

LIFER'S GROUP INC.

2019/2020 Annual Report

Published by the Lifer's Group Inc. Board of Directors

Assist / Advocate / Inform

Lifer's Group Inc.
MCI-Norfolk
P.O. Box 43
Norfolk, MA 02056

**LIFER'S GROUP INC.
2019/2020 ANNUAL REPORT**

To view and download full versions of all Lifer's Group Inc. reports or position papers, visit: www.realcostofprisons.org/writing

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CONTENTS

Chairman's Greeting	3
Dedication	4
About The Lifer's Group Inc.	5
Accomplishments For 2019/2020	6
Our Work	8
Guests	11
Meeting Presentations	12
Published Reports	14
Published Articles	14
Prisoner Resouce Guide	14
Fast Fact Sheets, Charts, Tables and Graphs	15
COVID-19	16
In Memoriam	17
Appendix	18

CHAIRMAN'S GREETING

This Annual Report is the third published by the Lifer's Group Inc. We believe that unless we tell our own story, then no one else will. To meet that important goal, we hereby publish our Annual Report for 2019/2020. We have combined two years due to the coronavirus pandemic and the resultant lock down of MCI-Norfolk beginning in early April 2020 and continuing throughout the remainder of the year. Thus, our group, as well as all other in the prison, have not been able to meet either with our members or as the Board of Directors. Consequently, our work from April 2020 on has been curtailed and it seems logical to combine the two years - 2019 and 2020 - into one report. It is our fervent hope that in 2021 we will be able to resume our normal activities.

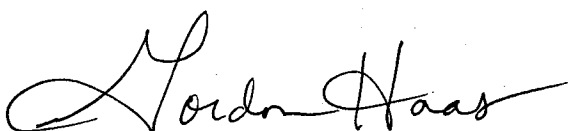
Prior to the lock down, the Lifer's Group conducted general membership meetings at MCI-Norfolk on the first and third Tuesday nights of each week, unless canceled by the administration for undefined operational needs. General membership meetings may be attended by any of our members as well as our recognized volunteers, Mel and Alice Springer and Peter Elikann, whom we thank for their continued support.

In 2019/2020, there were twenty-four general meetings. Our attendance for each of the general meetings averaged 123 members, a 6% increase from 2018. In addition to our General Meetings, our entire Board of Directors met on the first Saturday of each month from January 2019 through March 2020 to discuss and to plan the work needed to meet our goals and objectives.

I would like to thank our entire Board of Directors for their dedication and hard work in 2019/2020, without which the Lifer's Group Inc. could not have met our goals and objectives to represent lifers and long-term prisoners and to improve the quality of life within MCI-Norfolk for all prisoners. Thanks also to Vice Chairmen Dirk Greineder and James Keown as well as Board Member/Historian Neal Parham for their work in assisting in the preparation of the 2019/2020 Annual Report.

The remaining Board members as of December 2020 were: Russell Regan, Secretary, Lonnie Watkins, Daniel Holland, and Rafael Martinez.

The Lifer's Group Inc. hopes that every reader of this annual report finds it instructive and interesting. We welcome any and all questions, comments, and criticisms.



Gordon Haas
Chairman
Lifer's Group Inc.
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DEDICATION

Our third Annual Report is dedicated to two lifers who died in 2020. Both contributed significant work and resources to bettering the lives of lifers and long-term prisoners not only at MCI-Norfolk, but to all serving life or long-term sentences in Massachusetts' prisons.

Joe Labriola died in July 2020 of complications from COPD, the result of continued exposure to Agent Orange during two tours of duty in Vietnam. Joe was a decorated Marine who earned a Bronze Star with a "V" for Valor for saving the life of a fellow Marine and a Purple Heart for wounds suffered in combat serving our country.

Joe was sentenced to a life-without-parole sentence for a crime he always maintained he had not committed. As a lifer, Joe revitalized the Lifer's Group at MCI-Norfolk, personally growing our membership from two dozen to over two hundred by his vitality, dedication to the cause, and the strength of his indomitable personality.

