

**MASSACHUSETTS PAROLE BOARD  
POLICIES AND PROCEDURES  
120 PAR 359  
GENERAL CONDITIONS OF PAROLE**

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**ATTACHMENTS:**

**A: Certificate of Parole (Parole Permit)**

**B: Home Plan C.O.R.I. Waiver**

**C: Home Sponsor Agreement**

**D: Agreement to Extradition**

**E: Extradition Waiver**

**F: Release of Information Form**

<b>MASSACHUSETTS PAROLE BOARD</b>	<b>DIVISION: ADMINISTRATION</b>
<b>TITLE: GENERAL CONDITIONS OF PAROLE</b>	<b>NUMBER: 120 PAR 359</b>

**Purpose:**

The purpose of this policy is:

- I. To establish Agency policy for General Conditions of Parole
- II. To establish standard operating procedures for the exercise of the General Conditions of Parole
- III. To provide a process with which to implement the General Conditions of Parole.

**References:**

MGL Chapter 27, Section 5; Chapter 30A, Sections 1-8;  
MGL c. 127 §§ 130, 133, 133A, 158

**Related Policy and Procedure:** 120 PAR 360 Special Conditions, 120 PAR 604 Travel Permits

**Applicability:**

All Staff/Parolees

**Public Access:** Yes

**Location:**

All Parole Board Manuals of Policies and Procedures

**Responsible Staff for Implementation and Monitoring of Policy:**

- Parole Board Chairman
- Parole Board Members
- Executive Director
- Agency Division Heads
- Unit Directors
- Parole Officers

**Promulgation Date:** 07/01/06

**Effective Date:** 08/02/06

**Cancellation:**

This document cancels all previous agency policy statements, bulletins, directives, orders, notices, rules and/or regulations governing Internal Regulations, which are inconsistent with this policy.

**Severability Clause:**

If any part of this policy is, for any reason, held to be in excess of the authority of the Parole Board, such decision will not affect any other part of this policy.

**General Policy**

To ensure successful integration into the community and to protect public safety, the Board shall impose the following general conditions of parole for each offender granted a parole release. In addition to conditions imposed by the sending state, these general conditions of parole also apply to parolees being supervised by the Parole Board under the Interstate Compact for the Supervision of Probationers and Parolees, Mass. Gen. Laws, c. 127, § 151A. Provided, however, that nothing in this policy shall prevent the Board from amending any general condition in its release vote or at any time during the parolee's supervision, as the Board deems appropriate.

The Parole Board shall provide each parolee with written information about obeying each general condition of parole. Further, before release an institutional parole officer shall contact the parolee and discuss the parole conditions; after release, a field parole officer will explain and discuss with the parolee each condition of parole at the initial interview.

Mass. Gen. Laws, c. 27, § 5 and c. 127, § 158, charge the Parole Board with supervising the parolee's adherence to the conditions of parole. To accomplish effective supervision parole officers shall visit—announced and unannounced—the parolee's home and work place and otherwise conduct investigations and other activities necessary for the supervision of the parolee.

The general conditions of parole, as printed on the certificate of parole form (Attachment A; effective 08/02/06), are as follows:

**I. I will obey local, state, and federal laws and conduct myself in the manner of a responsible citizen.**

In general, accepting a parole release the parolee agrees to live and remain at liberty without violating the law and to be responsible citizen. The parolee agrees to always respect the law and obey the requirements of the Mass. Gen. Laws and the conditions of parole, including any order by a parole officer.

The parolee must always be available to meet with a parole officer or field supervisor when told to do so.

The parolee must sign appropriate release-of-information forms giving (1) access by the Parole Board to information in connection with any rehabilitative, medical, psychiatric, or counseling program in which the parolee participates and (2) permission to the parole officer to share relevant information with the service provider.

Parole officers and superior officers may conduct a search when the parolee or other authorized person consents to the search, when the officer has a warrant, or when

exceptions to the search warrant rule apply. Nothing in this policy shall be construed as preventing parole officers and superior officers from conducting searches that are minimally intrusive to ascertain compliance with an express condition of parole. Such searches must be related to examination of only those locations where a reasonable person might expect to find evidence of non-compliance with the parole condition.

