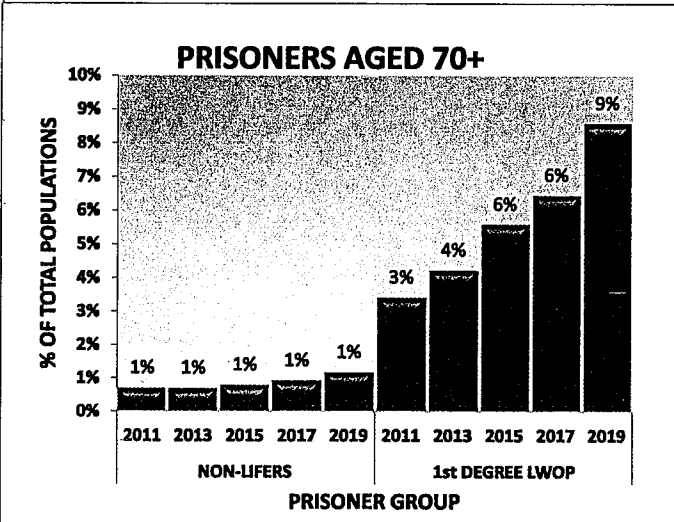
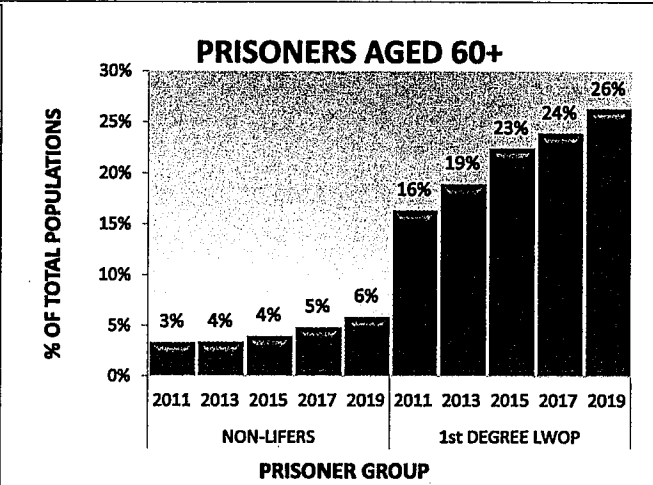
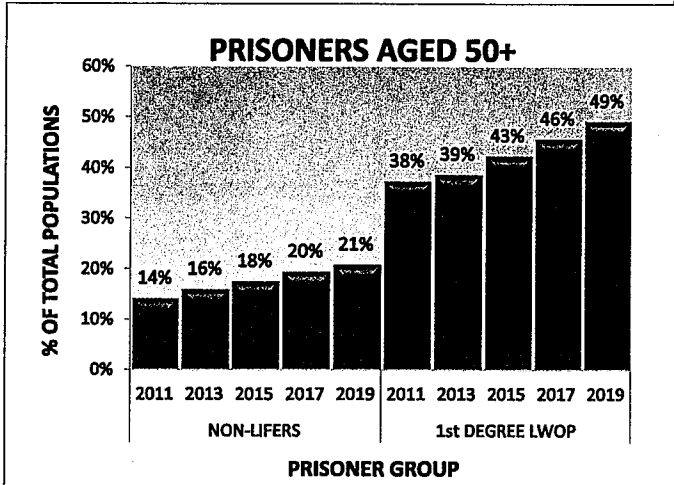


THE RAPID AGING OF LIFE WITHOUT PAROLE (LWOP) PRISONERS IN MASSACHUSETTS

THE TIME TO RELEASE ELDERLY LWOP PRISONERS IS LONG OVERDUE!



History of Massachusetts LWOP Sentences
 Since 1951, first degree murder has required a *mandatory* Life without the possibility of Parole (LWOP) sentence in Massachusetts. This includes many convicted only of felony murder who have never killed nor even intended to kill anyone. The result is an ever growing and aging population of LWOP prisoners. Many are first-time offenders and evidence shows that some may be falsely convicted. Currently these prisoners have no hope of demonstrating that they have changed and matured after many years in prison. It is well known that people "age out" of criminal behavior and only rarely offend after age 50.

