

By Mr. Casey of Winchester, petition of Paul C. Casey for legislation to regulate the transfer of prisoners by sheriffs in counties. Public Safety.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE REMOVAL OF PRISONERS.

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. Chapter 127 of the General Laws is hereby
2 amended by striking out Section 115, as appearing in the 1992
3 Official Edition, and inserting in place thereof the following
4 section: —

5 Section 115. The Sheriff in any county may remove prisoners
6 from one jail to another or from a jail to a house of correction or
7 from a house of correction to a jail in his own county, and the
8 sheriff in any county may, with the approval of the sheriff in any
9 other county, remove prisoners from jail or house of correction in
10 his own county to a jail or house of correction in such other
11 county.

1 SECTION 2. Chapter 276 of the General Laws is hereby
2 amended by striking out Section 52A, as appearing in the 1992
3 Official Edition, and inserting in place thereof the following
4 section: —

5 Section 52A. Persons held in jail for trial may with the
6 approval of the District Attorney or at the discretion of the sheriff
7 in any county, or shall by order of a justice of the superior court,
8 be removed by the sheriff to a jail in another county. In addition,
9 such persons, if they have been previously incarcerated in a cor-
10 rectional institution of the commonwealth under sentence for a
11 felony, may, with the approval of the commissioner of correction,

12 be removed by the sheriff of any county to a correctional institu-
 13 tion of the commonwealth and said sheriff shall, at the request of
 14 the commissioner of correction, cause them to be returned to the
 15 jail where they were awaiting trial. The proceedings for such
 16 removals shall be the same as for the removal of prisoners from
 17 one jail or house of correction to another. The cost of support of a
 18 person so removed and of the removals shall be paid by the
 19 county whence he is originally removed.