

By Ms. Hildt of Amesbury, petition of Barbara Hildt and other members of the General Court relative to providing uniform educational programs for adult offenders. Public Safety.

The Commonwealth of Massachusetts

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

AN ACT TO PREVENT CRIMINAL RECIDIVISM.

1 *Whereas*, There exists in the Commonwealth a state of crisis
2 in public safety caused by the high rate of crime, criminal
3 recidivism, and prison overcrowding;

4 *Whereas*, The majority of inmates in state prisons and county
5 houses of corrections, lack basic education, and nearly one half
6 test below the seventh grade reading level;

7 *Whereas*, An increasing amount of research shows a positive
8 correlation between participation in education programs and a
9 decrease in criminal recidivism;

10 *Therefore*, The General Court hereby declares that public
11 safety requires uniform educational programs for all adult
12 offenders incarcerated in state prisons and county houses of
13 correction

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 adding
2 the following section: —

3 Section 74. Prison Education.

4 State corrections institutions and county houses of correction
5 shall provide educational programs for inmates consisting of, but
6 not limited to, the following:

7 1. adult education with special emphasis on basic literacy,
8 mathematics, health and social skills training comparable to
9 accredited public school programs; special education; bilingual or
10 English as a second language,

- 11 2. higher education, where practicable, in cooperation with
- 12 public and private institutions of higher education,
- 13 3. education and training, in cooperation with community-
- 14 based organizations and the private sector,
- 15 4. vocational training,
- 16 5. library services,
- 17 6. guidance and counseling.

18 Any inmate serving a sentence of more than ninety days and
19 who has not earned a high school diploma or general education
20 diploma shall be given the opportunity to participate in a program
21 of adult basic education.

22 Any inmate who fails to attain a minimum educational standard
23 as set forth in this section shall participate in a mandatory
24 education program for no less than ninety (90) calendar days. On
25 January 1, 1992, the minimum educational standard shall be
26 the 6th grade equivalent in reading on the Test of Adult Basic
27 Education (TABE); on January 1, 1993, the minimum education
28 standard shall be the 7th grade equivalent in reading on the test
29 of Adult Basic Education (TABE); on January 1, 1994, and
30 thereafter, the minimum educational standard shall be the 8th
31 grade equivalent in reading on the Test of Adult Basic Education
32 (TABE).

33 Participation in mandatory education shall not be required of
34 any inmate who was in the custody of the Department of
35 Correction prior to July 1, 1991; who has less than eighteen (18)
36 months of his or her sentence to serve; is exempted due to a
37 medical, developmental or learning disability; or who possesses
38 a verified General Education Diploma (GED), or a diploma from
39 an accredited public or private high school, or has attained a
40 minimum educational standard at the 8th grade equivalent in
41 reading on the Test of Adult Basic Education (TABE).

42 There shall be established a Council on Correction Education,
43 hereinafter called the Council. The Council shall consist of the
44 commissioner of corrections, commissioner of youth services,
45 commissioner of education, chairman of the parole board,
46 president of the Massachusetts sheriff's association, and two
47 members with broad experience in education appointed by the
48 Governor. Members may designate representatives in their stead.

49 The commissioner of corrections shall serve as chairman.

50 Members shall serve for three-year terms, staggered so as to
51 maintain continuity of the Council. Any member shall be eligible
52 for reappointment. In the event of a vacancy, the Governor shall
53 appoint a person to fill the vacancy for the unexpired term. The
54 Governor may remove members for willful misconduct or neglect
55 of duty or inability to perform the powers and responsibility of
56 the council.

57 The Council shall have the following powers and duties:

58 1. to establish goals, guidelines, and minimum criteria for
59 uniform educational programs in the prisons and houses of
60 correction,

61 2. to evaluate the effectiveness of existing educational
62 programs, and to monitor and annually evaluate all educational
63 programs expanded or established pursuant to this act,

64 3. to establish incentives for inmate participation in
65 educational programs including, but not limited to, good time
66 sentence deductions,

67 4. to maintain, to the extent practicable, continuity of access
68 to educational programs during reclassification of inmates,

69 5. to develop and implement inmate recruitment procedures
70 that promote and facilitate inmate education,

71 6. to develop and implement a transition assistance program
72 for inmates seeking post-release employment and educational
73 opportunities.

74 The Council shall give highest priority to the educational needs
75 of youthful offenders and those inmates nearing release from the
76 corrections system.

77 The Council shall annually report its recommendations and
78 findings to the Governor and the General Court. The Secretary
79 of the Commonwealth shall make them available to the general
80 public.