**II. I will notify my parole officer in writing within 24 hours of any changes in my employment or residence. I will inform my Parole Officer within 24 hours if arrested.**

A parole officer shall inform the parolee that all changes in home or work must be approved before the parolee makes the change. The field supervising parole officer must know where a parolee lives and works at all times. Therefore, if the parolee moves from the approved home or changes jobs the parolee must first obtain approval from the parole officer.

If the move is an emergency, the parolee must notify the parole officer within 24 hours of the change. If the change occurs on a non-business day, the parolee must report this event to the field office the next business day. The parolee must report the change, unless hospitalized or otherwise physically unable to act; when able, the parolee must report to the field office. Notification to any parole officer or superior officer is sufficient notice.

Approval by the parole officer of a new home or employment only occurs after appropriate investigation. The parolee must give his or her new home or employment address and telephone number at the time of notice. For changes in employment, the parolee must also provide salary information, and whether the new employer knows the parolee is under parole supervision and the reasons for leaving or changing employment.

A residential move includes where the parolee changes the:

- ◆ apartment or room within the same complex;
- ◆ telephone number; and
- ◆ approved home temporarily; for example, military duty, admission to a hospital and admission to a drug or alcohol treatment center.

A change in employment includes:

- ◆ moving to a job with a different employer or to a different place with the same employer;
- ◆ being laid off, including temporary layoffs;
- ◆ being fired;
- ◆ quitting;
- ◆ changing regular hours of employment;

- ◆ taking a vacation of more than one (1) work day;
- ◆ reporting for military duty; and
- ◆ taking an extended leave because of sickness or injury.

A parolee must report all contacts with law enforcement agencies. Examples of such a contact include being:

- ◆ stopped or picked-up for questioning;
- ◆ asked to report to a police station;
- ◆ ordered to report to a Court for any reason, including probation violations and matters involving restraining orders;
- ◆ ordered or asked to appear as a witness in a criminal proceeding;
- ◆ ordered to report to the Registry of Motor Vehicles for suspected vehicle violations;
- ◆ informed of a child abuse complaint involving the parolee;
- ◆ taken into protective custody for any reason;
- ◆ served with summons or subpoena for any civil or criminal matter; and
- ◆ notified that a warrant has been issued for the parolee or that any law enforcement agency intends to arrest the parolee.

**III. I will make earnest efforts to find and maintain legitimate employment, unless engaged in some other program approved by my parole officer.**

The Board, with a few exceptions, requires the offender to have an offer of employment before release on parole. When paroled, the field parole officer must know how a parolee is self-supporting and able to care for a family if there is one. In addition, the parole officer must know how the parolee is spending his or her time. The parolee must provide information about the parolee's income—such as paycheck stubs or tax returns—or proof of disability or other insurance or government payments. If the parolee becomes unemployed while on parole, the parolee must immediately look for employment and must be able to show evidence of looking for work, such as appointment notices from the Department of Employment and Training (DET). Failure to make a serious effort to find work or to enter and complete, with the parole officer's permission, a training or treatment program can result in a violation of parole.

- IV. I will not associate with persons I know to have a criminal record, or who are known to be engaged in a violation of law. This prohibition does not apply where such association is INCIDENTAL to my place of residence or employment, or connected with activities of a bonafide political or social organization. However, the parole board retains authority to impose limits to these latter activities as a special condition of parole where such association is inconsistent with my approved parole plan.**

Parolees are more likely to be successful in obeying the law if they stay away from people who have criminal records or who may be currently committing crimes. If the parolee is with another person while that person is involved in an illegal activity (gambling or drug use for example) the parolee violates this condition of parole, even if that other person does not have a criminal record at that time. If the parolee is arrested with a person who has a criminal record, the parolee violates this condition.

