

An Act Relative to Drug Mandatory Minimum Sentences – SD 1456

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The League of Women Voters of Massachusetts asks that you urge your legislators to support “An Act Relative to Drug Mandatory Minimum Sentences” – SD 1456 to allow nonviolent drug offenders the same access to parole as violent criminals.

Background: The state’s current sentencing laws impose a mandatory prison term on many nonviolent drug offenders, regardless of the circumstances surrounding their crime. Although those convicted of violent crimes can be eligible for parole after serving two-thirds of their sentences, drug-related offenders usually serve their full terms with less access to programs and regardless of any steps they have taken while in prison to improve their education and work skills. Mandatory drug sentences are inequitable. 80% of those convicted under mandatory minimum drug sentences are minorities; 34% of individuals convicted of other crimes are minorities.

Mandatory drug sentences have fueled an unnecessary growth in prison population without solving the problem; the state and county prison population has grown fivefold over the last 30 years. The state prison budget nearly doubled in just the last dozen years, at the same time that monies for education and other programs to reduce recidivism have been drastically cut. Legislation is thus urgently needed to provide fairness and alternatives in sentencing.

The Legislation: This bill will allow individuals with mandatory minimum drug sentences to be eligible for parole after serving two-thirds of their sentence in prison, matching the current eligibility standards for those convicted of violent crimes. Alternative sentencing, rather than high-security incarceration, especially for nonviolent offenders, can increase public safety and reduce cost.

Legislative Sponsors: Chief Sponsor: Sen. Cynthia Stone Creem. Cosponsors: Sen. Steven Tolman, Thomas McGee, Patricia Jehlen, and Kenneth Donnelly; Rep. Elizabeth Malia, Ellen Story, and Kay Khan.

Talking Points

- This bill will make parole eligibility the same for drug crimes as for violent crimes.
- Currently most drug offenders are released from medium- or high-security prisons directly to the community without parole. Reform of mandatory minimum sentencing laws should provide for a portion of the sentence to be served in the community with parole supervision.
- Drug offenders from minority communities should have the same access to parole as most other offenders.
- Incarceration costs the state approximately \$40,000 per prisoner each year compared with less than \$4000 a year to supervise a person on parole. This bill will mitigate the cost of over-incarceration, freeing up millions of dollars per year for other critical needs.

