

Justice Reinvestment



An Act to Increase Neighborhood Safety and Opportunity

Background: A coalition of community, religious, and union organizations has come together behind an omnibus bill to improve Massachusetts' systems of criminal justice, end mass incarceration, and re-invest in our schools and in job-creation.

Our neighborhoods are filled with people who cannot find life-sustaining work. Our prisons are filled with people who suffer from addiction or trauma, and people who struggled in school, yet they are serving long mandatory minimum sentences that do not address the underlying problem. Our nation has 5% of the world's population but 25% of the world's prisoners; the most in the world. Much of this over-incarceration is driven by racial bias at every stage in the criminal justice process. We believe in prevention and treatment before prosecution and imprisonment. We believe in institutions that build people up, not break us down.

We are not safer because of mass incarceration. Whereas over 60% of people involved in the criminal justice system are re-incarcerated within 3 years, successful social enterprises such as UTEC in Lowell have recidivism rates of only **2%** among their participants. Our bill would invest in such evidence-based practices, including job development efforts for youth, veterans, victims of violence and other people with significant barriers to employment.

Docket Numbers: SD 1874 / HD 3425

Lead Sponsors: Senator Sonia Chang-Diaz (D-Boston) and Representative Mary Keefe (D-Worcester)

Each of the reforms in this bill have been proven to improve public safety and reduce costs in other states.

I. Criminal Justice Reform

- **Repeal Mandatory Minimum Drug Sentences** – This would restore judicial discretion in sentencing for drug charges, reducing the risk of longer than warranted prison terms.



Khalid overcame a lifetime of hardship, addiction, and trauma with help from community institutions and a good job. His story was recently highlighted in the Boston Globe. Our coalition aims to make such redemptive stories commonplace.

- **Reduce Certain Low-Level Felonies to Misdemeanors** – Under this scenario, certain offenses (such as shoplifting or other petty theft, or low-level drug charges) would be made misdemeanors, with different sanctions relying less on long terms of incarceration.
- **Extraordinary Medical Placement** – This would allow a judge to decide whether a person who is permanently incapacitated or terminally ill should be transferred out of prison and into a different setting for treatment. This setting could still include confinement, where appropriate. Most states other than Massachusetts have such statutes.
- **End Collateral Sanctions at the RMV** – Under current law, the Registry of Motor Vehicles confiscates the license of any person convicted of a drug offense for up to 5 years, and charges at least \$500 for reinstatement, even though the charge has nothing to do with driving. This also creates a “back-door CORI” that can never be sealed, seriously damaging a person’s chances of employment even decades after the fact.

II. Jobs and Schools: The final sections of the bill establish a trust fund with the savings from these improvements in the criminal justice system, which will be used to right our unbalanced economy and create opportunities for self-sustaining employment. These programs will be open to all kinds of people who are struggling with employment for different reasons.

- **Job Training** to address the skills gap identified by Massachusetts industry leaders;
- **Transitional jobs and pre-apprenticeship programs** to prepare people and place them in good, living-wage jobs;
- **Youth jobs** that provide both sustenance and experience
- Initiatives to **create new jobs** through **social enterprises, coops**, and other businesses working with people who face significant barriers.
- Evidence-based programs that support young people to **stay in school** and get a complete education.

NOTE: Legislators are also filing many of the above sections as separate, individual bills: Mandatory minimums: Rep. Swan and Sen. Creem (HD1921/SD1770); Extraordinary Medical Placement: Rep. Toomey and Sen. Jehlen (HD2997/SD1417); RMV Collateral Sanctions: Rep. Malia and Sen. Chandler (HD2584/SD1665) **We support these individual bills**, as well priorities such as Limiting Solitary Confinement (Rep. Malia and Sen. Eldridge (HD2592/SD1065) and Bail Reform: Rep. Sannicandro and Sen. Donnelly (HD3156/SD1491).

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