

By Mr. O'Flaherty of Chelsea, petition of Eugene L. O'Flaherty relative to the mandatory re-entry plan for each county inmate incarcerated in a House of Correction prior to said inmates scheduled date for release. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO PRISONER RE-ENTRY.

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 is hereby amended by inserting after Section 49 the
2 following section:—

3 CHAPTER 49A. INMATE RE-ENTRY PROGRAMMING.

4 Section 1. Each Sheriff (except the Sheriff of Nantucket) shall
5 maintain the authority to develop, implement and revise as periodi-
6 cally necessary, a curriculum of programs and instructional educa-
7 tion for inmates sentenced to a House of Correction, provided the
8 superintendent of a correctional facility has recommended that the
9 inmate receive such programming per the requirements of Section
10 49 of this chapter, and shall focus such programming to prepare for
11 and facilitate the inmates' re-entry to the community.

12 Section 2. In conjunction with the curriculum of programs and
13 instructional education referred to in Section 1, each Sheriff (except
14 the Nantucket sheriff), shall, subject to appropriation, maintain
15 responsibility for the development and implementation of a manda-
16 tory individual re-entry plan for each county inmate incarcerated in a
17 House of Correction and recommended by the Superintendent for
18 participation in a program of instruction per the requirements of
19 Section 49 of this chapter, that will commence prior to the scheduled
20 date of the inmate's release from the House of Correction and con-
21 tinue through and during a pre-determined period of post-release
22 supervision and after-care. The Sheriff shall ensure notification to
23 local law enforcement authorities of the inmate's release.

24 Section 3. The Sheriff's responsibility for implementation of a
25 mandatory individual re-entry plan shall extend for a period not less
26 than 60 days for each ten-month period of the inmate's sentence and
27 not more than a total of 180 days from the date of an inmate's
28 release from the House of Correction. For the period of time allo-
29 cated to implementation of the mandatory individual re-entry plan,
30 the inmate will be considered under the supervision of the Sheriff.

31 Section 4. The Sheriff may assign lawful terms, conditions and
32 rules to the inmate while such inmate is under post-release supervi-
33 sion of the Sheriff and return such inmate to custody, at any point
34 during implementation of the individual re-entry plan, if the inmate
35 is found to be in violation of said terms, conditions and rules.

36 Section 5. The commissioner of the department of correction or
37 the chairperson of the parole board may enter into interagency agree-
38 ments with sheriffs for purposes of developing and implementing
39 individual re-entry plans for prisoners in the custody of the depart-
40 ment of correction or the parole board who is determined appropriate
41 by classification, history of conduct while in custody and within one
42 year of scheduled release from custody and who otherwise is recom-
43 mended by the superintendent of a correctional facility for participa-
44 tion in a prisoner re-entry plan. In such instances, the prisoners
45 selected for individual re-entry plans shall be transferred to the
46 supervisory custody of the Sheriff and shall be subject to the rules
47 and policies of the house of correction and, upon implementation of
48 an individual re-entry plan, shall be held to the requirements of said
49 plan.