



MOAR

Massachusetts Organization for Addiction Recovery

Incarceration in MA: The Facts

- ❖ In 2015, an average of **21,416** individuals were incarcerated in MA on any given day. This includes an average of 10,813 inmates in state prisons and 10,603 individuals held in county jails on any given day.^{1,2}
- ❖ The average length of incarceration for men being released from state prison in 2015 was **46.3** months.²
- ❖ In 2014 it cost an average of **\$53,040.87** to keep one person incarcerated in MA state prison. This was more than the cost of tuition at Harvard University that year (\$43,280) and over ten times the cost of supervised probation or parole.³
- ❖ Of the over 500 million dollar 2014 MA DOC budget, education, counseling, mental health services, programming and vocational training accounted for only **1.98%**⁴
- ❖ The 3-year **Re-incarceration** Recidivism rate for individuals released from MA state prison in 2012 was **32%**⁵
- ❖ The rate of incarceration has risen 236% since 1980 even though crime is down 26%.¹
- ❖ Sherriff Peter Koutoujian states that **85%** of the population of the Middlesex House of Correction suffer from **addiction and/or mental illness**.⁶
- ❖ According to CSG, **only 44% of the prisoners who had a designated need area of substance abuse programming completed a substance abuse program**. And, long-term substance abuse treatment is not even available in maximum security facilities⁷
- ❖ The number of non-violent drug offenders had gone up over 20 times higher in state prisons and over 8 times higher in county facilities in 2010 than in the early 1980s. 20,721.¹
- ❖ Many inmates convicted of non-violent drug offenses are serving mandatory minimum sentences. Mandatory minimum sentences are sentences that are automatically applied to specific offenses.
- ❖ **Other states that have eliminated mandatory minimums have not experienced an increase in crime**. New Jersey and South Carolina both eliminated mandatory minimums in 2010. And both states experienced less crime in 2012 than in 2010.¹
- ❖ **MA is one of few states allowing ten years in solitary confinement; the UN states that more than 15 days constitutes torture**.
- ❖ The CSG and Sentencing Commission confirm that the state imprisons **African- American defendants eight times more than white defendants**. Hispanic defendants are imprisoned 4.9 times more than whites.⁷

The facts are clear, we need Jobs Not Jails

MOAR is a proud member of the **Jobs Not Jails Coalition**, a group community, labor, religious, and legal organizations and individuals with a keen interest in the review of the state's criminal justice system that has been undertaken by the Council of State Governments Justice Center and the Massachusetts Criminal Justice Review Working Group.

Legislation:

Before the CSG legislative reform package is finalized, we ask that the following legislative proposals, currently missing. We support the The Justice Reinvestment Act on criminal justice reform that is being filed by Representative Mary Keefe (**H2308**) and Senator Sonia Chang-Diaz (**S791**):

- 1) **Ends long mandatory minimum sentences** on drug convictions of non-violent persons;
- 2) **Raises the threshold for what's a felony theft** from \$250 (the third lowest in the nation) up to \$1500;
- 3) **Lowers probation and parole fees** such as the \$65 a month ex-prisoners have to pay in parole fees when ex-prisoners are already working at low wage jobs;
- 4) **Lessens the "sealing time" before employers can no longer see court appearances on a CORI** (Criminal Offender Record Information). The current times leads people not to be able to be hired when they are released from prison;
- 5) **Increases funding for in-prison education and job training**, and increases funding for **reentry services** especially for job training and job placement;
- 6) **Possible medical release of terminally ill prisoners** if a judge approves.

Executive Actions:

Aside from legislation, we urge the Governor and Executive Branch administrators to implement changes suggested by CSG to reform DOC and Parole Board practices to improve public safety and, at the same time, save millions of tax dollars:

- 1) **Reform DOC classification** practices and mandate timely step-down before release
- 2) **Increase** the current **dismally-low parole rates**
- 3) **Increase best practice post-release programming and support** from parole
- 4) Restructure the DOC budget so that resources are realigned to **provide funds for education, counseling, mental health services, programming and vocational training.**
- 5) **Stop using lengthy stays in solitary confinement as a punishment.**
- 6) **Prioritize addressing the racial inequities in our criminal justice system which CSG identified as a serious on-going problem in our state.**

1. INCARCERATION TRENDS IN MASSACHUSETTS:LONG-TERM INCREASES, RECENT PROGRESS Massachusetts Budget and Policy Center January 26, 2016
2. MA Department of Corrections, Prison Population Trends 2015, published March 2016. Accessible: <http://www.mass.gov/eopss/law-enforce-and-cj/prisons/rsch-data/prison-population-trends.html>
3. <http://www.mass.gov/eopss/agencies/doc/faqs-about-the-doc.html>
4. MA Department of Corrections Annual Report (2014)
5. <http://www.mass.gov/eopss/docs/doc/research-reports/recidivism/recidivism-rates-2012-releases-3year.pdf>
6. <http://www.metrowestdailynews.com/news/20161201/koutoujian-attends-white-house-panel-on-addiction>
7. CSG Working Group Meeting 4 Interim Report, October 20, 2016,