

Mass Dissent

Massachusetts Chapter

National Lawyers Guild

14 Beacon St., Boston, MA 02108

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www.nlgmass.org

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BOARD MEETING

April 18, 6:00 pm

14 Beacon St., 1st Fl.
Boston

The Criminal Legal System

Our legal system is a crime. Our jails are packed with people who never had a chance, designed to punish and humiliate rather than heal or rehabilitate. We pour resources into police and prisons rather than the jobs and education that would provide real public safety. But, chances are, if you're reading this you don't need me to tell you that. What you might need is some hope of change, and that's what this issue of *Mass Dissent* brings – the voices of powerful Massachusetts activists challenging the injustice in our criminal legal system. Most exciting about this movement is the leadership of women, people of color, and formerly incarcerated people.

Andrea James, founder of Families for Justice as Healing, describes how incarcerated and formerly incarcerated women and girls are working for prison reform and prison abolition. The ACLU's **Rahsaan Hall** gives us reason to hope that

prosecutors will finally be held accountable for their role in perpetuating racist and punitive criminal justice policies – and hopefully replaced at the ballot box, if voters pay attention to these often-unnoticed races. If you're wondering what happened to the omnibus criminal justice legislation you heard so much about a few months ago, **Lori Kenschaft** of the Mass Incarceration Working Group gives us the lowdown – promising the possibility of positive change, and the certainty that more work will remain. And **Sana Fadel** of Citizens for Juvenile Justice delves deeper into one crucial proposed reform: raising the age for involvement in the adult justice system.

So this is indeed a moment for hope, but that hope will only be realized if all of us add our voices (and maybe our dollars) to the movement for change. Think of this as your personal roadmap!

- *Bonnie Tenneriello* -

**NATIONAL LAWYERS GUILD
Massachusetts Chapter, Inc.**

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Join a Guild Committee

Street Law Clinic Project: The Street Law Clinic project provides workshops for Massachusetts organizations that address legal needs of various communities. Legal education workshops on 4th Amendment Rights (Stop & Search), Landlord/Tenant Disputes, Workers' Rights, Civil Disobedience Defense, Bankruptcy Law, Foreclosure Prevention Law, and Immigration Law are held at community organizations, youth centers, labor unions, shelters, and pre-release centers. If you are an NLG attorney, law student, or legal worker interested in leading a workshop, please contact the project at 617-227-7335 or nlgmass-slc@igc.org.

Lawyer Referral Service Panel (LRS): Members of the panel provide legal services at reasonable rates. Referral Service Committee members: Benjamin Dowling, Sebastian Korth, Douglas Lovenberg, and Jonathan Messinger. For more information, contact the LRS Coordinator at 617-227-7008 or nlgmass-lrs@igc.org.

Foreclosure Prevention Task Force: Created in June 2008, the Task Force's goal is threefold: (1) advocate for policies that address issues facing homeowners and tenants of foreclosed houses, (2) provide legal assistance to these homeowners and tenants, *and* (3) conduct legal clinics for them. If you are interested in working with the Task Force, please call the office at 617-227-7335.

Mass Defense Committee: Consists of two sub-committees: (1) "Legal Observers" (students, lawyers, activists) who are trained to serve as legal observers at political demonstrations *and* (2) "Mass Defense Team" (criminal defense attorneys) who represent activists arrested for political activism. To get involved, please contact the NLG office at 617-227-7335.

Litigation Committee: Established in 2010, the Committee brings civil lawsuits against large institutions (such as government agencies, law enforcement, banks, financial institutions, and/or large corporations) that engage in repressive or predatory actions that affect large numbers of people and perpetuate social, racial and/or economic injustice or inequality. To get involved, please contact the NLG office.

NLG National Immigration Project: Works to defend and extend the human and civil rights of all immigrants, documented and undocumented. The Project works in coalitions with community groups to organize support for immigrants' rights in the face of right-wing political attacks. For more information contact the NLG National Immigration Project at 617-227-9727.

NLG Military Law Task Force: Provides legal advice and assistance to those in the military and to others, especially members of the GIRights Hotline, who are counseling military personnel on their rights. It also provides legal support and helps find local legal referrals when needed. For advice and information, GI's can call 877-447-4487. To get involved, please contact Neil Berman (njberman2@juno.com) or Marguerite Helen (mugsm@mindspring.com).

