

By Mr. Flynn of Bridgewater, petition of Peter Y. Flynn relative to the transfer of state prisoners to federal institutions. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT RELATIVE TO THE TRANSFER OF STATE PRISONERS TO FEDERAL INSTITUTIONS; RECIPROCAL AGREEMENTS.

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. Section 97A of chapter 927 of the General Laws,
2 as inserted by chapter 624 acts of 1965, is hereby amended by
3 striking out said section and inserting in place thereof the following
4 section: —

5 The commissioner may, with the approval of the appropriate
6 officials of the federal government, transfer any prisoner sentenced
7 to state prison to any available or appropriate correctional institu-
8 tion maintained and supervised by the federal government. The
9 commissioner may, subject to the approval of the governor, enter
10 into reciprocal agreements, contracts or other mutual plans to
11 accomplish such transfers.

12 Prisoners so removed shall be subject to the terms of their
13 original sentences to the state prison and to the provisions of law
14 governing discharge and parole from the correctional institutions
15 of the commonwealth.

1 SECTION 2. Chapter 127 of the General Laws as hereby
2 amended by inserting the following section 97B: —

3 Whenever a treaty is in force providing for the transfer of prison-
4 ers between the United States and a foreign country, the Governor
5 or his designee is authorized to give approval of the state to the
6 transfer of prisoners as provided in the treaty. The commissioner of

7 correction may, subject to the approval of the governor, in accord-
8 ance with the treaty, enter into reciprocal agreements, contracts or
9 other mutual plans to accomplish said transfers.

10 Prisoners so removed shall be subject to the terms of their
11 original sentences to the state prison and to the provisions of law
12 governing discharge and parole from the correctional institutions
13 of the commonwealth.