Joe also served as the Commander of A.V.I.P. (American Veterans In Prison) groups at MCI-Norfolk and MCI-Shirley.

Joe actively fought for the rights of lifers, especially for the treatment of old and infirm prisoners and the right to be released for medical conditions such as terminal illness or incapacitation. Joe sued for the right to be released under the criminal justice reform bill as he was terminally ill. Through the work of his fine lawyers - former Federal District Court Judge Nancy Gertner and John Reinstein, former head of the Civil Liberties Union of Massachusetts (CLUM), Joe was the first lifer serving life-without-parole to be released due to a terminal illness which opened the door to many others.

Milton Rice served as the Treasurer of the Lifer's Group Inc. for decades. Through his continued hard work, the finances of the Lifer's Group Inc. have remained solid. In addition, Milton worked tirelessly for improvements in the quality of life for all elderly prisoners in MCI-Norfolk. Through Milton's efforts, safety equipment was introduced in the gym and he organized dedicated times for elderly prisoners to use the facilities in the gym.

Milton served in various capacities in the Catholic community, including singing in the choir from which he received great enjoyment and satisfaction.

Milton filed for medical release due to debilitating respiratory issues and the fear that if he contracted COVID-19, he would die. His request was denied and his fear came true as he did contract the coronavirus. The disease was so serious for Milton that he had to be transferred to an outside hospital where he was intubated. In November, while in a medically induced coma, the DOC resurrected and approved his long past request for medical release. He died one day later. The only change for Milton was that he did not die with one leg cuffed to his bed.

All the approval of the medical release accomplished was to allow the DOC to claim that Milton had not died in their custody, something of which Milton was never aware. To this day, the DOC does not list Milton as dying as a prisoner serving life-without-parole. Milton's name, however, is included in the upcoming list of lifers who died in 2020 and will continue to be included as long as we maintain records of lifers who have died while in prison.

ABOUT THE LIFER'S GROUP INC.

The Lifer's Group Inc. is a prison based Massachusetts corporation whose headquarters is at MCI-Norfolk in Norfolk, MA. We have operated continuously since 1974. Our Board of Directors, elected by our membership, serve three year terms and can be re-elected as long as members vote to do so. Our membership is open to all prisoners, but mainly includes men serving life - both those who may be eligible for parole and those who are not - or long-term sentences (fifteen years or more) at MCI-Norfolk. We have outside volunteers who work in conjunction with the Board of Directors and can attend our general membership meetings.

As stated in our Articles of Organization and By-Laws, the purpose of the Lifer's Group Inc. is to promote, within the criminal justice system, educational and training opportunities, rehabilitation and re-entry programs, penal and parole reform, family and community relations, as well as legislation and activism in the Commonwealth of Massachusetts. We promote joint efforts with other groups and individuals both inside and outside MCI-Norfolk, in their efforts to effect meaningful and positive change for all prisoners. We are seeking to reintroduce rehabilitation as the central purpose of the criminal justice system as opposed to the present emphasis on retribution. To that end, we urge the governor to return the Department of Correction to being under the direction of the Department of Health and Human Service where it was until former Governor William Weld moved the department to the Department of Public Safety (now EOPSS) to reintroduce prisoners to the "joy of busting rocks" rather than preparing prisoners to rejoin society as productive citizens.

In 2019/2020, as in previous years, to achieve our stated purpose and objectives, the Lifer's Group Inc. (LGI) published several reports and position papers, conducted educational discussion groups, hosted legislative events, offered presentations on criminal justice developments, promoted legislative change, and encouraged guests to address our membership at our semi-monthly meetings. Our LGI reports and position papers can be viewed and downloaded at: www.realcostofprisons.org/writing. The content of our published reports and position reports can be quoted or cited as long as proper attribution is made. We want to express our deep appreciation and gratitude to Lois Ahrens, Founding Director of the Real Cost Of Prisons Project, for generously posting our reports and position papers on her website and for passing said reports and position papers to interested parties. We are indebted to her for her continued and strong support.