GUILD NEWS

NLG HAPPY HOUR

You are invited to the “NLG Presents - Think & Drink” Happy Hour - a quarterly event held on the **2nd Wednesday of January, April, September, and November (or June)**. A report from the most recent Happy Hour is on page 4. If you have ideas for a presentation or would like to be a speaker, please call the NLG office at 617-227-7335.

year we will honor **Nadia Ben-Youssef & Jasmine Gomez** (Rob Doyle Award), **Luke Ryan** (Lawyer Award), **Mass Bail Fund** (Legal Worker Award), **Nicole Holbrook** (Student Award), and we'll have a special recognition of the **NLG Litigation Committee**. Tickets can be purchased at <http://www.nlgmass.org/reserve-tickets/> or calling our office at 617-227-7335.

NLG CONVENTION

The **2018 Annual Testimonial Dinner** will be held on **Friday, May 4, at the Hibernian Hall** in Roxbury. This

NLG CONVENTION

This year's NLG Convention will be in **Portland, OR, from Wednesday, October 31 to Sunday, November 4**. For more information and to register go to www.nlg.org.

Street Law Clinic Report

The following clinics and trainings were conducted for members of Boston area organizations and agencies:

March 17: *Legal Observer* and *Direct Action* trainings for activists from March for Our Lives, by **Melinda Drew & Jeff Feuer**.

March 24: *Legal Observing* at March for Our Lives events to protest gun laws and gun violence, by **Theodor Altman, Rebecca Amdemariam, Loreto Ansaldo, Hannah Deegan, Kevin Dillon, Kevin Duc Vo, Gabe Frumkin, Lee Goldstein, Jane Goodale, Patricia Goudvis, Caroline Holliday, Nick Horne, Lyn Huckabee, Elizabeth Ingermann, Urszula Masny-Latos, Thera McAroy, Melissa McWhinney, Ellen Messing, Connie Mortara, Dave Nathanson, Beth Patel, Nina Schwartzman, Graham Sternberg, and Eliza Walker**.

NLG Happy Hour

MEDICAL & LEGAL PROVIDERS WORKING TOGETHER

IN SUPPORT OF IMMIGRANTS

an evening with

Lara Jirmanus

Wednesday, April 11, 2018

6:00 - 8:00 pm

Red Hat Cafe (9 Bowdoin St., Boston)

Lara Jirmanus, MD, MPH, is a founding member of the Health and Law Immigration Solidarity Network, a group of medical and legal providers who have come together to respond to the needs of immigrant patients in light of current attacks on immigrants' rights. They aim to work in solidarity with immigrants, advocating for legislation to support their rights, to work with health institutions to make immigrant patients feel welcome, training health-care providers and creating a resource clearinghouse. They are interested in exploring how the legal community - NLG! - can get more involved in joint work on these issues.

ARTICLES FOR MASS DISSENT

The June issue of *Mass Dissent* will **on the current situation with immigration law**.

If you are interested in submitting an article, essay, analysis, or art work (cartoons, pictures) related to the topic, please e-mail your work to nlgmass-director@igc.org.

The deadline for articles is May 15.

NLG Annual Meeting

Even though there was a heavy snow storm forecasted for that March evening, a group of determined NLG members didn't worry and came to our Annual Meeting. They were greeted with snacks, wine, and friendly faces.

After short reports from various committees on the work the NLG-Mass Chapter does, we held elections of the Board of Directors and Chapter Officers. We are thrilled to welcome new members to the Board: **Brian Flynn, Jasmine Gomez, and Erica Medina**. Brian is an attorney at Greater Boston Legal Services's Labor & Employment Unit where for over 20 years he has represented low wage-workers. Jasmine is the Democracy Honors Fellow at Free Speech For People. Erica is a public defender with CPCS and represents clients in the Roxbury and Dorchester District Courts. **Josh Raisler Cohn** was elected to be a Co-Chair of the Chapter, **David Kelston** was re-elected to serve as Treasurer and



Photo by Julia Wedgle

Benjamin Falkner - to serve as Secretary.

We would like to thank Benjamin Evans and Elaine Sharp for their service on the NLG Board and for their long-time commitment to and support for the Mass Chapter. We greatly appreciate it.

