



May 14, 2020

Senator James B. Eldridge, Senate Chair, Joint Committee on Judiciary  
Representative Claire Cronin, House Chair, Joint Committee on Judiciary  
State House  
Boston, MA 02133  
Via email

**Re: Support for H4652, *An Act Regarding Decarceration and COVID-19***

Dear Chair Eldridge and Chair Cronin:

On behalf of the Massachusetts Association of Community Development Corporations (MACDC), I am writing in support of H4652, an *Act Regarding Decarceration and COVID-19*. MACDC is an association of mission-driven community development organizations dedicated to creating places of opportunity where ALL people can live with dignity while participating in and benefiting from our Commonwealth's economy. We believe that safely decarcerating as many people as possible, and ensuring housing supports for decarcerated individuals, is necessary to limit the impact of the outbreak and interrupt the staggering racial inequities evident in state data.

The people in prisons and jails are important members of our communities, they are our husbands, wives, fathers, sons, mothers, daughters, and neighbors. Simply because they have been arrested or convicted for a crime does not justify sentencing them to sickness and potentially death from COVID-19.

**What this bill does**

The bill provides that several categories of people who are incarcerated and who do not pose any immediate physical threat to the community be released, with a focus on people who are at increased risk for COVID-19 such as people over age 50, people who are immuno-compromised, and people who qualify for medical parole. The bill also would provide release for people who have been granted parole and are waiting for a release date and people who are within 6 months of their release date. The bill sets up that a team of local public defenders, public health experts, sheriffs, and district attorneys will oversee the decisions and system of release.

Additionally, the bill directs the Department of Correction and sheriffs to work with the Command Center to ensure that conditions are safe for those remaining incarcerated. This includes that people have access to needed resources, including PPE, food, and the ability to communicate with loved ones.

**Why this bill is important**

- People who are confined to prisons and jails have no freedom to make the self- and population-protective decisions that are now part of everyday life on the outside – to physically distance at least six feet away from others, to have access to suitable cleaning products, to wash hands and clean surfaces often, and to acquire adequate personal protective equipment.

- People who are incarcerated have higher rates of chronic and infectious illnesses, disabilities, and there is a large proportion of people over the age of 50 - all of which put people who are incarcerated at higher risk of contracting COVID-19 and of having worse outcomes, including death.
- People of color are disproportionately incarcerated, due to decades of systemic racism in access to housing, education, and economic opportunities, as well as the policing and criminal justice systems. Unsafe conditions in prisons and jails are exacerbating already unacceptable racial inequities in the impact of this pandemic. The Massachusetts legislature must act now to stop condemning people in our state to illness and death that is highly determined by the color of their skin.
- Infection of people detained in prisons and jails (as well as correctional staff) is increasing at an astounding rate - a shocking increase of 27 times the amount in just the last three weeks.
- The health and safety of incarcerated people is reason enough to urgently depopulate our prisons and jails. In addition, an outbreak in a prison or jail puts those who work in the facility at increased risk of infection and of carrying the novel coronavirus back out into the community and to their families.

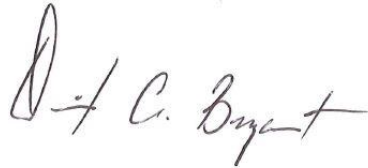
#### **Ensure needed housing supports are available**

Many people who would be released under this bill have families and other loved ones who are eagerly and anxiously awaiting their release and are overjoyed to welcome them home. However, the reality of historic injustices is that people coming out of prison and jail experience homelessness and housing insecurity at a higher rate than others. Many unfair policies exclude people with convictions or any kind of criminal history from housing. Further, to prevent spread of COVID-19, individuals leaving crowded prisons and jails will need to self-quarantine away from their families and loved ones for a period of time before being reunited. For these reasons, **we ask that language be included in this bill to ensure that people exiting prison and jails have a safe place to live and to quarantine, if even temporarily.**

At least nine Governors and the federal Department of Justice have issued orders to reduce the number of people in their jurisdictions. They all have started the process of safe decarceration to protect people in prisons and jails, to protect correctional staff, and to protect the community from infection. Other states have also put in place structures to help people exiting correctional facilities with housing. **For example, in California, the Governor has set up a system to secure 15,000 hotel rooms to shelter people who are homeless and exiting prisons and jails, with aid from FEMA. This is especially important given that some people will leave incarceration with infections and will need to “shelter in place” if they do not have housing already.**

Thank you for considering our testimony. We urge you to report this bill favorably without delay.

Sincerely,

A handwritten signature in black ink that reads "D. C. Bryant". The signature is written in a cursive style with a large initial "D" and a long horizontal stroke at the end.

David Bryant  
Director of Advocacy

bcc: Vice Chair Sonia Chang-Diaz, Senator William Brownsberger, Senator Cynthia Stone Creem, Senator Eric P. Lesser, Senator Patrick O'Connor, Vice Chair Michael Day, Representative Colleen Garry, Representative Jay Livingstone, Representative Carole Fiola, Representative John Velis, Representative Christopher Hendricks, Representative Liz Miranda, Representative Susannah Whipps, Representative Sheila Harrington, Representative Alyson Sullivan