



Massachusetts Catholic Conference
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LEGISLATIVE TESTIMONY

To: Joint Committee on the Judiciary

From: James F. Driscoll, Esq., Executive Director

Re: House Bill 74, “An Act Implementing the Joint Recommendations of the Massachusetts Criminal Review.”

Date: June 19, 2017

The Massachusetts Catholic Conference respectfully submits this testimony in favor of House Bill 74 *“An Act implementing the joint recommendations of the Massachusetts Criminal Review.”*

Our Catholic faith supports the states right to establish and enforce laws that protect our communities and advance the common good. However, our faith also teaches us that both victims and offenders have a God given dignity that calls for justice and restoration, not vengeance.

The Conference recognizes and applauds the Council on State Governments along with the Governor, Senate President, House Speaker and Chief Justice of the Massachusetts Supreme Judicial Court for the collaborative effort put forth in crafting this legislation. The Conference supports the recommendations made within the Bill but also urges the Legislature, through this Committee, to strengthen it by providing a more comprehensive reform package.

We respectfully ask the Committee to consider the importance of:

(1) Repealing the excessively long mandatory minimum jail sentences for non-violent drug convictions by empowering judges to hand down a sentence for offenders on a case by case basis and determined by the specific facts and circumstances of each case. Mandatory sentencing for non-violent offences are costly, ineffective and damaging to rehabilitation of the offenders.

(2) Promoting, creating and funding diversion to “treatment programs” rather than “imprisonment” for offenders suffering from substance abuse or mental health issues. This is particularly critical as we face the deadly and growing opioid abuse crises in Massachusetts.

(3) Reforming the Criminal Offender Record Information (CORI) system by reducing the period of time potential employers have access to an individual’s criminal records. The current system

is designed to provide “roadblocks” to successful rehabilitation, employment opportunities and assimilation back into society by individuals attempting to turn their lives around.

(4) Increasing the threshold for the felony of theft by increasing the current limit to some amount higher than the current \$250.00 which was put in place approximately 30 years ago.

(5) Adopting “bail reform” so that individuals charged with non-violent crimes are not unnecessarily held behind bars awaiting trial simply because they are too poor to post bail.

The Bishops of the United States in their 2000 Pastoral Statement, *Responsibility, Rehabilitation and Restoration: A Catholic Perspective on Crime and Justice*, stated: “Just as God never abandons us, so too we must be in covenant with one another. We are all sinners, and our response to sin and failure should not be abandonment and despair, but rather justice, contrition, reparation, and return or reintegration of all into the community.”

The Massachusetts Catholic Conference is the public policy office of the Roman Catholic Bishops in the Commonwealth, representing the Archdiocese of Boston and the Dioceses of Fall River, Springfield, and Worcester.