NLG Justice Week at UMass Dartmouth Law School

During the second week of February, the National Lawyers Guild – UMass Dartmouth Law School Chapter co-hosted *Justice Week*, a week-long series of events, seminars, discussions, and panels culminating with the RebLaw Conference at Yale and/or the Robert M. Cover retreat in New Hampshire.

Justice Week was a celebration and continuation of the mission of the NLG – UMass Law Chapter to educate and activate young legal minds in pursuit of justice. It was co-hosted by the Black Law Student Association (BLSA), in furtherance of the values of Black History month.

This year's theme was Race, Rights, and Rebels – a week based around race relations, civil rights, and movement lawyering. There were presentations on Implicit Bias within the justice system, panel discussions on resistance lawyering, workshops on the pedagogical law school experience, movie screenings on civil rights and the Asian-American experience, and finally a talk by keynote guest speaker Adam Foss about his visions for a better criminal justice system.

One of the highlights of the week was the NLG Resistance Lawyering Panel with NLG members



NLG panelists (l.-r.) Ilana Greenstein, Makis Antzoulatos, Benjamin Falkner, Jeff Feuer and the moderator Prof. Hillary Farber.

(Photos by Urszula Masny-Latos)

Makis Antzoulatos, Benjamin Falkner, Jeffrey Feuer, and Ilana Greenstein, with Professor **Hillary Farber** moderating.

The panel concentrated on important questions

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Ending Incarceration of Women & Girls

by Andrea James

In 2010, as incarcerated women sitting around a table in the prison yard we founded Families for Justice as Healing. As incarcerated women who heard the increase in dialogue about the need to end mass incarceration, we heard nothing about us, nothing about the increase in incarceration of women, our gender specific needs, and what we knew was the impact on our children and communities we had been separated from.

Today Families for Justice as Healing, or what we call FJAH, is a Boston based Massachusetts criminal legal reform and prison abolition community organization. We helped end the barbaric practice of shackling pregnant incarcerated women during labor and delivery, fought to stop bills to build new jails for women, drafted the local "Primary Caretaker" bill now sponsored in six states, and the federal bill the "Dignity for Incarcerated Women Act".

We created the Women's Justice Circle model and we are a hub for the national Participatory Defense Network that works in partnership with the MA Bail Fund and the grassroots National Bail Fund Network. We are engaged in the research on the use, ethics and governance of artificial intelligence, how it's being used in the public and private sector, its further integration into the criminal legal system, and our concerns that risk assessment will exacerbate racial dispar-

ities. In partnership with Human Impact Partners we have published our first report, *Keeping Kids and Parents Together: A Healthier Approach to Sentencing in Massachusetts*, organized our current community listening tour and are part of the ACLU-MA *Know Your DA* campaign.

In addition to our local work, Families for Justice as Healing is the Massachusetts hub for The National Council for Incarcerated

Among some of our national partners are Justice Roundtable, Essie Justice Group, Can-Do Clemency, Human Impact Partners, RFK Human Rights, Equal Justice Under Law, UMass Law School and the Human Rights International Law Clinic at the University of Virginia School of Law. We are excited about our soon-to-be launched, The FreeHer Podcast.

Through the work of both



Andrea James (second from left) and other members of FJAH and the National Council take part in a Participatory Defense training with De Bug and organizers from across the country.

and Formerly Incarcerated Women and Girls, a national organization established through the work of FJAH and founded and led by incarcerated and formerly incarcerated women and girls across the country. Our goal at The National Council is to end incarceration of women and girls. We raise public awareness, build and facilitate coalitions and design community models based on the expertise of women and girls with lived experience.

FJAH and The National Council thousands of incarcerated and formerly incarcerated women and girls are connecting their reform and abolition work and sharing their expertise. We are working collectively, from the space of community self-determination, to radically change the direction of policies focused on individuals, to policies that address the root causes of inequality, marginalization, and poverty.

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Ending Incarceration of Women & Girls

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In the aggregate, as we grow in our membership, sisterhood, and common purpose, we contribute to meaningful change in public opinion and policy making that moves us toward our goal of ending incarceration of women and girls. A prison will never be a place to help a woman or girl heal and advance her life.