The supervising parole officer or superior officer, in special circumstances, may give permission to associate with a person who has a criminal record. These special circumstances must involve the parolee's home or family, job, a legitimate social or political activity, or approved rehabilitative or treatment programs. This permission may include limits on the time, frequency, and places where this association can take place.

- V. I will not leave the state of Massachusetts for periods in excess of 24 hours without securing permission from my parole officer. This condition shall not apply to parolees whose travel is restricted by Parole Board Policy.**

Parolees shall not travel out of state during the first six months of parole supervision. Parolees supervised in the Intensive Parole for Sex Offender (IPSO) Program may not travel outside the Commonwealth for any length of time. Parolees subject to the SEXA Special Condition and Parole Board Policy will also have restrictions on their travel.

The Board, within its discretion, may limit travel to particular locations within and without the Commonwealth.

After the first six months of parole supervision, a parolee must obtain written permission from a parole officer or by the Board as specified in PAROLE BOARD POLICY 120 PAR 604 "Travel Permits" to travel for more than 24 hours anywhere outside the Commonwealth. However, nothing in this policy limits the parole officer's ability to limit travel outside the Commonwealth for any length of time.

**VI. I will pay a monthly supervision fee and a monthly victim services fee.**

It is the policy of the Massachusetts Parole Board, effective July 1, 2003, to assess a monthly Parole supervision fee as a condition of Parole, upon offenders granted a Parole release and under supervision in the Commonwealth of Massachusetts. Such policy provides for a system that imparts a level of fiscal responsibility to the parolee population, and ensures that they are invested in maintaining the ongoing resources of Parole supervision, and decreasing the burden of their supervision on the community at large. See 120 PAR 434 Parole Supervision Fees.

**VII. I will not serve as an informant or special agent for any law enforcement agency.**

Parolees shall not act, in any manner, as informants for any law enforcement agency. Only in exceptional circumstances will the Board, by majority vote of the full membership, permit such activity by a parolee and only for a limited duration as more fully described in PAROLE BOARD POLICY 306.08.

**VIII. Special conditions of my parole: (if warranted, may be imposed subsequent to my date of release.)**

Policy concerning special conditions of parole is found in PAROLE BOARD POLICY 120 PAR 360 "SPECIAL CONDITIONS".

359.02

**Procedures**

**I. DUTIES OF TRANSITIONAL PAROLE STAFF**

Before an offender is released on parole, the Institutional Parole Officer or designee will review the general conditions and special conditions of parole with the offender. At this time the offender shall sign and the parole staff shall witness any consent forms or waiver forms that are applicable to the offender's parole supervision. The original of the signed forms shall be transmitted to the appropriate regional office with other parole information.

**II. DUTIES OF THE FIELD PAROLE OFFICER**

At the initial meeting with the parolee, the supervising parole officer or other officer shall review the general conditions and special conditions of parole with the parolee. At this time the offender shall sign and the field parole officer or other field parole staff shall witness any consent forms or waiver forms that have not been signed before release that are applicable to parole supervision. The original of the signed forms shall be kept in the parolee's file maintained by the field office.

359.03

**Policy and Procedure History**

- I. Parole Board Policy 306.01 (Effective July 3, 2000) repeals and replaces Parole Board Policy 306.04, Parole Conditions: Sex Offender Registration (October 27, 1998). The requirement for parolees who are sex offenders to register and be classified in accordance with Mass. Gen. Laws. c.6 § 178A through 178L, is considered a responsibility under first general condition of parole.
  
- II. Parole Board Policy 120 PAR 359 General Conditions (Effective August 2, 2006) repeals and replaces Parole Board Policy 306.01 General Conditions. Changes to policy included: The addition of General Condition VI Parole Supervision Fees and the reordering of the numerical order of the General Conditions. The Parole Permit was also re-ordered to match any changes in policy.

359.04

**Additional Information**

- I. Examples of Massachusetts laws that specifically require affirmative action by parolees include:
  - a. Parolees are required to pay court ordered child support as a condition of parole. G.L. c. 127, § 130
  
  - b. Parolees are required to comply with the terms of any criminal offender registration of tracking laws or regulations such as the Sex Offender Registry Board law, G.L. c. 6, § 178A through 178L, and the DNA database law, G.L. c. 22E.

