

HOUSE No. 6677

The Commonwealth of Massachusetts



THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

MICHAEL S. DUKAKIS
GOVERNOR

September 17, 1985

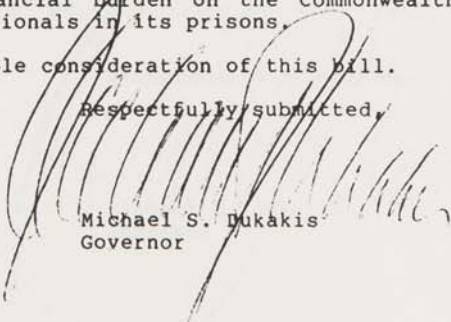
To the Honorable Senate and House of Representatives:

I am submitting for your consideration the attached legislative proposal entitled "An Act Relating to the Voluntary Transfer of Convicted Foreign Nationals".

This proposal allows the Commonwealth to transfer convicted foreign nationals to their country of origin, with the prisoner's consent, whenever a United States treaty is in effect allowing such a transfer. This proposal, which is similar to legislation in effect in twenty-two states, will serve the dual purpose of aiding the rehabilitation of foreign prisoners by housing them in their native country, and lessening the financial burden on the Commonwealth of imprisoning foreign nationals in its prisons.

I urge your favorable consideration of this bill.

Respectfully submitted,


Michael S. Dukakis
Governor

The Commonwealth of Massachusetts

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

AN ACT RELATING TO THE VOLUNTARY TRANSFER OF CONVICTED FOREIGN NATIONALS.

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 inserting
- 2 after section 97A the following new section 97B: —
- 3 Section 97B. If a treaty in effect between the United States and a
- 4 foreign country provides for the transfer or exchange of convicted
- 5 offenders to the country of which they are citizens or nationals, the
- 6 commissioner may, with the consent of the convicted offender,
- 7 subject to the approval of the governor, and in accordance with the
- 8 terms of the treaty, consent to the transfer or exchange of any such
- 9 offender and take any other action necessary to initiate the partici-
- 10 pation of the commonwealth in the treaty.