

CRIMINAL JUSTICE

End Mandatory Sentencing for Drug Offenses

One-size-fits-all mandatory minimum sentences are increasingly recognized across the country as ineffective and unjust responses to crime, and to drug addiction. Ending mandatory minimums for all drug offenses is the most important criminal justice reform the legislature can achieve this session. Mandatory minimum sentencing unjustly allows DAs to decide prison sentences for drug offenders while tying the hands of neutral judges.

- Mandatory minimums are used routinely and inappropriately. Thousands of people, many of them struggling with addiction, are harmed. Roughly a third of people serving mandatory minimum sentences for drugs have a minor record or no record at all. And more than half are sent to prison for low-level street transactions.
- Mandatory minimums are counter-productive in dealing with the opioid epidemic. Jails don't cure addiction. People with addiction disorders need treatment, not harsh sentencing that deprives them of opportunities and incentives to participate in programming and rehabilitation. Without treatment, they are more likely to return to drugs as soon as they are released.
- Racial disparities due to mandatory minimums are worse in Massachusetts than almost anywhere in the nation. Black and Latino residents make up only 22% of the state, yet the percentage of Black and Latino residents serving sentences for mandatory minimum drug offenses is three times as high.

Massachusetts can – and must – bring more justice to the justice system by doing away with mandatory minimum sentences for drug offenses.

S.819/H.741 – Sen. Creem & Rep. Carvalho (Judiciary Committee)

IMMIGRANTS' RIGHTS

Untangle Mass. from Trump's Deportation Machine

The Trump administration has made discriminatory attacks on immigrants – and dragnet deportation – its hallmark. Massachusetts needs to stand up for all our residents by ensuring that we do not volunteer our state resources to assist in federal deportation efforts. In particular, we should bar “287(g)” contracts, which deputize local law enforcement with special federal powers to act as Immigration and Customs Enforcement (ICE) agents, and set standards and guidelines for other forms of collaboration, such as when to notify ICE about a person in state or local custody. In addition, we should guarantee basic due process protections for Massachusetts residents who are vulnerable to deportation. Finally, we must not backtrack on immigrants' rights by allowing the special detention of immigrants without a judicial warrant. Our great state must stand up for our values against the Trump administration's deportation machine, and keep our communities safe by strengthening relationships of trust between residents and local police.

S.1305/H.3269 – Sen. Eldridge & Rep. Matias (Public Safety Committee)

REPRODUCTIVE FREEDOM

Contraceptive Access

Contraception is basic, preventive health care, and access to that care is under attack. Currently, Obama-era guidance prohibits insurers from charging co-pays for contraception under the Affordable Care Act. This has allowed 1.4 million Massachusetts residents to afford the birth control option that works best for them—regardless of their financial circumstances. Yet President Trump has drafted an Interim Final Rule (IFR) that directly threatens access to birth control. It would allow employers to discriminate in health care by refusing to cover contraception based on religious or even “moral” objections—and it will go into immediate effect as soon as it is issued by the Trump administration. An employer could deny contraceptive coverage to their workers simply by saying they have a ‘moral objection’ to birth control! Massachusetts must act now to protect and expand access to contraception in our state by making sure insurers continue to fully cover the costs of this essential care.

S.499/H.536 – Sen. Chandler & Reps. Haddad, Scibak (Financial Services Committee)

ELECTRONIC PRIVACY

Get A Warrant

Our technology is advanced but our electronic privacy law is stuck in the 1980s. The Electronic Privacy Act would protect our private electronic information with the gold standard of American due process—the probable cause warrant. Every day, we generate mountains of private, sensitive information as we go about our modern lives using computers and smartphones—from financial and health information to the content of our emails and GPS data trails mapping our every move. Our constitution prohibits police from searching our homes and offices without a warrant. The courts have made it clear that police cannot search our electronic devices without a warrant either. This bill would clarify that the same constitutional protection should apply to our personal information stored by internet and phone companies. Our sensitive electronic information in “the cloud” deserves the same protections as information on paper stored in our desks and dresser drawers.

S.943/H.2332 – Sen. Spilka & Rep. Peake (Judiciary Committee)

VOTING RIGHTS

Election Day Registration

The right to vote is the bedrock of our democracy. We can – and must – do more to enable people to exercise that right. In July, a Massachusetts superior court ruled that the state’s 20-day voter registration deadline violates the Massachusetts constitution. The court decisively rejected any suggestion that administrative considerations regarding the need to run orderly elections or assure that only eligible voters are permitted to vote could justify the deadline. But the court left to the legislature the decision about what should replace it. Fifteen states plus the District of Columbia offer same-day registration, which allows any qualified resident of the state to register to vote and cast a ballot on the same day. Massachusetts should join them and replace the unconstitutional 20-day voter registration deadline with Election Day Registration.

S.371/H.354 – Sen. Creem & Rep. Carvalho (Election Laws Committee)