

***REPEAL THE DRIVER'S LICENSE SUSPENSION FOR DRUG OFFENDERS WHO HAVE SERVED THEIR PRISON SENTENCE. THE JOBS NOT JAILS COALITION SEEKS YOUR HELP IN THE CONFERENCE COMMITTEE TO SUPPORT THE SENATE VERSION OF THE REPEAL (SENATE BILL NO. 2021).***

- The up-to-5 year license suspension and \$500 reinstatement fee under the existing law is a failed policy. It has been repealed by 34 states (including all New England states except Massachusetts)
- The suspension law singles out drug offenders – even serious crimes of violence are not subject to this penalty
- Suspension is automatic, even though the crime did not involve a car
- 26 years of experience shows that the existing law does not deter drug use

**THE MASSACHUSETTS SENATE VOTED UNANIMOUSLY TO REPEAL THE EXISTING LAW. THE HOUSE PRESERVED THE LICENSE SUSPENSION FOR SOME DRUG OFFENDERS. THE SENATE HAS THE RIGHT APPROACH.**

**REPEAL IS GOOD PUBLIC POLICY -- WE WANT EX-OFFENDERS TO SUCCESSFULLY REINTEGRATE INTO THEIR COMMUNITY AND FAMILY AFTER THEY SERVE THEIR TIME.**

- Getting a job is crucial to an ex-offender's chance for success – a driver's license is essential where public transportation is not available. Some employers demand a driver's license even if driving is not part of the job.
- Strengthening family ties -- driving children to school or medical appointments – and everyday activities – grocery shopping, cashing a check -- supports successful re-entry. Why would we want to encourage recidivism?
- Keeping probation or drug treatment appointments is required to stay out of prison
- Ensuring that drivers have a license and insurance is important for all of us

**THE GOVERNOR, LT. GOVERNOR, SENATE PRESIDENT, HOUSE SPEAKER, AND CHIEF JUSTICE COMMITTED TO SUCCESSFUL RE-ENTRY AS VITAL TO OUR CRIMINAL JUSTICE SYSTEM.**

- Suspending driver's licenses is a punitive relic from the past – a major barrier to re-entry
- Shift from viewing drug use a crime demanding a prison cell to drug use as an addiction deserving treatment, at a great savings to the taxpayer

**THE HOUSE VERSION UNDERMINES RE-ENTRY BY CONTINUING DRIVER'S LICENSE SUSPENSIONS FOR TRAFFICKING OFFENDERS.**

- "Trafficking" is a misnomer under Massachusetts law that unnecessarily alarms people. Labels should not substitute for fact-based public policy.

- Possession of as little as **18 grams** of an opiate or cocaine supports a trafficking conviction that requires a judge to impose a 2 year mandatory minimum prison sentence (the sentence increases for higher quantities, other drugs, or second offenses)
  - Roughly 1/2 ounce (18 grams = 0.6 ounces)
  - Equivalent to 1 package of salad seasoning mix, 18 Splenda packets, or a small fun-pack of M&Ms
- An amount for an addict's own use – this is not a “drug kingpin's” cache for commercial exploitation, despite the trafficking label used in the statute

### **THE HOUSE'S SUBSTITUTION OF A HARDSHIP DRIVER'S LICENSE ADDS ANOTHER BARRIER TO SUCCESSFUL RE-ENTRY.**

- The RMV issues “hardship” licenses only **after** the ex-offender gets a job – requiring the employer's signature on the application reinforces the barrier to getting hired
- A hardship license requires a hearing – creating more delay and an outcome that turns on a hearing officer's discretion
- Hardship licenses are limited – for a specific purpose and no more than 12 hours per day

### **THE HOUSE VERSION PERPETUATES THE RACIAL DISPARITY IN THE DRUG LAWS.**

- Persons of color constitute only 44% of all drug convictions, but they represent over 75% of those incarcerated for drug trafficking offenses.

### **YOUR HELP IS NEEDED NOW TO CONTACT LEGISLATORS!**

- Ask your own State Representative and Senator to communicate their support for the Senate version of the driver's license bill (**S. 2021**) without the House exception preserving the suspension for trafficking convictions to:
  - House Speaker Robert DeLeo **or** Senate President Stanley Rosenberg; **and either**
  - House members of the Conference Committee [Rep. John Fernandes (D-Milford), Rep. William Straus (D-Mattapoisett), Rep. Bradford Hill (R-Ipswich)]; **or**
  - Senate Conference Committee members [Sen. Thomas McGee (D-Lynn), Sen. Harriette Chandler (D-Worcester), Sen. Bruce Tarr (R-Gloucester)].
- Contact Speaker DeLeo, Senate President Rosenberg and the Conference Committee members yourself. ***This is especially important if you are a constituent.***
- Find your legislator at: [http://openstates.org/find\\_your\\_legislator/](http://openstates.org/find_your_legislator/)

**THANK YOU! JOBS NOT JAILS COALITION** (Feb. 2016)