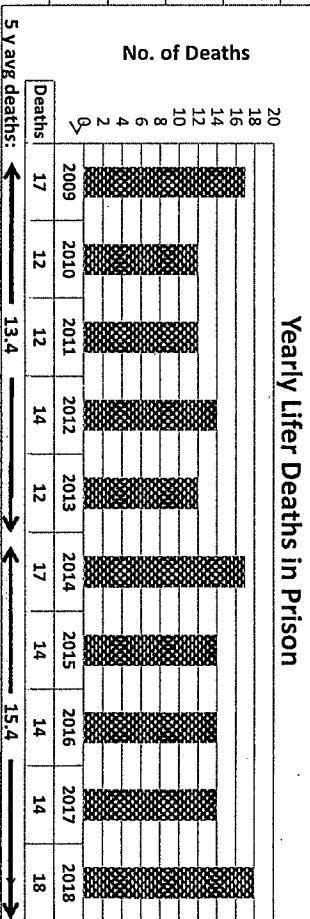
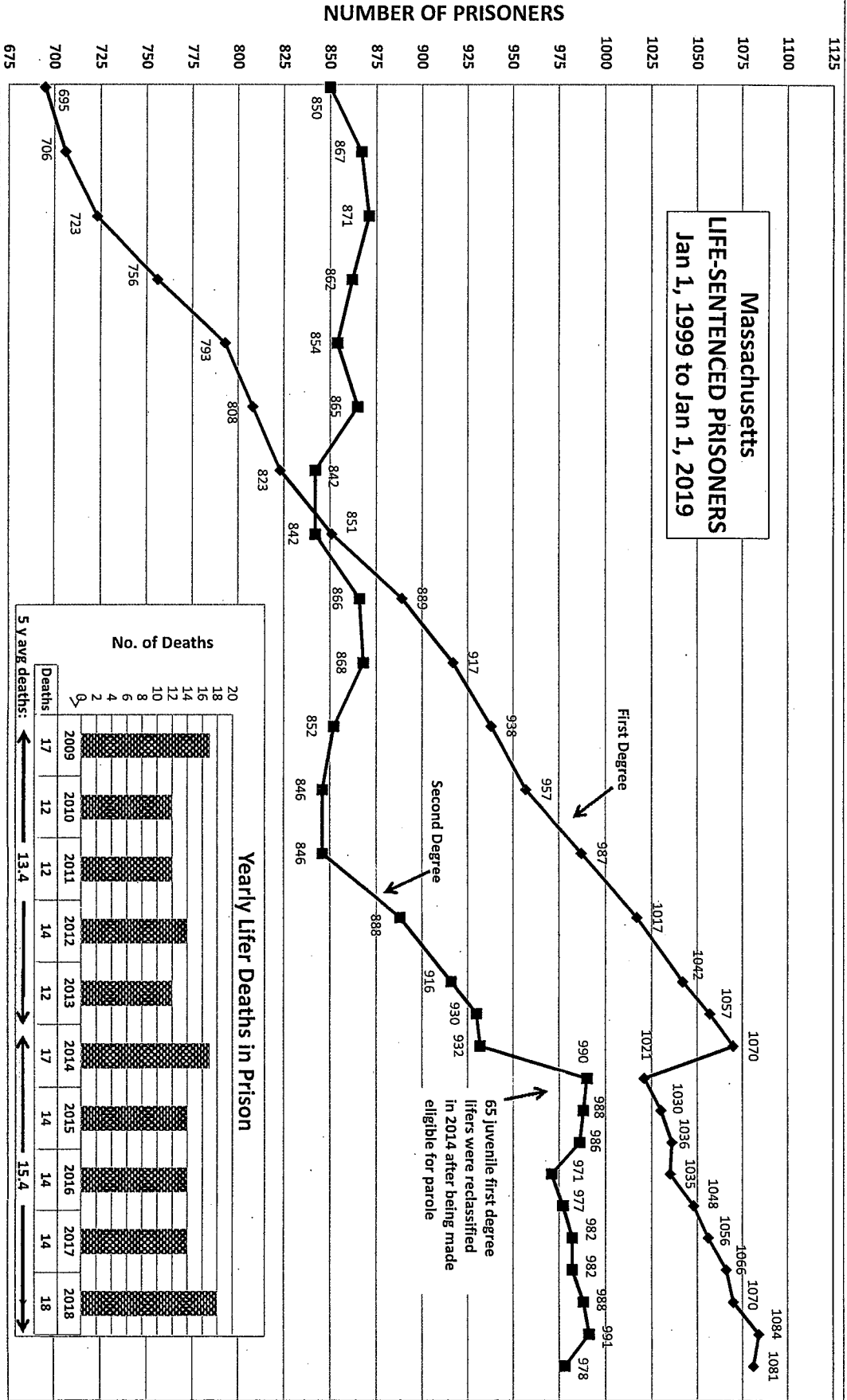
Massachusetts LWOP Prisoners Are a Rapidly Aging and Dying Population

