

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

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*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, Mr. Chairman and Members of the Joint Committee. I am a Somerville resident, a member of the Statewide Harm Reduction Coalition and the relative of a severely disabled Massachusetts prisoner. I speak in support of House No. 1723- an Act Relative to Incarceration and Its Effect on Public Safety.

House No. 1723 calls for a five-year freeze on expansion and/or construction of correctional facilities, during which time a special commission will conduct an in-depth examination of the cost-effectiveness of corrections-based programs and community-based treatment; an economic analysis of economic costs of incarceration and its effectiveness in enhancing public safety. The commission will undertake a study of the role of race and class vis-à-vis arrest, setting of bail, sentencing, parole and probation.

Most important, H.No.1723 will investigate the causes and impact of overcrowding. Most people assume that jail overcrowding is the result of rising crime rates, increased violence or general population growth. This is seldom the case.

Indeed the opposite appears to be true. During the past thirty years, more and more non-violent persons have been jailed for “drug war crimes,” usually for possession of small quantities of illegal/illicit drugs. Sentences are longer. Vocational and educational programming has been slashed. Conditions of confinement are dramatically worse. Departments of Correction have morphed into paramilitary operations and the guard to prisoner ratio here is 2nd highest in the nation: 1 to 2. In Massachusetts, we spend more on prisons and jails than we do on higher education.

Moreover, despite the expenditure of billions of our precious tax dollars, we have not seen greater public safety; nor has the Department of Correction or the County Sheriffs been held to account for this budget buster. Upwards of 75% of these dollars are for staffing alone.

We have all been reading recently of the massive ‘dysfunction’ of the State’s prison

system: the escalating alleged suicides, medical abuse and neglect, classification 'errors' and people leaving the jails sicker and more destitute. Unfortunately, the Commonwealth, from the executive branch to the judiciary and the General Court uses the very mistreatment of inmates as a reason to expand the prison system! (e.g., the push for Residential Treatment Units and Mental Health Courts)

We can use a five-year moratorium to determine the effects of our continuing reliance upon a corrections system that receives little or no scrutiny and one that warehouses human beings for huge sums of taxpayer money. We can track the efficacy of correctional drug treatment and community-based detoxification programs. Furthermore, an in-depth analysis may cause us to rethink policies of sending the poor and people of color to jail for ineffective 'treatment' while wealthier persons are sent to diversion programs or private rehabilitation.

H. 1723 is a sensible revenue-neutral bill. As legislation, it will document the advisability of pursuing ever more draconian public safety policies, for which spending has skyrocketed since Weld. The public deserves to know how corrections dollars are spent. It has a right to expect policies and practices to increase public safety- the well-being of the community. It is time to hold "corrections" to a standard we expect of other state entities.

The Sheriff of Middlesex County continues to call for \$253 million dollars to build more jails cells in my city alone, despite overwhelming public opposition. H.1723 would ensure that we do not waste tax dollars and as important: that all persons in state or county custody are treated humanely and ethically. H.1723 is practical and "smart on crime."

I would be more than happy to be available to share with you my 13 years' experience of the conditions of confinement in Mass. prisons.

I urge this committee to consider H. 1723 favorably. Thank you.