

**Committee of the Judiciary
Massachusetts General Court
Boston, MA 02133**

Testimony of: Jason Lydon
55 St. Rose Street
Jamaica Plain, MA 02130
May 8, 2007
1:00pm, Room A-2

*Testimony regarding House, No. 1723 Petition of Carl M. Sciortino, Jr., and others
relative to the construction of new correctional facilities and providing for an
investigation of incarceration and its impact on public safety.*

Good afternoon. It is my pleasure to be here today to speak in favor of House Bill 1723. It can certainly be unpopular at times to come out in support of the humanity of prisoners and in favor of cutting funding to the Department of Correction. This bill, however, provides an opportunity for that to change for you. Fortunately I have the calling as a clergy person from the Unitarian Universalist tradition to actively support this bill. In 1974 the Unitarian Universalist Association passed a resolution in favor of an indefinite moratorium on all prisons and jail expansion.

In fact, the United States has signed into a number of its own resolutions that if followed would call for a moratorium as well. The United States has ratified the International Covenant On Civil and Political Rights. There are a number of sections that address the rights of prisoners but one that I would like to draw your attention to at this time. Article 7 reads, "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." It should be noted that we have told you time and time again about the economic reasons to oppose the development of more prisons, jails, detention centers of any kind. We have shown you how ineffective they are as recidivism is seemingly endless. We have also provided numerous alternatives in order to debunk the argument of overcrowding. We must not forget that at this very moment there are thousands of individuals suffering in Massachusetts's prisons, jails, and youth detention centers. I can tell you that I know a number of them. One in particular who has been forced to mutilate her body and attempt suicide numerous times as the DOC has refused to acknowledge her needs as a transgender woman. I was here at a hearing just last week to examine the epidemic of suicides in our prisons. The stories of cruel and inhuman treatment of prisoners are too numerous to tell all of at this moment but many have been well documented. Members of SHaRC would be happy to talk more with you about these, as I am sure the people at Massachusetts Correctional Legal Services would also be able to do.

The United States also signed on to the Convention on the Elimination of All Forms of Racial Discrimination. Like the International Covenant on Civil and Political Rights, there are numerous sections that apply to this call for a moratorium but I will draw your

attention to just one at this time. Article 2 reads, "States Parties condemn racial discrimination and undertake to pursue a policy of eliminating it in all its forms. States Parties shall engage in no act of racial discrimination and shall act to ensure that no public authorities and institutions engage in discrimination. States Parties pledge not to sponsor, defend or support racial discrimination by any persons or organizations. States Parties shall review government, national and local policies and amend or repeal laws and regulations that create or perpetuate racial discrimination. States Parties shall prohibit and bring to an end racial discrimination by any persons, group or organization. States Parties shall take affirmative action measures as needed to ensure the development and protection of individuals belonging to certain racial groups for the purpose of guaranteeing them the full and equal enjoyment of human rights." According to the Real Costs of Prison Project in Massachusetts African Americans and Latinos make up 12% of the population and 54% of those incarcerated. Juveniles incarcerated are 62% children of color. (MA Department of Youth Services- April 2002). According to The Sentencing Project across the country African Americans constitute roughly 13% of the nations monthly drug users; 35% of those arrested for drug possession; 55% of drug possession convictions; and 74% of those sentenced to prison for drug possession. The statistics of institutional racism are staggering and show a direct violation of international agreements.

As someone who works with people on the inside I have heard so many stories of abuse, neglect, and harassment. As a survivor of the prison system myself I can tell you that what one goes through on the inside stays with them forever. Terrance Gorski has written extensively about the effects of Post Incarceration Syndrome. I have attached a copy of the most widely used article to this testimony. As you consider this bill from a fiscal angle do not forget that we are talking about the livelihood of Massachusetts residents many of whom are your constituents.