The Lifer's Group Inc., in conjunction with Prisoner's Legal Services (PLS) publishes a *Parole and Commutation Manual* which is available to all Massachusetts prisoners upon request to PLS. The manual is designed to aid anyone seeking a parole or commutation. The Lifer's Group Inc. also assists interested prisoners at MCI-Norfolk to construct parole packages and to prepare for parole hearings. In addition, the LGI publishes a *Prisoner Resource Guide*.

The Lifer's Group Inc. welcomes the support and seeks to work with any person and/or group advocating reform to the Massachusetts criminal justice system. Anyone wishing to join with us or whom we can assist by providing any information we have need only contact the chairman at the address listed on page 3.

The Lifer's Group Inc. believes all voices need to be heard, including ours. To that end, we seek to provide input on a par with other stakeholders who work to reform the criminal justice system in Massachusetts. The voices of prisoners need not be the only ones, but as important stakeholders, we should be in the mix on an equal footing with all others. The Lifer's Group Inc. looks forward to being a significant part of the solution, rather than being viewed only as part of the problem.

ACCOMPLISHMENTS FOR 2019/2020

Each year, the Lifer's Group Inc. sets aside one general meeting to work with the membership on setting goals and objectives for the new year. The suggestions made by our membership help the Board of Directors determine how best to use the group's limited resources. While such a meeting was held in 2019, we were not able to do so in 2020 due to the cancelation of all meetings during the prison lock down. That being said, the Lifer's Group Inc. was able to continue to work on 2019 objectives through the efforts of individual Board members. In 2019/2020, the Lifer's Group Inc. succeeded in accomplishing many goals put forth by our membership. Highlights of our accomplishments are listed below. Additional details on many of these items will be found later in this Annual Report.

Abolition of Life-Without-Parole Sentences

The Lifer's Group Inc. believes a life-without-parole (LWOP) sentence in Massachusetts is a *death facto* death sentence, i.e., death by incarceration. For that reason, in 2019/2020, our group continued and intensified our work with stakeholders similarly committed to ending life-without-parole sentences to provide a parole review for all prisoners after twenty-five years of incarceration.

Two bills were introduced into the Legislature to end LWOP sentences in favor of a parole hearing after twenty-five years of incarceration. The Lifer's Group Inc. worked closely with PRFA (Parole Reform For All) by providing information, suggesting wording for the bills, and creating fact sheets for distribution to legislators and concerned stakeholders. The Lifer's Group Inc. also wrote and distributed to our members information sheets to send to family and friends, encouraging them to support the effort. See the Appendix to this Annual Report for examples of these information sheets. In addition, the Lifer's Group Inc. distributed multiple copies of petitions to be signed by family and friends in support of the ending of LWOP sentences. The Lifer's Group Inc. hosted legislative seminars on the LWOP issue attended by numerous state representatives and senators. Both bills were sent for study by the Judiciary Committee in 2020, but will be resubmitted for the legislative session beginning in 2021.

The Charge Slip Suit

In 2020, the Department of Correction implemented a new Standard Operating Procedure (SOP) prohibiting any prisoner from sending funds to any individual on the street, regardless of relationship, reason, or amount. Prisoners, therefore, particularly lifers, who were assisting family members with living expenses, investing funds for legacies for sons or daughters, or assisting those who supported lifers' issues with meeting costs for their efforts were and are prohibited from sending funds from their personal accounts for such purposes. In response, five lifers filed a civil action in the Worcester Superior Court challenging this SOP. The defendants filed a Motion To Dismiss. Three hearings on that motion have been canceled due to the coronavirus pandemic. The plaintiffs are seeking another hearing be scheduled in the first quarter of 2021.

