

MBA NEWS

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MBA backed legislation granting parole eligibility for non violent drug offenders serving mandatory minimum sentences passed by the Senate

BOSTON, Mass. — The Massachusetts Bar Association is pleased that sentencing reform in Massachusetts cleared a major hurdle Wednesday night when the Legislature passed an MBA-backed bill that grants parole eligibility to non violent drug offenders serving mandatory minimum sentences.

“We applaud the Senate’s action on sentencing legislation,” said MBA General Counsel/Acting Executive Director Martin W. Healy. “Passage of mandatory minimum reforms will not only save the commonwealth millions of dollars, but reduce the rate of recidivism among offenders.”

A long-standing opponent of mandatory minimum sentences, the MBA’s Drug Policy Task Force issued a report earlier this year recommending meaningful drug sentencing reform. The astronomical increase in the state’s correctional population – at a cost of \$48,000 per offender annually – is in part due to an increase in drug arrests. Under the current sentencing laws, non violent drug offenders face a one-size-fits-all system and have no incentive to plead guilty because judges have no discretion over sentences.

“It’s a giant step forward,” MBA Drug Policy Task Force Chair and Past President David W. White Jr. said of the legislation. “People have been arguing for sentencing reform for decades. We’re only halfway there, but it is a sea change.”

In addition to the cost savings, this legislation would reduce recidivism. Instead of being released directly into the community, offenders would be eligible for parole and work-release programs. Numerous studies have shown these programs help offenders re-enter the community and prevent them from re-offending, which improves public safety.

The bill now awaits action by the House of Representatives. Formal legislative sessions have ended for the year and will resume in January.

Incorporated in 1911, the Massachusetts Bar Association is a non-profit organization that serves the legal profession and the public by promoting the administration of justice, legal education, professional excellence and respect for the law. The MBA represents a diverse group of attorneys, judges and legal professionals across the commonwealth.