

HOUSE No. 36

The Commonwealth of Massachusetts

DEPARTMENT OF CORRECTION,
STATE HOUSE, BOSTON 33, October 31, 1950.

To the Honorable Senate and House of Representatives.

In accordance with the provisions of section 33, chapter 30 of the General Laws, as most recently amended by chapter 67 of the Acts of 1948, the recommendations of the Department of Correction for the year ending June 30, 1951, are herewith submitted, together with drafts of bills embodying the legislation recommended. The bills have been submitted to the Counsel for the House of Representatives as required by law.

Respectfully submitted,

ELLIOTT E. McDOWELL,
Commissioner of Correction.

RECOMMENDATIONS.

1. This bill permits a prisoner at the discretion of the warden or superintendent to visit a relative during illness if death be imminent. Under the present law the warden or superintendent may permit a prisoner only to view the body or attend the funeral of a relative.

2. Under the present law, when the Commissioner grants a conditional release for drunkenness the prisoner must be confined in a state institution. Prisoners who have been sentenced to a state institution for drunkenness are sometimes transferred to county penal institutions. This amendment provides for the Commissioner retaining power in such a case to grant a conditional release of one so transferred.

3. Under the present law, prisoners serving life sentences are not eligible for parole. After study by a special commission legislation was recommended to make lifers eligible for parole. This bill is in accordance with the recommendations made by the report of the Special Commission on Penal and Reformatory Institutions as contained in Senate, No. 550 of the year 1950, Appendix A, to authorize the parole of life prisoners.

4. This bill is to place under the civil service law reformatory officers at the Reformatory for Women who do not now have protection of the civil service laws like other employees of that institution.

5. This bill provides for the placing under the civil service law those employees of the Department of Correction who work in the Division of Classification of Prisoners.

6. Under the present law, the warden, superintendents, deputies, and assistant deputies are not within the classified civil service. This bill places such positions under the civil service law.

7. This bill permits the appointment as special State Police officers employees under the control of the penal institutions commissioner of the city of Boston in order that they may have authority to serve warrants of revocation issued by the penal commissioner of Boston, and also warrants issued by the Parole Board, orders of removal issued by the Commissioner of Correction, and power to do police work on the property of the county institutions.

8. This bill changes the present law as to eligibility for parole of those prisoners sentenced to State Prison from two thirds of the minimum term to an eligibility date of one third of the minimum term.

9. This bill eliminates the present restriction of not more than \$10 to be given to a prisoner to be released from State Prison, and makes for authority of all the institutions of the Department of Correction to grant a gratuity upon release of a prisoner of a sum of money subject to the institution appropriation by the Legislature.

10. This bill provides for the delivery or mailing of a copy of a pardon petition instead of such being mailed by registered mail at a cost to the Commonwealth. It further provides for a longer period in order to make a proper investigation before the petition is submitted to the Governor for official action.

11. This provides authority for the Governor to order the commitment to the Bridgewater State Hospital of a person awaiting execution of death sentence if such person is found to have become insane.

12. This resolve is for the purpose of continuing a study by a special commission of the laws pertaining to sentencing, treatment and release of male prisoners in the penal institutions of the department of correction.

