

MASSACHUSETTS SUPREME JUDICIAL COURT

Ciampi v. Commissioner of Correction

452 Mass. 162 (2008) · Decided August 15, 2008

SUMMARY

The Massachusetts Supreme Judicial Court considered whether the Department of Correction had statutory authority to impose restitution as a prison disciplinary sanction and to withdraw funds from an inmate’s account to satisfy that sanction. The court held that restitution was within the Commissioner of Correction’s broad authority to maintain prison discipline and that the withdrawal did not violate the inmate’s protected property interest because he received constitutionally adequate notice and process. The court vacated the grant of summary judgment for the inmate and directed that summary judgment enter for the defendants.

CASE DETAILS

COURT	Massachusetts Supreme Judicial Court
WRITING FOR THE COURT	Ireland, J.
JURISDICTION	Massachusetts
DECIDED	August 15, 2008
DISPOSITION	reversed
PROCEDURAL POSTURE	The plaintiff brought an action in the nature of certiorari challenging Department of Correction regulations and a substance-abuse policy authorizing withdrawals from a prisoner's account to satisfy restitution sanctions. The Superior Court granted the plaintiff's motion for summary judgment and denied the defendants' cross-motion. The defendants appealed, and the Supreme Judicial Court transferred the case to itself on its own motion.
STANDARD OF REVIEW	A facial challenge to agency regulations is reviewed under a highly deferential standard. The court applies rational presumptions in favor of administrative validity and will invalidate a regulation only if it cannot reasonably be construed in harmony with the legislative mandate; the challenger bears the burden of proving that the regulation is illegal, arbitrary, or capricious. Summary judgment is appropriate where material facts are not in dispute and the moving party is entitled to judgment as a matter of law.

PRECEDENTIAL VALUE	published precedential opinion of the Massachusetts Supreme Judicial Court
PARTIES	Commissioner of Correction and related defendants v. Dennis A. Ciampi

TOPICS

administrative law judicial review of agency action statutory interpretation procedural due process
appellate procedure

PRACTICE AREAS

administrative law corrections law constitutional law civil rights appellate procedure

QUESTIONS PRESENTED

1. Whether the Commissioner of Correction had statutory authority to promulgate regulations and policies authorizing restitution as a prison disciplinary sanction and permitting deductions from an inmate's account to satisfy that sanction.
2. Whether withdrawing funds from Ciampi's prison account to satisfy the restitution sanction violated a statutorily protected property interest or procedural due process.

HOLDINGS

1. The Commissioner of Correction's broad statutory authority to maintain safety, security, order, and discipline in correctional facilities includes authority to promulgate regulations authorizing restitution as a disciplinary sanction and permitting the withdrawal or impoundment of inmate-account funds to satisfy that sanction.
2. Assuming that Massachusetts law creates a protected property interest in funds held in a prison account, Ciampi received all process constitutionally required before the funds were withdrawn because he received advance written notice, an opportunity to present a defense, a written statement of the evidence and reasons for the sanction, and appellate review within the prison disciplinary process.

KEY QUOTATIONS

“Each of the challenged regulations and policy is entirely within the commissioner’s broad grant of authority, under G. L. c. 124, § 1 (q), to maintain prison discipline and is consistent with the Legislature’s intent.” (168)

“In sum, the plaintiff received due process for the deprivation of his property through the disciplinary hearing and subsequent appeal; nothing more was required.” (171)

FACTUAL BACKGROUND

A correction officer found a bottle of homemade alcohol in Ciampi's cell, and a urine test was positive for alcohol. Before his disciplinary hearing, Ciampi received notice that restitution could be imposed for the costs of

substance-abuse testing. After a disciplinary hearing and appeal, he received due-process protections and was ordered to pay \$144 in restitution, which the Department withdrew from his prison account.

PROCEDURAL HISTORY

After disciplinary proceedings and an appeal, the Department of Correction withdrew \$144 from Ciampi's prison account to satisfy a restitution sanction. The Superior Court ruled that the Department lacked statutory authority to promulgate regulations authorizing the deduction and entered summary judgment for Ciampi. The Supreme Judicial Court reversed that result and ordered judgment for the defendants.

DISPOSITION

reversed

REMAND INSTRUCTIONS

The order granting the plaintiff's motion for summary judgment was vacated, and summary judgment was ordered to enter for the defendants.

CASES CITED

- Massachusetts Fed'n of Teachers v. Board of Educ., 436 Mass. 763, 771 (2002)
- Borden, Inc. v. Commissioner of Pub. Health, 388 Mass. 707, 722-723 (1983)
- Quincy v. Massachusetts Water Resources Auth., 421 Mass. 463, 468 (1995)
- Consolidated Cigar Corp. v. Department of Pub. Health, 372 Mass. 844, 855 (1977)
- Berrios v. Department of Pub. Welfare, 411 Mass. 587, 596 (1992)
- Levy v. Board of Registration & Discipline in Med., 378 Mass. 519, 524 (1979)
- Blackburn v. Snow, 771 F.2d 556, 562 (1st Cir. 1985)
- Hudson v. Palmer, 468 U.S. 517, 527 (1984)
- Libby v. Commissioner of Correction, 385 Mass. 421, 434 (1982)
- Bell v. Wolfish, 441 U.S. 520, 547 (1979)
- New England Med. Ctr., Inc. v. Rate Setting Comm'n, 384 Mass. 46, 52-53 (1981)
- Scannell v. State Ballot Law Comm'n, 324 Mass. 494, 501 (1949)
- Purity Supreme, Inc. v. Attorney Gen., 380 Mass. 762, 770 (1980)
- Commonwealth v. Cervený, 373 Mass. 345, 354 (1977)
- Grocery Mfrs. of Am., Inc. v. Department of Pub. Health, 379 Mass. 70, 75 (1979)
- Simmons v. County of Suffolk, 230 Mass. 236, 237 (1918)
- Brady v. Brady, 380 Mass. 480, 484 (1980)
- Forcier v. Hopkins, 329 Mass. 668, 671 (1953)
- Wolff v. McDonnell, 418 U.S. 539, 556, 563-567 (1974)
- O'Malley v. Sheriff of Worcester County, 415 Mass. 132, 135, 138 (1993)

- Gillihan v. Shillinger, 872 F.2d 935, 938-939 (10th Cir. 1989)
- Logan v. Zimmerman, 455 U.S. 422, 428, 434 (1982)
- Superintendent, Mass. Correctional Inst. at Walpole v. Hill, 472 U.S. 445, 454 (1985)
- Jones v. Clark, 607 F. Supp. 251, 256-257 (E.D. Pa. 1984)
- Ruley v. Prison Comm'rs, 628 F. Supp. 108, 110 (D. Nev. 1986)
- Cepulonis v. Commonwealth, 426 Mass. 1010, 1011 (1998)
- Welsh v. Department of Correction, Middlesex Superior Court, No. 2000-4998F (Apr. 9, 2001)
- Cook v. Marshall, Middlesex Superior Court, No. 2000-2830 (Oct. 17, 2001)

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