

League of Women Voters of Massachusetts

Support for H.1416 - the Public Safety Act of 2007

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LWV-MA Positions on Corrections: Our goal is a sound corrections system that provides opportunities for rehabilitation of adult and juvenile offenders. The League supports measures to improve their custody and rehabilitation and to prepare them more effectively for reintegration into the community. We support protection of civil and individual rights of the offender as part of our efforts to uphold the rights of all members of society.

As a statewide organization representing over 50 local and regional groups, the Massachusetts League of Women Voters advocates for a variety of measures to protect our citizens and improve our government. One well-established consensus is to uphold the civil and individual rights of the offender as part of our efforts to protect the rights of all members of society. The League has chosen to put its support behind the Public Safety Act because it is a crucial bill that could significantly advance both of our goals.

Massachusetts cannot afford the human toll and the financial costs of directing more of our resources toward incarceration rather than education. Homelessness, unemployment, torn families and mounting healthcare costs result from the unintended consequences of policies that encourage men and women who have been released to return to jail. Passage of this bill would interrupt the cycle of recidivism that injures the whole community.

People in prison need more equitable access to rehabilitation programs, so they can better prepare to return to and live in our neighborhoods. The state's current policy of denying programs to many nonviolent offenders must be corrected. It's not only activists who say this; those who run our prisons and jails have discussed with my committee their frustration with that policy. Passing the PSA would address this problem.

Another key reform the League supports is to make parole -- now available to many violent offenders -- also available to nonviolent drug offenders serving mandatory sentences. The PSA would provide an essential remedy to this inequity.

The League of Women Voters also supports certain reforms to the Criminal Offender Record Information (CORI) system to make it more accurate and more relevant to the public's needs. The CORI system has become a behemoth, as it has expanded beyond its original purpose to inform the criminal justice system. Unintended results include permanent sentences never approved by the courts that often limit peoples' abilities to function such as finding jobs or housing. The PSA provides important reforms: training employers and landlords on how to read CORIs; removing non-convictions; sealing old records that provide no pertinent information; adding relevant positive information; establishing an appeal process to purge certain juvenile records. These are all improvements to a system that affects not only the 2.8 million Massachusetts residents with CORIs, but also many of the rest of us, from school volunteers to workers. These reforms would make CORI more useful for all of us. The Public Safety Act is a critical bill to pass for good government and safer communities.

Background on the Public Safety Act of 2007, H.1416

The Need - To help create a safer Massachusetts, PSA 2007 is an effort to reduce recidivism, to increase inmates' access to rehabilitative programs, to end the cycle of crime, homelessness and unemployment, and to ensure the distribution of correct and pertinent information while protecting the public interest. Almost all inmates return to the community; most will return to the neighborhood where they were arrested. Without the ability to gain employment, find housing or deal with addiction or mental health issues, almost half will recidivate and return to a correctional facility — and ultimately cycle back into the community. This pattern continues to repeat.

Drug mandatory sentences should be revised to make the state's correction policies fair, cost-effective and lead to rehabilitation. These sentences have fueled an unnecessary growth in prison population with a fivefold growth over the last 30 years. Currently, over 2,000 non-violent drug offenders are in prison under mandatory minimum sentencing. They have a disproportionate impact: 89% of those are people of color, but only 34% of individuals convicted of other crimes are minorities. Inmates serving mandatory sentences are banned from participating in addiction or other rehabilitative programs while incarcerated, although violent offenders have access to these programs. A year of incarceration on Massachusetts costs taxpayers approximately \$43,000 per year per inmate, yet extensive re-entry programs, including addiction services, cost on average only \$11,000 per person.

2.8 million individuals have Massachusetts criminal reports (CORI). Private sector users often don't know how to understand the reports. Inaccuracies are hard to correct. Decision-makers now routinely rely on CORI in deciding who gets a job, housing, job training, a loan, or a license. 92% of Massachusetts' residents support giving people with criminal records a chance to get jobs and housing. Studies show that if the individual does not recidivate within the first three – five years, the chance of doing so is reduced to almost zero, although currently CORI records lasts a lifetime.

The Solution - The Public Safety Act of 2007 requires:

- 1) The purging of criminal records accessed by the public if the defendant wasn't convicted.
- 2) Individuals who make decisions based on CORI should be trained on how to read them.
- 3) The Certification of Commitment to Rehabilitation (as part of CORI) —will allow those incarcerated or on community supervision to document for prospective employers or landlords their participation in treatment and other rehabilitative services.
- 4) Individuals serving mandatory minimum sentences shall be eligible for parole after 2/3 of their minimum sentence has been served, matching the current eligibility standards for violent crimes, and allows for individual case-by-case evaluation. **This provision could save \$12-15 million the first year, and more thereafter.** It also allows access to rehabilitation programs. Individuals in re-entry programs are 15%-40% less likely to re-offend based on their criminal history and addiction severity. Individuals who have access to re-entry services are more likely to re-unite with family members, gain employment and become productive members of their community.
- 5) CORI reports that are available to the public will be sealed after 7 years for felony offenders and misdemeanors will be sealed after 3 years through a quasi-automatic process.
- 6) Only convictions and open cases will be reported to the public. The inclusion of juvenile records could be appealed.
- 7) An individual's criminal history cannot be checked until the applicant is deemed appropriate for a particular employment or housing opportunity.