

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Mindy Domb

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 requiring the collection, disclosure and reporting of COVID-19 data in state and county correctional facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>

<i>Carlos González</i>	<i>10th Hampden</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Maria Duaiame Robinson</i>	<i>6th Middlesex</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>

HOUSE No.

By Ms. Domb of Amherst, a petition (subject to Joint Rule 12) of Mindy Domb and others relative to COVID-19 data in state and county correctional facilities. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act requiring the collection, disclosure and reporting of COVID-19 data in state and county correctional facilities.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure regular reporting of testing, infections, and deaths of incarcerated individuals during the COVID-19 outbreak in the Commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. For the purposes of this act, the following words shall, unless the context
2 clearly requires otherwise, have the following meanings:-

3 “Administrator”, chief administrative officer of a county correctional facility.

4 “Commissioner”, the commissioner of the department of correction.

5 “Correctional facility”, any building, enclosure, space or structure used for the custody,
6 control and rehabilitation of committed offenders and of such other persons as may be placed in
7 custody therein in accordance with law.

8 “County correctional facility” or “jail”, any correctional facility or jail, operated,
9 administered or subject to the control of a county sheriff of the commonwealth.

10 “Prison”, correctional facility.

11 “Prisoner”, a committed offender or such other person as is placed in custody in a
12 correctional facility in accordance with law.

13 "State correctional facility" or "prison", any correctional facility or prison, operated,
14 administered or subject to the control of the department of correction, including but not limited
15 to: Boston Pre-Release Center (Roslindale); Bridgewater State Hospital (Bridgewater); Lemuel
16 Shattuck Hospital Correctional Unit (Jamaica Plain); the Massachusetts Alcohol and Substance
17 Abuse Center at Plymouth (Plymouth); Massachusetts Treatment Center (Bridgewater); MCI-
18 Cedar Junction (South Walpole); MCI-Concord (Concord); MCI-Framingham (Framingham);
19 MCI-Norfolk (Norfolk); MCI-Shirley (Shirley); North Central Correctional Institution
20 (Gardner); Northeastern Correctional Center (West Concord); Old Colony Correctional Center
21 (Bridgewater); Pondville Correctional Center (Norfolk); South Middlesex Correctional Center
22 (Framingham); and Souza-Baranowski Correctional Center (Shirley).

23 SECTION 2. (a) Notwithstanding any general or special law or rule or regulation to the
24 contrary, the commissioner shall report daily in writing to the department of public health: (i) the
25 number of novel coronavirus, also known as COVID-19, tests performed within each state
26 correctional facility or prison; (ii) the number of confirmed positive results of COVID-19 within
27 each state correctional facility or prison; (iii) the number of prisoner deaths attributed to COVID-
28 19 within each state correctional facility or prison; and (iv) the number of prisoners subject to
29 COVID-19 quarantine separated by the total of individuals who have completed monitoring (no

30 longer in quarantine) and the total of individuals currently undergoing monitoring/under
31 quarantine.

32 (b) The reports in subsection (a) shall include demographic information for tested and
33 deceased prisoners, including: (i) age; (ii) race/ethnicity; (iii) gender; (iv) individuals with
34 confirmed COVID-19 who are incarcerated pre-sentence or during sentences; and (v) individuals
35 with confirmed COVID-19 infection who are incarcerated and have been approved for parole.

36 SECTION 3. (a) Notwithstanding any general or special law or rule or regulation to the
37 contrary, the administrator of a county correctional facility or jail shall report daily in writing to
38 the department of public health: (i) the number of novel coronavirus, also known as COVID-19,
39 tests performed within each county correctional facility or jail; (ii) the number of confirmed
40 positive results of COVID-19 within each county correctional facility or jail; (iii) the number of
41 prisoner deaths attributed to COVID-19 within each county correctional facility or jail; and (iv)
42 the number of prisoners subject to COVID-19 quarantine separated by the total of individuals
43 who have completed monitoring (no longer in quarantine) and the total of individuals currently
44 undergoing monitoring/under quarantine.

45 (b) The reports in subsection (a) shall include demographic information for tested and
46 deceased prisoners, including: (i) age; (ii) race/ethnicity; (iii) gender; (iv) individuals with
47 confirmed COVID-19 who are incarcerated pre-sentence or during sentences; and (v) individuals
48 with confirmed COVID-19 infection who are incarcerated and have been approved for parole.

49 SECTION 4. Notwithstanding any general or special law or rule or regulation to the
50 contrary, The department of public health shall, through its publicly available website,

- 51 electronically publish weekly a report containing the information reported by the commissioner
- 52 pursuant to sections 2 and 3.