

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Jeffrey Davis Perry

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to time of sentence while in solitary confinement

PETITION OF:

NAME:

Jeffrey Davis Perry

DISTRICT/ADDRESS:

5th Barnstable

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO TIME OF SENTENCE WHILE IN SOLITARY CONFINEMENT.

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, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting after section 41, the following section: --

3 Section 48. **Time of sentence while in confinement to isolation:** Any prisoner in any
4 correctional institution of the commonwealth or in any house of correction or jail, who after a
5 disciplinary hearing is ordered to serve a sanction in disciplinary detention for disciplinary
6 reasons, shall not have any day or part of a day served in disciplinary detention confinement
7 deducted from their sentence. Time served in disciplinary detention shall be recorded by the
8 superintendent in accordance with Section 4 of this Chapter. A prisoner shall have the right to
9 appeal their confinement through established institutional means and the court system. The
10 commissioner or any sheriff or their designee may restore such forfeited days after an inmate's
11 release from disciplinary or administrative segregation if the inmate shows improvement in
12 behavior and/or takes part in educational, substance abuse and other such programming and

- 13 remains discipline free. This section shall not apply to any prisoner who is placed in
- 14 segregations for non disciplinary or for protective purposes.