Meaningful, impactful reform will only happen as a result of inclusion, elevation and amplification of the important local work being done by directly affected women and girls.

We are consistently reminded that the numbers of people in prison in Massachusetts is small in comparison. They tell us that our numbers of incarcerated women are even smaller.

They speak as if our smaller numbers equates to the experience of incarceration as insignificant in the lives of the incarcerated and formerly incarcerated women, men and children who have endured this. Our response

to this as the women, mothers, wives, aunts, sisters, daughters and grandmothers, is that if our numbers are so small, then let's end incarceration of women and girls in Massachusetts. Let's invest fully in more effective, community-led solutions.

Incarceration in Massachusetts is overwhelmingly represented in communities of color. In a majority of Black communities in Boston there isn't a household that has not been affected by a loved one's incarceration. Too many of these households are cash poor and the families are struggling on a daily basis to simply survive.

Let's focus on building capital in these communities by closing the wealth gap and increasing access to sustainable employment. Let's divert spending on prisons and jails to community based mental health and substance use treatment, housing, education, green spaces and investment in worker-owned businesses. Let's amplify the voices of the women and girls on the front

line working to create meaningful, radical change now. Let's encourage and expect philanthropy to invest fully in community organizations led by formerly incarcerated and directly affected women and girls. What we need is regular and consistent financial support.

Let no more legislators or policy makers across the Commonwealth continue to believe that their constituents don't care about criminal legal reform and ending incarceration. Make it clear that you do.

Stand with us and as you use your power to advance criminal justice reform, listen to us. Include our expertise and fight like hell for us.

Andrea James is the Founder of Families for Justice as Healing, author of Upper Bunkies Unite: And Other Thoughts On the Politics of Mass Incarceration, a 2015 Soros Justice Fellow, and recipient of the 2016 RFK Human Rights Award and 2016 NLG Legal Worker Award.

NLG Justice Week at UMass Dartmouth Law School

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like, "What does it mean to be an agent of change in the era of Trump?" Furthermore, the discussion focused on movement lawyering and how to fight for the rights of the oppressed. It was a lively panel on how lawyers work on a broad range of systemic change issues from immigration to housing to civil rights.

It was a wonderful week of education, celebration, remembrance, and awareness.

- Jesse Purvis, UMass Dartmouth -



What a Difference a DA Makes

by Rahsaan D. Hall

Massachusetts is in the midst of an unprecedented election season with at least three – possibly four – contested district attorney (DA) races. This is unprecedented because in the last 20 years 77% of DA races have been uncontested. Thus, it should come as no surprise that a recent ACLU of Massachusetts poll that showed four in ten Massachusetts voters were unaware that their local district attorney was elected. Without public debates to address policy positions, prosecutions priorities or public safety initiatives, the public knows very little about one of the most powerful individuals within the criminal legal system.

DAs' uncontested power is one of the reasons the ACLU of Massachusetts launched the *What a Difference a DA Makes* campaign. This first of its kind public education campaign focuses on DAs and the need for reform. With power over charging decisions, diversionary programs, sentencing through mandatory minimums, civil asset forfeiture and blocking criminal law reforms in the legislature, DAs have had very little incentive to change the status quo. Their power is a reminder of the adage articulated by Frederick Douglas, "Power concedes nothing without a demand. It never did and it never will."

Douglas went on to say, "Find out just what any people will quietly submit to and you have found out the exact measure of injustice and wrong which will be imposed upon them, and these will continue till they are resisted with either words or blows, or with both. The

limits of tyrants are prescribed by the endurance of those whom they oppress." The exact measure of injustice in Massachusetts, despite its relatively low incarceration statistics, are the gross racial disparities in bail, mandatory minimum sentences and overall incarceration. The aim of this campaign is to raise public awareness about the role, power and influence of DAs with the hopes that Massachusetts residents – and voters in particular – will reign in the limits of DA power by supporting, electing and holding accountable reform-minded progressive DA candidates.