Supporting Outside Organizations

Lifer's Group Inc. members again helped raise money in support of Project Bread through the "Walk for Hunger" and to support the Louis D. Brown Peace Institute.

Establishing A Lifer's Group Inc. Website

In addition to posting our reports and position papers on the Real Cost of Prisons website, the Lifer's Group Inc. was asked by its membership to create a website which would allow the Group to communicate directly with the public. In 2019/2020 the Lifer's Group Inc. website began to take shape with the securing of a domain name - LifersGroup.org - and the construction of various features. The website is up and running, but the pandemic has slowed the posting of our work on the website and the development of features which will allow us to enter into exchanges with users. We look forward to having scanned in a number of our reports and position papers in 2021.

Tutoring Students In The School

Lifers continued to serve as tutors in the school. Lifers also tutored prisoners in area other than in the school such as the units or in the library throughout 2019 and the beginning of 2020 until the lock down was implemented.

Educational Discussion Groups

Lifers continued to lead Educational Discussion Groups in the school. Topics for 2019/2020 while the school was in session were: Creative Writing, Learning About Finances, Physics, Advanced Math, Chess, Spanish, and the Massachusetts Declaration of Rights.

Proposals To Increase Lifer Involvement In MCI-Norfolk

The Board of Directors continued to submit several proposals for increasing the involvement of lifers in productive activities in the institution. These proposals included a newsletter covering the events at MCI-Norfolk, painting areas of the institution, masonry, carpentry and other maintenance work, a Lifers Community Center, reviving avocations and initiating an art program. Consideration and implementation of any of these proposals by the administration was halted due to the locking down of the prison.

Legislative Seminars/Events

The Lifer's Group Inc. hosted a Legislative Seminar in May 2019 attended by several state representatives and senators, legislative aides, as well as supporters from PRFA. The legislators addressed the membership and answered questions. The topics included ending life-without-parole sentences in favor of parole hearings after twenty-five years of incarceration, raising the age of majority, felony murder sentences, parole reform, and medical paroles for terminally ill and debilitated prisoners including lifers.

The Lifer's Group Inc. also hosted an event for legislators in October 2019 dedicated to ending life-without-parole sentences. Five members serving LWOP gave short, personal presentations and answered questions from legislators. We thank Representative Mary Keefe for assisting in coordinating this event.

Activities Relating To The COVID-19 Pandemic

Members of the Board of Directors wrote more than a dozen essays discussing the realities of COVID inside the Massachusetts prison system. In addition, a six-part series entitled *Moon Shot* was written seeking to rethink prisons in a post-COVID world, articles were written for *Solitary Watch* and the *CURE:LifeLong Newsletter* reporting on COVID inside MCI-Norfolk, contributions were made to an NPR report exposing how the MA DOC was using deathbed medical paroles to obscure the number of COVID deaths inside the state's prisons, and composed a near-daily account of life in quarantine after testing positive for COVID in December 2020.

Working With Outside Agencies On Medical Paroles

Board members contributed to the legal battle waged by Prisoners' Legal Services to have older and infirm prisoners who are not a risk to society be released to home confinement in light of COVID. Board members also worked with outside advocates to challenge the introduction of MA DOC policies that sought to limit severely the use of medical paroles.

Assisting Prisoners - Lifers and Non-Lifers

Board members helped prisoners, particularly lifers, seeking medical parole to complete and file applications and filed appeals for denied medical parole petitions and helped to connect lifers with attorneys who work on medical parole petitions.

LGI Board members also worked with Prisoners' Legal Services to help prisoners gain access to medical care after the DOC stopped providing chronic care, including urgent outside appointments, to most prisoners following the COVID outbreak.

Board members worked with lifers as well to assist in the preparation of parole packages or for hearings before the parole board.

