



PRISONERS' LEGAL SERVICES OF MASSACHUSETTS

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September 29, 2023

VIA EMAIL:

Sheriff Joseph McDonald, Jr.
Plymouth County Correctional Facility
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Plymouth, MA 02360
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Commissioner Carol Mici
MA Department of Correction
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EMERGENCY Medical Parole Petition for [REDACTED]

Dear Commissioner Mici and Sheriff McDonald:

Pursant to M.G.L. c. 127, § 119A, I request that you grant medical parole on an emergency basis to [REDACTED] who is presently incarcerated at the Plymouth County Correctional Facility (PCCF). Mr. [REDACTED] was diagnosed with stage 4 colon cancer in August 2023 and told he had a matter of months to live. Therefore I request that you expedite this petition and issue a decision quickly. Should the Sheriff and Commissioner choose to take the full 66 days allowed by the medical parole statute, there is a significant chance Mr. [REDACTED] will be dead before a decision is issued.

Medical Conditions

Mr. [REDACTED] is terminally ill, as it is defined in the medical parole statute. His oncologist, Dr. [REDACTED] at [REDACTED] will confirm that he is very likely to die within 18 months. He was diagnosed with stage 4 colon cancer in August 2023. The cancer has metastasized to his liver, and possibly to his lungs. Metastases in his liver have caused fluid to build up in his abdomen, causing severe discomfort and requiring a catheter implanted in the abdomen to drain the fluid.

Mr. [REDACTED] is currently being treated with palliative chemotherapy at [REDACTED] for three days every other week. He has a port implanted in his chest, in addition to the drain in his abdomen. Since his diagnosis, he has lived primarily in the medical unit at PCCF. He is too weak to climb stairs or stand for any significant period of time.

Risk to Public Safety:

There is no risk to public safety should Mr. [REDACTED] be released on medical parole. He is within 60 days of completion of his sentence. His doctors believe he will die very soon. His weakness and disability will only continue to worsen, limiting his ability to move, stand, or walk.

Medical Parole Plan:

If he is granted medical parole, Mr. [REDACTED], plans to have him move into her home, which is fully handicap-accessible with a ramp, stairlift, and other accommodations. (Ms. [REDACTED]'s contact information is on the attached Medical Parole Application form.) Ms. [REDACTED] and her fiancé both work from home and are prepared to provide care, manage medical needs, transport Mr. [REDACTED] to treatment, and set up hospice care in their home. Mr. [REDACTED] has already designated [REDACTED] as his power-of-attorney and healthcare proxy.

In conclusion, Mr. [REDACTED] meets the criteria for medical parole, as he is terminally ill and seeks only to be released to [REDACTED] home to die. In order to avoid the death of Mr. [REDACTED] during the pendency of this petition, please treat it as an emergency and issue a decision as quickly as possible.

Due to the urgent nature of this petition, I am requesting that staff at PCCF obtain the signed releases intended to accompany the medical parole petition. Please reach out to me at bschapiro@plsma.org or 617-482-2773 ext. 6822 if you require any further information.

Submitted on behalf of

[REDACTED]



Rebecca Schapiro
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