



Rehabilitation, Re-entry, and Human Rights for Incarcerated Persons

[S.1493](#), SEN. CREEM,

[H.2325](#), REP. FLUKER OAKLEY

DESCRIPTION

An Act related to rehabilitation, re-entry, and human rights for incarcerated persons will establish universal baseline conditions standards for everyone incarcerated in Massachusetts state prisons, county jails, and houses of correction. The Massachusetts prison system is currently marked by a culture of punishment and deprivation, and this bill seeks to shift that culture to one that will support rehabilitation and re-entry. With the baseline conditions standards established, people will be educated, engaged, and aided in their efforts towards growth rather than set up to fail and punished when they do.

WHY THIS MATTERS

Massachusetts continues to expend the majority of its resources on ineffective, punitive approaches to corrections management and administration, while only minimally investing in programming, education, meaningful out of cell time, and improving conditions to support incarcerated people's efforts to rehabilitate themselves and to set themselves up for successful re-entry into the community.

Many people in general population units spend months on waiting lists to access programming and education opportunities. Opportunities for peer support and mentoring are scarce, and in some prisons and some units people have severely limited out of cell time, often spent in shackles. This lack of opportunity leads to disciplinary infractions that funnel people into segregated confinement that exacerbate trauma and harm.

Although extremely well-funded, corrections has not provided incarcerated people with the tools they need. "Since 2012, the department's budget has grown steadily each year, increasing by more than \$40 million since FY19 alone. Today, the DOC holds 50% fewer people than a decade ago but still consumes a budget well over \$700 million annually." ([Creating Meaningful Public Safety](#))

Even with fewer people and more money, corrections continues to prioritize punishment to the detriment of taxpayers and incarcerated people alike. "Here in Mass, according to the Comptroller's Payroll Account there are 100 paid corrections officers to every one teacher on the payroll." ([Mary Valerio Testimony 1/4/22](#))

The benefits of programming are well known. A 2016 study found that: "Those who participate in prison education are 43% less likely to return to prison" and that for every dollar spent on prison education, the state saves five dollars on recidivism. ([Valerio 2022](#)) Additionally, "Places where prisoners are engaged in purposeful activities they consider to be of value to them (workshops, education classes, rehabilitation programmes) are less likely to be sites of aggression than places with less focused objectives or less formal ground-rules." ([Understanding Prison Violence: A Rapid Evidence Assessment](#))



Human Rights for Incarcerated Persons

Yet, “according to the DOC 2019 Annual Report, just 77 out of 2155 total men who were released that year had earned a high school equivalency certificate inside.” ([Valerio 2022](#)). It is past time to ensure that people’s needs are met while they are incarcerated, so that we can pave the way for brighter futures.

The public does not benefit from outdated tough on crime practices. The system and those subjected to it are in dire need of a realignment of the commonwealth’s priorities to center rehabilitation, re-entry support, and humane conditions of confinement. This bill seeks to mandate a shift from the punitive practices that have failed so many to new opportunities in education and programming. Empowered by these new programs, people can leave prison ready to impact the world in meaningful ways, and less likely to return.

IMPACT

An Act related to rehabilitation, re-entry, and human rights for incarcerated persons would establish universal conditions of confinement standards applicable to all people in Massachusetts state prisons, county jails and houses of correction, regardless of housing or security status. These conditions would include:

- **Meaningful out of cell time:** At least 8 hours out of cell daily, including at least one hour of fresh air recreation. The bill provides that incarcerated people may not be handcuffed, shackled, or otherwise restrained during out of cell time.
- **Expanded programming and vocational training opportunities:** At least one hour of congregate programming daily, eligible for good time credit. In addition to that one-hour guarantee, the bill requires that programming must be maximized. The bill would also ensure universal access to vocational training and work opportunities, including in the community.
- **Increased educational offerings:** Universal access to educational programming that provides at least a high school equivalency for those without a diploma and post-secondary education for those who already have one, in the form of community college or four-year college programming. The bill requires every facility to include specialized, age-appropriate educational classes for emerging adults with at least 4 hours of educational programming at least 5 days a week.
- **Improved quality of life:** Access to the law library at least three times weekly and weekly access to racially, culturally, and gender appropriate canteen items, informed by the input of incarcerated people and priced in line with community pricing. The bill also requires medical and mental health care in line with the community standard of care. It would ensure opportunities for incarcerated people to create peer led organizations and support groups. The bill provides that all correctional facilities must maintain habitable temperatures, and must provide access to clean and healthy water, daily showers, and flushable toilets.

CONTACT

For more information please contact Jesse White at jwhite@plsma.org.