No. afasdfasd

Client ID: CL00000XXXX

*The Commonwealth of Massachusetts  
Executive Office of Public Safety*

**PAROLE BOARD**



**CERTIFICATE OF PAROLE**

KNOW ALL MEN BY THESE PRESENTS:

It having been made to appear to the Massachusetts Parole Board that **Inmate XXXX XXXXXXXX** Commitment No. **XXXXXXX** a prisoner sentenced to **XXXXXXXXX** is eligible to be paroled, and the matter having been given careful consideration, it is, therefore ordered by the said Parole Board that the said prisoner be released on parole and permitted to be at liberty during the unexpired portion of the sentence which expires on the XX day of XXXXXX, XXXX.

BE IT ALSO KNOWN that this permit to be at liberty is granted upon condition that the said prisoner has agreed to observe and perform all of the rules and covenants listed on the Supervision Manual for Parolees and the Special Conditions listed, all of which are hereby made and agreed to be conditions precedent to said prisoner's release.

By order of the MASSACHUSETTS PAROLE BOARD

By \_\_\_\_\_  
Chairman (or Designee)

I hereby certify that I fully understand the above conditions and conditions set in the Supervision Manual for Parolees under which I am being released and agree to faithfully observe the same.

\_\_\_\_\_  
Signature of Parolee

\_\_\_\_\_  
Date

Witness, \_\_\_\_\_  
Name / Official Title

\_\_\_\_\_  
Date

The above named prisoner was released on this XX day of XXXXXX, XXXX from the XXXXXXXXX .

\_\_\_\_\_  
Superintendent

**PAROLE CONDITIONS**

- I. I will obey local, state, and federal laws; and conduct myself in the manner of a responsible citizen.
- II. I will notify my parole officer in writing within 24 hours of any changes in my employment or residence. I will inform my parole officer within 24 hours if arrested.
- III. I will make earnest efforts to find and maintain legitimate employment, unless engaged in some other program approved by my parole officer.
- IV. I will not associate with persons I know to have a criminal record, or who are known to be engaged in a violation of law. This prohibition does not apply where such association is INCIDENTAL to my place of residence or employment, or connected with activities of a bonafide political or social organization. However, the parole board retains authority to impose limits to these latter activities as a special condition of parole where such association is inconsistent with my approved parole plan.
- V. I will not leave the state of Massachusetts for periods in excess of 24 hours without securing permission from my parole officer. **This condition shall not apply to parolees whose travel is restricted by Parole Board Policy.**
- VI. I will pay a monthly supervision fee and a monthly victim services fee.
- VII. I will not serve as an informant or special agent for any law enforcement agency.
- VIII. Special Conditions:

**You are further advised that by Parole Board Policy 120 PAR 360 Special Conditions: Any parolee with a prior conviction for a sex offense, or adjudication as a youthful offender or as a delinquent juvenile by reason of a sex offense, shall, in addition to any general or special condition, automatically be subject to the grouping of conditions known as the Sex Offender Conditions (“SEXA”) (See 120 PAR 360 Attachment “A” Sex Offender Conditions).**

I Hereby Certify that I fully understand the above conditions under which I am being released and agree to faithfully observe the same.

\_\_\_\_\_  
Signature of Parolee

Dated: \_\_\_\_\_

Witness,

\_\_\_\_\_

\_\_\_\_\_  
Official Title

**ATTACHMENT B**

**MASSACHUSETTS PAROLE BOARD  
CRIMINAL OFFENDER RECORD INFORMATION (C.O.R.I.) WAIVER  
FOR HOME INVESTIGATION PURPOSES**

I agree to waive my criminal offender record information (C.O.R.I.) rights in connection with my proposed home plans, and approved home plan. My parole officer has my permission to discuss my case with any persons connected with the home plan that I submit. Such information may include but is not limited to the sentence I am now serving, crimes in my criminal history, conditions of my parole, anticipated release dates and any other information that may be relevant to the persons I am requesting to live with.