An average of 8 prisoners are dying in prison each year and under current laws all 1100 LWOP prisoners are destined to die in prison without a chance to show if they have matured and become rehabilitated.

Two bills being considered by the MA Legislature, Senate Bill S826 and House Bill H3358, offer LWOP prisoners an opportunity (but no guarantee) for parole after serving 25 years. Prisoners will have to show they have matured and become rehabilitated and will live in the community without violating the law or endangering public safety. These bills would offer a second chance to those LWOP prisoners who prove they have changed and deserve a second chance. It is time to reconsider having all LWOP prisoners die in prison without an opportunity to prove they have changed.

**Support Senate Bill S826 & House Bill H3358
 which will make possible the release of elderly LWOP prisoners who
 clearly demonstrate their rehabilitation**

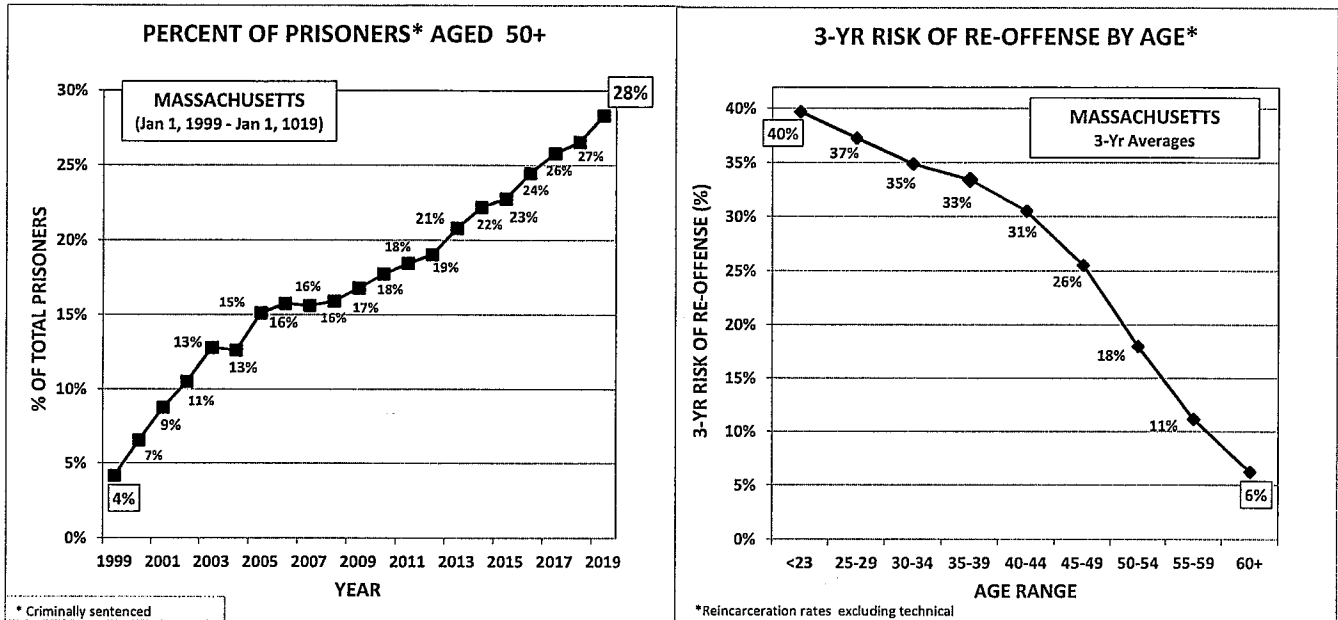
Massachusetts LIFE-SENTENCED PRISONERS Jan 1, 1999 to Jan 1, 2019