Legal Action Regarding Quality Of Food At MCI-Norfolk

Civil actions were filed by a Board member challenging the quality of food served at MCI-Norfolk as well as the lack of adherence to the specifications of certain medical diets, particularly those designed for prisoners suffering from diabetes. The legal actions are at the stage of the plaintiff seeking the court to compel the defendants to provide discovery materials.

OUR WORK

Reorganizing The Board Of Directors

In March 2020, the Board of Directors of the Lifer's Group Inc. approved a reorganization plan of the Board to reflect the increasing size of our membership and the resultant growing challenges to lifers in the legislative arena, the courts, and the continued restrictive measures being put in place by the Department of Correction. The reorganization was also designed to distribute more evenly the work conducted by the Lifer's Group Inc.

Due to the imposition of the lock down in April 2020 and the resultant cessation of Lifer's Group Inc. General and Board meetings, the reorganization plan was not presented to the general membership for discussion and a vote. In addition, since the lock down, various changes in the membership of the present Board of Directors due to deaths, releases, or transfers have necessitated a review of the reorganization plan to take into account these changes and possible replacements to be added to the Board of Directors. Consequently, the reorganization plan has been put on hold and will remain so until General and Board Meetings are resumed.

Life-Without-Parole

Throughout 2019 and the first quarter of 2020 Board members have worked with members of PRFA on the legislation to end life-without-parole sentences in favor of a parole hearing after twenty-five years have been served. That work has continued during the lock down by Chairman Gordon Haas and Vice-Chairmen Dirk Greineder and James Keown. The Lifer's Group Inc. has provided numerous data sheets, proposed language for the bills and possible amendments, collected stories of first degree lifers who have turned their lives around and would be prime candidates for paroles, and shared information received from various public records requests to the Department of Correction and the Parole Board.

The members of the Lifer's Group Inc. would like to express our deep appreciation to Lloyd Fillion, Nat Harrison, Laurie Taymor-Berry, as well as all of the members of PRFA who have continued to work tirelessly to end life-without-parole sentences.

Supporting The Work Of Other Groups At MCI-Norfolk

At several of our General meetings, the Lifer's Group Inc. offered time and space to various other groups for presentations to our members. These presentations included: Domestic Violence Seminar (by Norfolk's Inmate Council), Family Visits (by Norfolk's African-American Coalition Committee), the restoration of the right to vote to prisoners (by the Emancipation Initiative) a PTSD Event (by Norfolk's American Veterans In Prison), Young Men's Community Event, Toastmasters, and Norfolk's Youth Offenders Group.

In addition, several Board members were invited to attend meetings of various groups in MCI-Norfolk to discuss developments affecting lifers and the bills to end life-without-parole sentences and to raise the age of majority to 21 and civil actions Lifer's Group Inc. had filed.

Lifers Community Center

Superintendent Stephen Silva approved the opening of the proposed Lifers Community Center. Board members met with the Director of Treatment to discuss the Center and what would be offered, to whom, and when the Center was to be available. Work began on renovating what is known as the South Yard and items were ordered such as coffee pots and supplies, games, books, and decks of cards. After the prison went into lock down due to the COVID-19 pandemic, all work on the Lifers Community Center was put on hold.

Learning Center / Computer Lab / EDG Classes

The Lifer's Group Inc. members continued to help support the Learning Center and Computer Writing Lab in the school building of MCI-Norfolk. The Learning Center provides students with a place to study, meet with tutors, and utilize school resources to complete class projects. In the Computer Writing Lab, students can work on papers for classes, learn typing skills, or explore a collection of video lectures on topics ranging from basic grammar to advanced sciences.

Lifer's Group Inc. members continued to present Educational Discussion Group classes until the lock down ended all classes in the school. The Lifer's Group Inc. would like to thank school officials who designated one classroom to be dedicated to EDG classes. Members of the Lifer's Group Inc. donated a significant amount of materials to support the EDG effort.