\_\_\_\_\_  
SIGNATURE OF OFFENDER

\_\_\_\_\_  
COMMITMENT #

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINT NAME OF WITNESS

\_\_\_\_\_  
SIGNATURE OF WITNESS

\_\_\_\_\_  
DATE

**MASSACHUSETTS PAROLE BOARD****HOME SPONSOR AGREEMENT**

I, \_\_\_\_\_, agree to allow \_\_\_\_\_  
(print name of home sponsor) (print name of parolee)

to reside in my home during his/her parole supervision by the Massachusetts Parole Board.

**A. I understand the following responsibilities of the Supervising Parole Officer:**

1. Parole Officers will supervise this parolee according to the conditions imposed by the Parole Board and the Parole Officers are to assist this parolee in reintegrating into the community as a responsible citizen. I have been informed of the conditions that may be associated with this parolee's parole supervision.
2. Any information that I provide to Parole Officers will be helpful in the reintegration of the parolee. However, I also understand that if this information indicates that the parolee is violating conditions of his/her parole, or that parolee is a danger to him/herself or others, the Parole Officers must take some type of action.
3. Parole Officers are Special State Police Officers. They may serve warrants, may arrest parolees or anyone interfering with the arrest of a parolee, may search my home and property and seize contraband, may forcibly enter my premises to arrest the parolee if necessary, may visit my residence unannounced at reasonable hours including weekends, or at any hour if there is an emergency situation involving the parolee, and may make decisions regarding parolees that are necessary to ensure compliance with parole conditions.
  - a. **SEARCH** – A search is an inspection or examination of persons or places closed from general public view, with some measure of intrusion, for the purpose of detecting. Visual observation of an open space is not a search.
  - b. **SEIZURE** – A seizure is the taking into possession or custody of a person or thing, or significantly limiting the freedom of movement of a person.

B. Answers to the following will be used in making a determination whether this home plan will be approved for the above named parolee.

INDICATE YES OR NO TO THE FOLLOWING:	PLEASE CHECK ONE.
1. Is there Department of Social Service involvement in this household?	<input type="checkbox"/> <input type="checkbox"/> Y N
2. If there is, the parolee is not the subject of any order regarding children in the home. Please describe any involvement here: _____ _____	<input type="checkbox"/> <input type="checkbox"/> Y N
3. If this residence is public housing or Section 8 housing, arrangements have been made to comply with rules required by the Public Housing Authority or housing agency for persons living here.	<input type="checkbox"/> <input type="checkbox"/> Y N
4. I am aware of the offenses for which the parolee is serving his/her sentence.	<input type="checkbox"/> <input type="checkbox"/> Y N
5. To the best of my knowledge, no person who currently resides with me is a convicted felon and/or on probation or parole.	<input type="checkbox"/> <input type="checkbox"/> Y N
6. No firearms are kept or maintained on the premises or in any other area under my control that the parolee may have access to.	<input type="checkbox"/> <input type="checkbox"/> Y N
7. I shall cooperate with the parole officer's supervision efforts and report any irregularities that may come to my attention.	<input type="checkbox"/> <input type="checkbox"/> Y N
8. I understand that I can decide at anytime not to be the home sponsor for the parolee, and I will immediately inform the parole officer of that decision.	<input type="checkbox"/> <input type="checkbox"/> Y N
9. I will allow my phone line to be used for electronic monitoring purposes.	<input type="checkbox"/> <input type="checkbox"/> Y N

If there is a change in any of the above circumstances, I will notify the supervising parole officer immediately.

\_\_\_\_\_  
SIGNATURE OF HOME SPONSOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF THE PAROLE OFFICER

\_\_\_\_\_  
DATE

**AGREEMENT TO EXTRADITION**  
(To be signed only when paroling to a warrant of another state)

I, \_\_\_\_\_ (print full name of parolee)

UNDERSTAND THAT BY SIGNING MY MASSACHUSETTS PAROLE PERMIT I AM AGREEING TO BE EXTRADITED TO THE REQUESTING STATE OF \_\_\_\_\_, WHICH SEEKS MY RETURN BY WAY OF A WARRANT LODGED AT THE CORRECTIONAL INSTITUTION IN WHICH I AM INCARCERATED.