Year	Jan	Jul	Jan	Jul	Jan	Jul	Jan	Jul	Jan	Jul	Jan	Jul	Jan	Jul	Jan	Jul	Jan	Jul	Jan	Jul							
1999	695	706	723	756	793	808	823	842	851	889	917	938	957	987	1017	1042	1057	1070	1084	1081							
2000	850	867	871	862	854	855	842	842	866	868	852	846	846	888	916	930	932	990	988	986	971	977	982	982	988	991	978

**MASSACHUSETTS PRISONERS ARE AGING RAPIDLY
WHILE THEIR RISK OF RE-OFFENDING SHARPLY DECREASES WITH AGE**

IT IS TIME TO BEGIN OFFERING ELDERLY PRISONERS A CHANCE FOR RELEASE !!



Over the last twenty years, the Massachusetts State Prisoner population has aged rapidly and is now one of the oldest in the U.S. Prisoners aged 50 and over have increased from less than 5% in 1999 to almost 30% in 2019

Recidivism rates of Massachusetts prisoners decrease sharply as prisoners get older, with the steepest drop occurring once prisoners are 50 or older

Almost 50% of the Massachusetts prisoners serving Life Without the Possibility of Parole (LWOP) sentences are aged over 50. Many are one-time offenders who have served 25 years or more. Most have changed and are ready to show that they have become rehabilitated if offered a second chance.

Senate Bill S826 & House Bill H3358 currently filed in the Massachusetts Legislature would offer LWOP prisoners an opportunity for a parole hearing after serving 25 years to demonstrate whether they have become rehabilitated. A parole hearing is no guarantee of release unless the prisoner's release is shown to be compatible with the welfare and safety of the community.

We urge you to support bills S826 and H3358 and offer hope and a second chance for those LWOP prisoners who have demonstrated that they have changed and deserve a second chance.



FAST FACTS: LIFE WITHOUT PAROLE (LWOP)

A Death in Prison Sentence

BACKGROUND

There has been an exponential increase in the use of Life Without the Possibility of Parole (LWOP) sentences since the 1970s. Nationally, violent crime and murder rates have been cut in half over the last 25 years (from their peak in 1991-92) while LWOP increased 328% (from 6,250 in 1992 to 53,290 in 2016). Similarly, during that time, crime rates in Massachusetts have decreased 37% and homicide rates statewide and in Boston have fallen by more than half. Nevertheless, since 1977, the use of LWOP sentences has ballooned by 638% (from 170 to 1084).

The result is that nearly 1 in 3 life-sentenced prisoners worldwide is a U.S. prisoner and almost 1100 Massachusetts prisoners are warehoused and destined to die in state prisons serving LWOP which is, in fact, a Death in Prison sentence.