Treasurer's Reports

In the continued effort by the Lifer's Group Inc. to be transparent, our Treasurer, the late Milton Rice, presented financial information at the first meeting of every month regarding how much money had been taken in and where funds had been spent with ending balances for each previous month. Milton also collected donations from members at each meeting.

Thoughts For The Night

Board Member Rafael Martinez opened each general meeting with a poignant Thought For The Night which related to the efforts of the Lifer's Group Inc. on behalf of our members and to encourage members to reach higher and further in their dealing with serving a life sentence.

Postings

Vice Chairmen Dirk Greineder and James Keown, along with Board Member Daniel Holland, composed and posted monthly notices of upcoming events and guests, of agenda items for future meetings, and informational postings regarding Lifer's Group Inc. issues, particularly the drive to end life-without-parole sentences.

SURVIVORS' EVENT

The Lifer's Group Inc. with member Jabir Pope and in conjunction with the Louis D. Brown Peace Institute submitted a proposal for an event dedicated to Survivors of homicides and healing survivors and our members. This proposal was denied.

GUESTS

The Lifer's Group Inc. is always honored to welcome outside guests to our regular first and third Tuesday night meetings and to our monthly Board meetings on Saturday mornings. In 2019/2020, a number of guests joined us at MCI-Norfolk, including:

Legislators

Various state representatives and senators, as well as legislative aides, attended two legislative events hosted by the Lifer's Group Inc. in 2019. We thank Senators William Brownsberger and Jamie Eldridge as well as Representatives Jay Livingstone, Lindsay Sabadosa, Mary Keefe, Liz Miranda, Nika Elagardo, Russell Holmes, their legislative aides and Evan Barry legislative aide to Senator Rebecca Rausch for meeting with our membership and answering all questions forthrightly.

Lloyd Fillion, Nat Harrison, and Laurie Taymore-Berry

We thank these three members of PRFA for attending our legislative events and speaking with our membership on other appearances in 2019.

Judge Nancy Gertner, Attorney John Reinstein, and Harvard Students

Former Federal District Court Judge Nancy Gertner brought her Harvard Law School class to a Lifer's Group Inc. General meeting. Judge Gertner and Attorney John Reinstein addressed the membership on sentencing issues and medical paroles. After their presentations, the membership, the students, Judge Gertner, and Attorney Reinstein divided into small groups to discuss various criminal justice issues.

The Lifer's Group Inc. would like to recognize Judge Gertner and Attorney Reinstein and thank them for their successful work in representing Joe Labriola and George McGrath on their petitions for medical paroles. Through their efforts Joe was approved for a medical parole due to a terminal illness and George was approved due to a debilitating condition. Both were the first lifers serving life-without-parole to receive medical paroles for their respective conditions.

Louis D. Brown Peace Institute

Tina Chery, Milton Jones, Donald Osgood and Rachel Ann Rodrigues addressed our members on the work of the Louis D. Brown Peace Institute. The guests were presented with a check by MCI-Norfolk's Function Coordinator, a fellow lifer, for funds raised by prisoners of MCI-Norfolk, including the Lifer's Group Inc., to support the work of the Louis D. Brown Peace Institute.

League of Women Voters

Judy Zaubrecher, Pattye Comfort, and Colleen Kirby addressed the general membership on the functions and programs of the League of Women Voters. They also expressed support for the legislation to end life-without-parole sentences.

MEETING PRESENTATIONS

Throughout 2019/2020, the Lifer's Group Inc. prepared several educational presentations for General membership meetings. In 2019/2020, our presentations included:

Legal Developments

Vice Chairman Dirk Greineder led a series of presentations focused on developing case law and new policies to help members understand better how they may be affected by legal changes. Chairman Gordon Haas discussed the filing of a civil action challenging the DOC's Standard Operating Procedure prohibiting all prisoners from sending funds from their personal account to individuals on the outside

Legislation

Lifer's Group Inc. Board members provided members with regular updates on pending legislation and analyses on how the bills might impact lifers and long-termers. In addition, Vice Chairman Dirk Greineder and Board member Lonnie Watkins continued to work to connect each member with the state representative and/or state senator who represented the member's family and developed surveys and sample postcards to help with this work.

