lock-up facility shall, during transport, have the full  
22 authority and jurisdiction of a police officer through any city,  
23 town, or county.

24 The requirements and duties set forth in sections thirty-six A  
25 through thirty-six C of chapter forty shall pertain to the regional  
26 lock-up facility and the sheriff's department personnel, except that  
27 training shall be completed within one year of the establishment  
28 of such a facility. Member city or town police departments do not  
29 have to comply with section thirty-six C of chapter forty.

30 The regional lock-up facility administrator and deputy sheriffs  
31 shall have the same authority, jurisdiction and duty as a police  
32 officer to detain, book, hold, and transport a pre-arraignment  
33 prisoner or any other prisoner to or from the regional lock-up  
34 facility.

35 There may be a county regional lock-up advisory board consist-  
36 ing of a representative from each member and the sheriff's  
37 department. The advisory board may recommend to the sheriff  
38 improvements in the operation of the transportation and book-  
39 ing procedures of the regional lock-up facility.

1 SECTION 3. Section 35 of Chapter 40 of the General Laws  
2 is hereby amended by adding thereto the following paragraph:  
3 "Notwithstanding the foregoing paragraph, if there is a county  
4 regional lock-up facility, the sheriff shall be responsible for the  
5 appointment of the administrator of the lock-up facility who shall  
6 serve for such term as the sheriff shall determine and written notice  
7 of same shall be filed with the county commissioners and the clerk  
8 of each member city or town. The administrator of the regional  
9 lock-up facility shall have all the powers and duties of a keeper  
10 of the lock-up."

1 SECTION 4. Section 36B of Chapter 40 of the General Laws,  
2 as most recently amended by Chapter 208, Section 1 of the Acts

3 of 1985, is hereby further amended by adding after the word  
4 “town” in the first sentence the word “county”, and by adding after  
5 the words “state police” in the first sentence the words “the county  
6 sheriff’s department.”

The following series of studies, which have been published in the *Annals of the Entomological Society of America*, will be found in the following order: (1) *Annals*, 45: 1-12, 1954; (2) *Annals*, 45: 13-24, 1954; (3) *Annals*, 45: 25-36, 1954; (4) *Annals*, 45: 37-48, 1954; (5) *Annals*, 45: 49-60, 1954; (6) *Annals*, 45: 61-72, 1954; (7) *Annals*, 45: 73-84, 1954; (8) *Annals*, 45: 85-96, 1954; (9) *Annals*, 45: 97-108, 1954; (10) *Annals*, 45: 109-120, 1954; (11) *Annals*, 45: 121-132, 1954; (12) *Annals*, 45: 133-144, 1954; (13) *Annals*, 45: 145-156, 1954; (14) *Annals*, 45: 157-168, 1954; (15) *Annals*, 45: 169-180, 1954; (16) *Annals*, 45: 181-192, 1954; (17) *Annals*, 45: 193-204, 1954; (18) *Annals*, 45: 205-216, 1954; (19) *Annals*, 45: 217-228, 1954; (20) *Annals*, 45: 229-240, 1954; (21) *Annals*, 45: 241-252, 1954; (22) *Annals*, 45: 253-264, 1954; (23) *Annals*, 45: 265-276, 1954; (24) *Annals*, 45: 277-288, 1954; (25) *Annals*, 45: 289-300, 1954; (26) *Annals*, 45: 301-312, 1954; (27) *Annals*, 45: 313-324, 1954; (28) *Annals*, 45: 325-336, 1954; (29) *Annals*, 45: 337-348, 1954; (30) *Annals*, 45: 349-360, 1954; (31) *Annals*, 45: 361-372, 1954; (32) *Annals*, 45: 373-384, 1954; (33) *Annals*, 45: 385-396, 1954; (34) *Annals*, 45: 397-408, 1954; (35) *Annals*, 45: 409-420, 1954; (36) *Annals*, 45: 421-432, 1954; (37) *Annals*, 45: 433-444, 1954; (38) *Annals*, 45: 445-456, 1954; (39) *Annals*, 45: 457-468, 1954; (40) *Annals*, 45: 469-480, 1954; (41) *Annals*, 45: 481-492, 1954; (42) *Annals*, 45: 493-504, 1954; (43) *Annals*, 45: 505-516, 1954; (44) *Annals*, 45: 517-528, 1954; (45) *Annals*, 45: 529-540, 1954; (46) *Annals*, 45: 541-552, 1954; (47) *Annals*, 45: 553-564, 1954; (48) *Annals*, 45: 565-576, 1954; (49) *Annals*, 45: 577-588, 1954; (50) *Annals*, 45: 589-600, 1954; (51) *Annals*, 45: 601-612, 1954; (52) *Annals*, 45: 613-624, 1954; (53) *Annals*, 45: 625-636, 1954; (54) *Annals*, 45: 637-648, 1954; (55) *Annals*, 45: 649-660, 1954; (56) *Annals*, 45: 661-672, 1954; 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