

# The Boston Globe

EDITORIAL

## A Mass. model for national criminal justice reform

By The Globe Editorial Board

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The state Senate passed a sweeping criminal justice reform package last week that could be a national model for preserving public safety while curbing some of the excesses of an overly punitive system.

It's a significant effort at rational public policy-making at a time when chaos and misrule seem to dominate Washington.

House lawmakers, poised to take their own once-in-a-generation swipe at an overhaul, and the governor, weighing what legislation he would or wouldn't sign, would be wise to follow the Senate's lead.

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The legislation, steered by state Senator William Brownsberger of Belmont, a former prosecutor and one-time defense counsel for indigent clients, takes a thoughtful approach to a whole host of issues.

Start with mandatory minimum sentences for drug offenses. Ideally, Massachusetts would get rid of them altogether. Real justice is individualized justice, with judges empowered to decide what sort of punishment is appropriate in any given case.

But prosecutors are fiercely opposed to repeal. And wholesale scrapping of mandatory



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penalties for high-level heroin dealers in the midst of an opioid epidemic would be a tough sell. The Senate legislation is instead an exercise in the art of the possible — keeping mandatory minimums in place for large-scale traffickers of heroin and other drugs, while repealing them for lower-level dealers, many of them addicts themselves.

Of course, even a conviction that comes with a shorter sentence can have serious long-term consequences — making it harder to get a job upon release from prison and increasing the odds of recidivism. The Senate bill recognizes that reality and makes it easier for the courts to divert more low-level offenders out of the criminal justice system and into drug treatment and other kinds of programs.

Another provision would raise the cut-off for the juvenile justice system from the 18th to 19th birthday, adding 18-year-olds to the juvenile system. Kids that age aren't full-fledged adults, as any parent can attest; indeed, neuroscience studies have found that the human brain is still maturing into the mid-20s. More young offenders should be able to benefit from the protections and rehabilitative services of what is considered one of the best juvenile systems in the country.

It's not just compassionate, it's also smart: Research suggests young people who serve in a juvenile system are less likely to backslide and return to crime than those who serve in an adult system, where they are exposed to seasoned criminals.

The Senate legislation does a lot of other smart things, big and small. It gives inmates in solitary confinement better access to programming, for instance, and periodic reviews to see if they're ready to return to the general population. It also allows people who have fallen behind on parking tickets to get on payment plans so they're less likely to have their driver's licenses suspended — and lose their ability to get to work.

The state's district attorneys support some of the small-bore changes in the Senate package. But most — though notably, not all — have declared their opposition to major parts of the legislation. Just before the vote, several signed a letter raising the specter of a surge in violent crime and an exodus of businesses and jobs from hard-hit urban areas if the bill passes.

That's alarmist. There is no evidence that the reforms contemplated by the Senate would lead to that kind of ruin. And they're not nearly as radical as the prosecutors suggest. The Senate bill would eliminate some, but not all, mandatory minimum sentences and raise the age for the juvenile justice system by a single year.

It's significant reform, but it's considered. With a historic opportunity to improve the criminal justice system, the Senate rose to the occasion. The House should follow.