Parole Decisions For Lifers In 2018 And 2019

For the twelfth and thirteenth years, the Lifer's Group Inc. analyzed the parole process for 2nd degree adult lifers and 1st and 2nd degree juvenile lifers. Chairman Gordon Haas presented the findings to the General membership for both 2018 and 2019. Reports were written, made available to all members, to outside interested and posted on The Real Cost Of Prisons website.

DOC Expenditures And Staffing Levels

In 2019 and 2020, the Lifer's Group Inc. continued to investigate, via public records requests, the funds expended by the DOC and the staffing levels of the DOC's full time employees. The analyses by the Lifer's Group Inc. were presented to the membership and written up in a report. This report was made available to all members and to outside interested parties and posted on The Real Cost Of Prisons website.

Institutional Fact Cards

The DOC issues Institutional Facts Cards twice annually which provide population data from each DOC institution. The Lifer's Group Inc. analyzed the department's data, wrote a report, and presented the findings to the membership. This report was also distributed to members and to outside interested parties and posted on The Real Cost Of Prisons website.

Healthcare

Vice Chairman Dirk Greineder gave two presentations on healthcare issues, including healthcare proxies

DOC Central Inmate Accounts

The Lifer's Group Inc. continued to review the DOC's three central inmate accounts - the Law Library Fund, the Program Account, and the Inmate Z-1 Account. Our 2019 and 2020 reports highlighted that more than \$2 million is left in these three accounts as well as tracking the expenses and income from each account. The results were presented to our membership and the written report was distributed to members and outside interested parties and posted on The Real Cost Of Prisons website.

Handouts

The Lifer's Group Inc. Board of Directors distributed numerous fact sheets and instructions supporting ending life-without-parole sentences. Vice Chairmen Dirk Greineder and James Keown untiringly created and distributed these information and/or fact sheets not only to our members but to supporters on the outside. We thank member Jamie Cyr for his work in translating the fact and information sheets into Spanish. See the Appendix for examples of these information and/or fact sheets.

Lifers Who Have Died While In Prison

At ten of our General Meetings in 2019 and 2020, the names of lifers who had just died were read and moments of silence were held to commemorate their deaths. All of the known names of lifers who have died while incarcerated were read at our last meeting in 2019. The names of lifers who died while incarcerated in 2019 and 2020 are listed later in this Annual Report.

The Legislative Process

Vice Chairman Dirk Greineder gave presentations on the legislative process and pending legislation on medical paroles, paroles, and visitation.

Wills

Chairman Gordon Haas gave two presentations on the need for and how to make out a will.

Classification System And Parole Packages

Secretary Russell Regan gave presentations on changes in the DOC's classification system and how to prepare effective parole packages.

Debating Society

Vice Chairman James Keown gave two presentations on developments in the Norfolk Debating Society which is now under the umbrella of the Lifer's Group Inc.

Recidivism Reports

Vice Chairman Dirk Greineder gave two presentations on his report on lifer recidivism rates.

PUBLICATIONS

Reports

Each year, the Lifer's Group Inc. Board of Directors produces a number of original reports that are published in hard copies provided to interested parties as well as online. All Lifer's Group Inc. reports are available for downloading at www.realcostofprisons.org/writing. In 2019/2020, the Lifer's Group Inc. published the following:

- Parole Decisions For Lifers 2018
- Parole Decisions For Lifers 2019
- Department of Correction Expenditures & Staffing Levels for 2018
- Department of Correction Expenditures & Staffing Levels for 2019
- Department of Correction Central Inmate Accounts for 2018
- Department of Correction Central Inmate Accounts for 2019
- Department of Correction Institutional Fact Cards as of 7/1/18
- Department of Correction Institutional Fact Cards as of 7/1/19
- Recidivism Of Massachusetts Life-Sentenced Prisoners - Re-Offending At Minimal Rates
- Reining In The Prosecutor: Probable Cause To Charge Hearings