THE FACTS

- 13.4% (1084) MA prisoners are currently serving a Life Without the possibility of Parole (LWOP) sentence, the second highest percentage of all the states. These men and women are destined to die in prison after years of incarceration with no hope.
- Between 2000 and 2018 the number of LWOP-sentenced prisoners in MA increased 54% (from 706 to 1084). Each year, since 2009, an average of 34 new LWOP prisoners are added to that list.
- MA prisoners are among the oldest in the U.S., with 27% (2165) aged 50 and older in 2017; this number and percentage has doubled since 2004. Today, 49% of LWOP prisoners are 50 and older.
- It is well-known that older prisoners, especially those over 50, “age out” of criminal behavior and rarely re-offend.
- None of the Massachusetts juvenile 1st degree LWOP prisoners, who became eligible for parole subsequent to a 2014 ruling by the SJC and who were released, has committed a new crime.
- Between 2009 and 2016, 66 incarcerated Massachusetts LWOP prisoners have died in prison.
- Between 2009 and 2016, 30 LWOP prisoners were released from MA state prison because of false murder convictions, typically after having served 20-30 years.
- MA LWOP prisoners are 5 times more likely to be 60 and older and 7 times more likely to be 70 and older than non-lifer prisoners.
- There have been no commutations or pardons of prisoners serving life sentences in Massachusetts since 1997.
- Although LWOP prisoners are not eligible for release, of 346 Second degree Lifers released on parole since 2000, only 5% have been reconvicted of subsequent offenses (as contrasted to overall recidivism rates of 30-40% for other released prisoners).
- The cost of incarceration for Massachusetts LWOP prisoners at current average costs is at least \$65-80 Million per year. Because prisoners over 50 typically cost 2-3 times more, actual costs are likely much greater.



- More than 30 LWOP prisoners have received Bachelor's degrees and 9 LWOP prisoners have achieved Master's degrees while incarcerated. Evidence shows that prisoners completing college degrees have vanishingly low rates of recidivism.
- Out of concern for other disadvantaged members of society, lifers in Massachusetts prisons have contributed tens of thousands of dollars to charitable organizations by participating in and organizing events, including:
 - Project Bread (Walk for Hunger)
 - Louis D. Brown Peace Institute
 - Walk for Peace
 - Haitian Relief Effort
 - Charitable 10K runs for hospitals, children's and victim's organizations
 - Fundraisers for abused women's shelters
- In 2018, The Massachusetts legislature passed a Crime Bill allowing for medical parole for terminally ill or permanently disabled prisoners—to date, only one elderly LWOP prisoner has received a medical parole. However, Governor Baker is pushing to prohibit those serving LWOP from being eligible for medical release.

POSITION of the “PAROLE REVIEW FOR ALL” COALITION

The Parole Review for All Coalition strongly supports the abolition of Life Without Parole (LWOP) sentences in Massachusetts by making all such prisoners eligible for a parole hearing after 25 years of incarceration. This hearing offers no guarantee that parole will be granted. Only prisoners who demonstrate that they have changed and have become rehabilitated will be considered for possible release on life-time supervised parole. Such a change addresses all of society's varied penologic goals:

- ❖ Providing appropriate proportionate punishment, requiring a minimum of 25 years of incarceration before any consideration for life-time parole supervision.
- ❖ Protecting public safety by releasing only those who have clearly demonstrated that they have matured and become rehabilitated.
- ❖ Protecting justice and the interest of victims' families by carefully evaluating that offenders who are eligible for parole have appropriately demonstrated true remorse and reform.
- ❖ Minimizing unnecessary tax burdens on society, allowing funds to be re-appropriated to education, jobs and the prevention of crime.

The European Court of Human Rights has ruled that LWOP sentences violate human rights norms by allowing no consideration for the possibility of reform, redemption or rehabilitation. No other developed nation allows the flagrant and excessive use of LWOP sentences that has become so commonplace in Massachusetts with its mandatory imposition of this sentence even in cases where the perpetrator has neither killed nor had the intent to kill (felony murder-joint venture homicide).

 **PLEASE ABOLISH LIFE WITHOUT PAROLE** 
SENTENCES IN MASSACHUSETTS
SUPPORT SENATE BILL S826 & HOUSE BILL H3358