With multiple partners including New England Innocence Project, New England Area NAACP, Families for Justice as Healing, Prisoners' Legal Services of Massachusetts and Greater Boston Interfaith Organization the campaign is positioned to have a meaningful impact on the public conversation regarding DAs. Highlights of the campaign include court watch trainings to prepare Massachusetts residents – who are often unfamiliar with the reality of what happens in our courts – to observe the everyday practices of DA offices and witness firsthand the racial disparities in who is entangled within the system. With support from the Massachusetts Chapter of the National Lawyers Guild (NLG) and Massachusetts Bail Fund the campaign will train volunteers to not only observe court proceedings but collect qualitative and quantitative data from various district courts.

The campaign will also host candidate forums in each of the contested counties. In the

months leading up to the primary election we will have canvassers in targeted communities engaging voters on the issues relevant to reforming the role of DA and securing commitments to elect progressive DA candidates. In addition to sending out candidate questionnaires in all of the contested races and providing a voter guide to voters the campaign will evaluate all of the sitting DAs with a DA report card.

The report card will look at issues of transparency, accountability, racial justice and financial integrity. DA offices will be evaluated on how much information they make publicly available about the cases they prosecute and the outcomes of those cases. It will also seek to answer questions about a particular office's commitment to racial justice and reducing racial disparities; what integrity measures are in place to prevent or review wrongful convictions; what percentage of money seized from the accused is returned to them and if not, what percentage is invested in community based prevention initiatives or alternatives to incarceration; or the number of low level offenses prosecuted that could otherwise be diverted from court.

More information about the campaign can be found on the website www.dadifference.org which includes resources, videos, blogs, media coverage, events and opportunities to get involved. *What a Difference a DA Makes* is a non-partisan non-electioneering public education campaign and will not endorse or support any candidates for DA. The campaign is committed to providing Massachusetts residents and voters with a platform of principles

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Hopes for Our Commonwealth's Criminal Legal System

by Lori Kenschaft

(As this issue of Mass Dissent goes to press, the Conference Committee has reported out an omnibus criminal justice bill with most of the elements described in the article. - Editors -

Prospects for comprehensive criminal justice reform in Massachusetts are exciting, but far from certain.

Last fall the Massachusetts Senate passed a criminal justice omnibus bill (S.2200) by a 27-10 vote. A few weeks later the House passed its own omnibus bill (H.4043) by 144-9.

Each bill includes hundreds of provisions and is broad in scope, addressing to one degree or another nearly all of the arenas that activists have lifted up. No one considers either bill perfect, but if either passed it would improve the lives of thousands of people.

These omnibus bills complement a bill filed by Governor Baker (H.4012) that implements some of the recommendations for reducing recidivism made by the Council of State Governments after a year-long study. This bill would allow sentences to be reduced for program completion; probation and parole to be shortened for good behavior; and pre-trial services programs. The House passed it unanimously and it is currently before the Senate Ways and Means Committee.

The omnibus bills have been in conference committee since November. The six members of the conference committee (Reps. Cronin, Harrington, and Mariano and Sens. Brownsberger, Creem, and Tarr) have successfully sworn each other to secrecy, so we know very little about their discussions. Governor Baker has shown little interest in broad reforms, which raises the risks of unfortunate compromises.

If the conference committee reported out a “lowest common denominator” bill that included only provisions contained in both bills, its backbone would:

- Mandate better in-service training of police.
- Raise the lower age of juvenile court jurisdiction to 10 years.
- Codify that juveniles may not be indiscriminately

shackled.

- Remove age limits for diversion.
- Encourage restorative justice.
- Affirm the SJC’s recent Brangan decision that bail must be affordable (several advocacy groups have asked that the final bill not include any pre-trial provisions, but instead let the Brangan decision play out).
- Repeal mandatory minimums for lower-level offenses involving Class B and C drugs (but not Class A or school zones, which are only in the Senate bill).
- Raise the felony theft threshold to \$1,000.
- Authorize the waiver of any fee or fine that would cause substantial financial hardship, and prohibit incarceration for nonpayment under these circumstances.
- End driver’s license suspensions for vandalism and tagging.
- Require that prisoners be evaluated for substance dependency and create a pilot program for using medically assisted treatment in corrections facilities.
- Prohibit substituting videos for in-person visits and unreasonable limitations on visits.
- Restrict the length and conditions of solitary confinement (language and details differ greatly).
- Create a special commission on corrections officer suicides.
- Allow medical parole of people who are terminally ill or permanently incapacitated.
- Reduce waiting times for sealing a record to 7 years for a felony and 3 years for a misdemeanor.
- Allow a person with a sealed record to write “no record” on an application for housing or employment.
- Allow expungement of records created by error or fraud, and of juvenile misdemeanors if an individual has no other court appearances.
- Mandate a uniform statewide data tracking system (details differ significantly).

