

# \$2 billion for JOBS, not JAILS

The Patrick Administration has estimated that, if current criminal justice policies are not changed dramatically, the Commonwealth of Massachusetts will spend \$2 billion over the next ten years, to build **10,000 new prison units**. Massachusetts already has one of the highest rates of incarceration in the world - on par with French Guiana and Belarus. There are so few resources, and so many barriers to successful re-entry, that most prisoners released from DYS, county jails, and prison recidivate within 3 years.

Other states - including New York, South Carolina and Texas - have overhauled their criminal justice systems using practices that are proven effective, and so reduced their prison populations that they have closed entire prisons, saving taxpayers billions of dollars. Massachusetts can do the same, by ending practices that are proven ineffective, and implementing the best of what other states have already proven can work.

Below are some of the bills already filed in Massachusetts that will be necessary to stop the impending prison construction boom:

## **ENDING MANDATORY MINIMUM DRUG SENTENCES**

- **H.1646, An Act to repeal mandatory minimum sentences for drug offenses.** This bill would repeal mandatory minimums for all drug offenses. Building on the 2010 and 2012 reforms, it would also allow all drug offenders serving mandatory minimums to be eligible for parole (after half the mandatory minimum for a particular offense), work release and earned good time. (Rep. Benjamin Swan, Springfield) (**Lead organization: Families Against Mandatory Minimums. Also, EPOCA**)

- **S.634, An Act eliminating mandatory minimum sentences related to drug offenses.** This bill would eliminate mandatory minimum sentences and fines for most distribution and trafficking offenses and repeal the school zone law altogether. (Sen. William Brownsberger, Belmont) (**Lead organization: Families Against Mandatory Minimums. Also, EPOCA**)

## **ENDING COLLATERAL SANCTIONS AND FEES**

- **S.1643/H.3099, An Act relative to motor vehicle license suspension.** This bill would repeal the law that requires an automatic five-year driver's license suspension upon the conviction of any drug offense, followed by a minimum \$500 reinstatement fee. This act would also remove references to drug offenses and warrants on people's driving records. (Sen. Harriette Chandler, Worcester, and Rep. Elizabeth Malia, Boston) (**Lead organization: EPOCA**)

- **H.1641, An Act relative to telephone service for inmates in all correctional and other penal institutions in the Commonwealth.** This bill would require prisons to provide telephone service at the same rates as for residential customers, and prevent the DOC or county sheriffs from receiving a share of the payment for phone service.

(Rep. Benjamin Swan, Springfield) (**Lead organization: Committee of Families and Relatives of Prisoners. Also, Prisoners' Legal Services**)

## **REFORMING CLASSIFICATION, LEVELS OF PUNISHMENT, AND PAROLE**

• **S.1133/H.1486, An Act relative to the appropriate use of solitary confinement.**

This bill would create more oversight of solitary confinement, requiring a hearing within 15 days of being sent to the “hole” and every 90 days after that. It would also limit solitary confinement to six months in most situations. (Sen. James Eldridge, and Rep. Elizabeth Malia, Boston) (**Lead organization: Prisoners' Legal Services**)

• **H.1430, An Act regarding the classifications system for prisoners in the Commonwealth.**

This bill would require the DOC to revise its classification system so that no more than 15% of prisoners are in maximum security settings and no less than 30% are in minimum security or pre-release settings. In addition, at least 80% of all prisoners would be sent to minimum security or pre-release after serving 80% of their minimum sentences. (Rep. Kay Khan, Newton)

• **H.1195, An Act providing for enhancing public safety by reforming the Parole Board.**

This bill would increase the number of Parole Board members from seven to nine and create a panel to recommend people to fill Parole Board vacancies, including if possible psychiatrists, psychologists and social workers as potential Parole Board members. Except for first-degree lifer hearings, six members would need to be present for the hearing and parole could be granted upon a vote of four of those members. (Rep. Ruth Balser, Newton) (**Lead organization: Prisoners' Legal Services**)

• **H.1359, An Act authorizing criteria for the release of terminally ill inmates to alternative locations of confinement.** This bill would let state or county prisons seek a court order allowing a terminally ill prisoner to be released to a “community confinement monitoring program” at a hospital, nursing home or similar facility. (Rep. Colleen Garry, Dracut)

• **S.26, An Act to expand juvenile jurisdiction, increase public safety and protect children from harm** This bill would raise the age at which defendants would be considered juveniles to 18, as in most states. (Sen. Karen Spilka, Ashland) (**Lead organization: Citizens for Juvenile Justice**)

## **PROVIDING ACCESS TO REHABILITATIVE SERVICES**

• **H.1789, An Act relative to mental health services in Massachusetts correctional institutions, houses of correction and jails.** This bill would require all prisons and jails to provide proper mental health care that meets national standards. (Rep. Kay Khan, Newton)

• **H.1194, An Act to improve public safety by facilitating access to addiction services.** This bill would require prisons to provide addiction services. (Rep. Ruth Balser, Newton) (**Lead organization: MOAR**)

Thanks to Families Against Mandatory Minimums (FAMM) for compiling most of this list. FAMM also has information about bills that will make the prison boom

considerably worse, as well as excellent fact sheets and research. <http://www.famm.org/state/Massachusetts.aspx>

EPOCA and other organizations are working to win these reforms, and we are building the infrastructure to engage thousands of people in a campaign to **re-direct \$2 billion of prison construction into community-based jobs, education, child care, and other needed programs**

**To sign the petition, or take other action: [www.exprisoners.org](http://www.exprisoners.org)  
-- (508) 410-7676**