I FURTHER UNDERSTAND THAT I MAY REFUSE PAROLE AND CAN CHALLENGE MY EXTRADITION WHEN I AM DISCHARGED FROM MY MASSACHUSETTS SENTENCE OF IMPRISONMENT.

SIGNED \_\_\_\_\_  
(SIGNATURE OF OFFENDER)

WITNESS \_\_\_\_\_  
(PRINT NAME OF WITNESS)

\_\_\_\_\_  
(SIGNATURE OF WITNESS)

DATE: \_\_\_\_\_



**The Commonwealth of Massachusetts  
PAROLE BOARD**

12 Mercer Road, Natick, Massachusetts, 01760

*Maureen E. Walsh  
Chairman*

*Donald V. Giancioppo  
Executive Director*

**EXTRADITION WAIVER**

**Inmate's Rights Under Article IV of the Agreement on Detainer.**

1. I have the right to be taken before a court to be arraigned.
2. I have the right to the appointment of counsel by the Court.
3. I have the right to file a petition for writ of Habeas Corpus by which I may allege:
  - a. I am not the same person whose custody has been demanded by the prosecutor.
  - b. There is no outstanding indictment, information or complaint pending against me in the other state; and
  - c. The demand for my custody is not in the proper form.

By accepting parole supervision, I \_\_\_\_\_, agree to WAIVE these rights if abscond to another state without the permission the MASSACHUSETTS PAROLE BOARD. I agree to waive extradition to Massachusetts from any state of the United States. This means that if I am found by another state while under Massachusetts Parole Supervision, I agree to be returned to Massachusetts and will not contest any effort by any state to return me to Massachusetts.

I am aware that if I do challenge my return to Massachusetts to complete serving my sentence, the time challenging the return WILL NOT BE CREDITED against my Massachusetts sentence.

Parolee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

cc: Field Parole Officer  
Institutional Parole File



The Commonwealth of Massachusetts  
**PAROLE BOARD**  
12 Mercer Road, Natick, Massachusetts 01760

Maureen E. Walsh  
Chairman

Donald V. Giancioppo  
Executive Director

**Release of Information Form**

I, \_\_\_\_\_, consent to the release of any and all information  
(name)  
associated with my attendance and participation in \_\_\_\_\_  
(name of program)  
as a condition of my parole.

I consent to the release of information in written or verbal form to my parole officer, or any other agent of the Massachusetts Parole Board. Such information shall include treatment notes, reports, tests, results, and information provided by me to the above treatment provider.

I understand that this information will be used to determine the progress of my treatment, the need for further or different treatment, or to ensure that I am complying with my conditions of parole.

In addition to the above:

- I Hereby authorize physicians, clinics, hospitals and other medical personnel to furnish copies of my medical records or other information concerning my medical history at the request of the Massachusetts Parole Board or any other agent thereof for purposes that are consistent with my treatment and supervision on parole.
- My parole officer, or other agent of the Massachusetts Parole Board, has my permission to discuss my case with any person(s) connected with any program involved with my supervision. Such information may include but is not limited to criminal offender record information, evaluative information, and other non-public information that may be relevant to the participation in the above referenced program.

- I understand that the information disclosed to my parole officer or any agents of the Massachusetts Parole Board pursuant to this authorization is subject to re-disclosure by my parole officer or other agents of the Massachusetts Parole Officer and may no longer be protected.
  
- I understand that I have the right to revoke this authorization in writing by sending such revocation to the Massachusetts Parole Board, through my current parole officer. I further understand that any revocation of this release can be considered a violation of my conditions of parole resulting in my parole being revoked and my termination from this program.
  
- Such release is valid until the time I am discharged from parole supervision.

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(Signature of offender)

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(Date)

---

(Print name of witness)

---

(Signature of witness)

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(Date)