The bills differ in hundreds of details that could matter greatly to the individuals affected. For example, only the Senate bill allows medical release for people with cognitive incapacitation (e.g., dementia), raises the threshold for cocaine trafficking, decriminalizes consensual sex between adoles-

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When is Adulthood?

Implications for Justice and Public Safety

by Sana Fadel

Imagine a home security salesman offering you a very expensive product. This product will fail three out of four times and the times it does work, it does so in spite of the product, not because of it. As taxpayers, we are spending millions on this safety product with these results.

A recidivism analysis of formerly incarcerated adults by the Council on State Governments found that 18 to 24 year olds have the highest recidivism rate – 55% reconvicted and 52% reincarcerated – of any age group, making them “the most costly recidivists per capita, spending

10 to 20 percent more time incarcerated at Houses of Correction” than people in other age groups. Massachusetts’ young men of color bear the harshest brunt of these policies – with Black and Latino youth incarcerated at 3.2 and 1.7 times the rate of white youth, respectively.

The Massachusetts legislature is challenged to re-envision how our justice system responds to young adults using a developmental lens. Laurence Steinberg, a leading expert on adolescent brain development, concluded that “in the last five years, neuroscientific evidence has accumulated showing that many of the deficiencies characteristic of the juvenile brain continue to be evi-

dent after age 18. It makes sense for courts to consider people to be less than fully responsible for their criminal acts up to the age of 21.” The legislature is considering criminal justice legislation that does just that.

Young adults are less future-oriented, more prone to risk-taking and more heavily influenced by negative environments. They are also at the high risk of trauma, further necessitating the need for trauma-responsive, rehabilitative treatment: 18- to 20-year-olds experience violent victimization at more than twice the rate of the general population, and those with a history of foster care are 10 times more likely to

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What works with Young Adults		
	Juvenile Justice	Criminal Justice
Mission-driven focus on rehabilitation	✓	x
Confidentiality of court proceedings	✓	x
Confidentiality of court records (CORI)	✓	x
Access to court clinics that assess mental health problems, behavioral problems, medical issues, substance abuse, histories of abuse and neglect, learning disabilities, and cultural issues.	✓	x
Most access to community-based interventions compared to incarceration	✓	x
Mandatory educational and vocational	✓	x
Special Education (IEP) integrated with treatment plan	✓	x
Individualized treatment	✓	x
Family Involvement	✓	x
Prohibitions on the use of solitary confinement	✓	x
Attorneys, judges and provider staff trained on developmental approach to young people	✓	x

When is Adulthood? Implications for Justice and Public Safety

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report being arrested when they were 18 or 19.

Emerging adults are also at a key turning point in their life trajectories, with critical opportunities for growth and rehabilitation. The vast majority of emerging adults "age out" of criminal behavior by their mid-twenties if given the opportunity to do so. Overly punitive approaches with young adults are actually likely to extend their involvement in the criminal justice system and slow their desistance from crime. Exposure to toxic environments, such as adult jails and prisons, entrenches young adults in problematic behaviors, increasing probability of recidivism.

But we also know what works with this population and it is more available in the juvenile justice rather than the adult criminal justice system:

- a system with a developmentally appropriate approach to justice

- more opportunities to be held accountable in their own communities
- more deliberate educational interventions – including better integration with special education services
- engaging their families at each stage
- ensuring that their justice involvement is confidential and does not hinder their future employment and educational paths.

Massachusetts recently demonstrated its ability to implement substantial reforms in the justice system by the highly successful absorption of 17 year-olds into the juvenile justice system in 2013. Since then, juvenile crime has declined by 34%, and after the initial impact of the legislation, the number of youth in Massachusetts state juvenile facilities has continued to decline. The Department of Youth

Services, which currently serves certain youth up to age 21, is familiar with the educational and treatment needs of this cohort of young people, and is recognized for the work already being done with emerging adults up to age 21 in its care and custody. With juvenile crime at historic lows, the system now has the capacity to absorb 18 – 20 year-olds.

