

HOUSE No. 1645

The Commonwealth of Massachusetts

PRESENTED BY:

David T. Vieira

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 adoption of the accompanying bill:

An Act concerning time of sentence while in confinement to isolation.

PETITION OF:

NAME:

David T. Vieira

DISTRICT/ADDRESS:

3rd Barnstable

HOUSE No. 1645

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 1645) of David T. Vieira relative to the time of sentence while in confinement to isolation. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1668 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act concerning time of sentence while in confinement to isolation.

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 2012 Official Edition,
2 is hereby amended by inserting after section 41, the following section: --

3

4 Section 41B. Time of sentence while in confinement to isolation: Any prisoner in any
5 correctional institution of the commonwealth or in any house of correction or jail, who after a
6 disciplinary hearing is ordered to serve a sanction in disciplinary detention for disciplinary
7 reasons, shall not have any day or part of a day served in disciplinary detention confinement
8 deducted from their sentence. Time served in disciplinary detention shall be recorded by the
9 superintendent in accordance with Section 4 of this Chapter. A prisoner shall have the right to
10 appeal their confinement through established institutional means and the court system. The

11 commissioner or any sheriff or their designee may restore such forfeited days after an inmate's
12 release from disciplinary or administrative segregation if the inmate shows improvement in
13 behavior and/or takes part in educational, substance abuse and other such programming and
14 remains discipline free. This section shall not apply to any prisoner who is placed in
15 segregation for nondisciplinary or for protective purposes.