Massachusetts already recognizes emerging adults, through their early 20s, as a distinct population: many child-serving state agencies – including education, child welfare, health, mental health, developmental delays and labor – have regulations governing or dedicated services to guide youths' transition into independent and successful adulthood. It is time that the justice system build on this evidence to align with these other state systems.

Sana Fadel is Acting Executive Director of Citizens for Juvenile Justice.

What a Difference a DA Makes

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that will help redefine the role of prosecutors and limit the power they have over the criminal legal system.

From outsized racial disparities and unnecessary prosecutions to prosecutorial misconduct and wrongful convictions, DAs have prescribed many of the

measures of injustice. But through this campaign the residents of Massachusetts will endure injustice no longer. There are many example of evidence-based reform measures and restorative practices that have both decreased incarceration and kept communities safe. Massachusetts residents will strike a powerful blow this year

with our voices and our votes because we know what a difference a DA makes.

Rahsaan D. Hall is the Director of the Racial Justice Program of the American Civil Liberties Union of Massachusetts.

NLG Massachusetts Chapter Sustainers

In the spring of 2003, the Massachusetts Chapter of the NLG initiated the Chapter Sustainer Program. Since its inception, the Program has been very successful and has been enthusiastically joined by the following Guild members:

Anonymous • Steve Buckley • Patricia Cantor & Jeff Petrucelly • J.W. Carney • Howard Cooper • Melinda Drew & Jeff Feuer • Roger Geller & Marjorie Suisman • Lee Goldstein & Mark Stern • Benjie Hiller • Andrei Joseph & Bonnie Tenneriello • Martin Kantrovitz • Nancy Kelly & John Willshire-Carrera • David Kelston • John Mannheim • Jonthan Messinger • Hank Phillippi Ryan & Jonathan Shapiro • Allan Rodgers • Martin Rosenthal • Shapiro, Weissberg & Garin • Elaine Sharp • Anne Sills & Howard Silverman • Judy Somberg

The Sustainer Program is one of the most important Chapter initiatives to secure its future existence. Please consider joining the Program.

YES, INCLUDE MY NAME AMONG NLG MASSACHUSETTS CHAPTER SUSTAINERS!

I, _____, am making a commitment to support the Massachusetts Chapter of the Guild with an annual contribution of:
_____ \$500 (not including my membership dues)
\$ _____ (other above \$500)

As a sustainer I will receive:

- special listing in the Dinner Program;
- 1/8 page ad in the Dinner Program;
- acknowledgement in every issue of *Mass Dissent*;
- two (2) free raffle tickets for a Holiday Party raffle;
- invitation to special events.

Three ways to become a sustainer:

- contribute \$500 or more a year (in addition to dues)
- pair up with another person and pay \$250 each, or
- join the "Guild Circle" and pay \$50/month minimum.

Please mail to: NLG, Massachusetts Chapter
14 Beacon St., Suite 407, Boston, MA 02108

Hopes for Our Commonwealth's Criminal Legal System

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cents close in age, or eliminates parole fees. Only the House bill includes "immigration status" as an element of bias-free policing, mandates pre-arraignment diversion programs, or allows expungement of non violent felonies up to age 21.

Some penalties would increase. Both bills create a new mandatory minimum of one year for assault and battery on a police officer that causes serious bodily injury, create a new crime of soliciting a felony, and expand the definition of witness intimidation. The Senate bill requires second-degree murder penalties

if someone provides a substance that results in death, while the House bill adds a new driver's license restriction unrelated to driving.

The bills also suggest the limitations of legislation. It costs money to expand diversion, drug treatment, and programs that reduce recidivism, or to collect the data needed to understand what's happening now and the impact of policy changes. Drawing funds from other public services, such as schools or housing, early education or summer jobs for teens, would exacerbate the problems that lead people into the criminal legal system. And any legislation struggles to

change a workplace culture. Even if perfect, the omnibus bill could only do so much.

Nevertheless, hopes are high for a big bill that will make big changes. If it becomes law, the omnibus bill would help our criminal legal system become more fair, compassionate, and effective – three traits that are closely intertwined.

Lori Kenschaft is the Coordinator of the Mass Incarceration Working Group of the First Parish Unitarian Universalist of Arlington.

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