Articles

Lifer's Group Inc. Board Members are regular contributors to publications around the country. In 2019/2020, the following articles were published by our Board Members:

- * Legislation For Parole Eligibility
- * "Life" Is A Death Sentence - Dying In Massachusetts Prisons
- * Passings
- * The Elderly Question
- * Defund MCI-Norfolk's Main Line Kitchen
- * League Leaders Visit Lifer's Group
- * Lifers Mind The Gap
- * Give 'Em Health
- * No Person - Parts 1 & 2
- * Moon Shot - Parts 1 - 6

Prisoner Resource Guide

The Lifer's Group Inc. completed an update to its *Prisoner Resource Guide* which is designed to serve as a quick reference for prisoners to connect with many organizations the Lifer's Group Inc. has worked with through the years.

Fast Fact Sheets, Charts, Tables, And Graphs

The Lifer's Group Inc. Vice Chairman Dirk Greineder produced Fast Fact Sheets, Charts, Tables, and Graphs in support of the drive to end life-without-parole sentences. These sheets and charts were distributed to our members, to legislators and aides, and to those on the outside coordinating the effort to end life-without-parole sentences and can be found in the Appendix to this Annual Report.

- Life Without Parole (LWOP) Sentences
- Medical Costs In The Massachusetts DOC
- A Thousand Prisoners Are Slowly Dying In Massachusetts Prisons
- Chart: Life-Sentenced Prisoners In Massachusetts
- Chart: The Rapid Aging Of LWOP Prisoners In MA
- Chart: 26% Of MA State Prisoners Are Aging Rapidly And Not Recidivating
- Table: MA-DOC Criminally Sentenced Populations By Sentence And Age Group
- Table: MA-DOC Ages Of Criminally Sentenced Populations, 2011-2019
- Table: MA DOC LWOP & All Other Populations By Age, 1/1/2011 - 1/1/2019
- Table: MA DOC Populations By Sentence And Age - 1/1/2019
- Graph: MA Prisoners Are Aging Rapidly While Their Risk Of Re-Offending Sharply Decreases With Age
- Graph: MA Life-Sentenced Prisoners 1999-2019 And Lifer Deaths 2009-2018

COVID-19

On April 4, 2020, all DOC facilities went into full lock down in an effort to mitigate the spread of COVID inside state prisons. By the time the lock down went into effect, an outbreak had already begun at the Massachusetts Treatment Center and MCI-Framingham and the department had already recorded the first COVID-related deaths.

The COVID lock down that has continued through the end of 2020 (with a limited reprieve during the summer) has meant that prisoners have had almost no access to rehabilitative and self-help, education, and substance use programming. The department did offer a journaling program that allowed prisoners to receive good time for responding to a series of monthly questions. The DOC, however, provided no feedback to the journalers, so the project took on the feel of a busy-work-for-good-time program.

One of the most disturbing elements of the lock down, and one that harmed lifers especially, was the lack of access to medical care. During the early days of the pandemic, when hospitals and clinics closed, the DOC and Wellpath (the department's medical provider) also stopped all specialty appointments. Nurses and Nurse Practitioners continued to see patients in the Health Services Unit on a much-reduced schedule until a limited number of specialty appointments returned in the summer.

When the DOC returned to a full lock down in the fall, however, all non-emergent care stopped at some facilities, including MCI-Norfolk. From November through the end of 2020, medical even stopped answering Sick Call slips. While Governor Baker was encouraging people on the outside to maintain appointments with doctors, clinics, and hospitals, the DOC was actively preventing all such appointments for prisoners.

Several groups, including Prisoners' Legal Services (PLS), attempted to get the DOC to reduce the prisoner population due to COVID and health issues, especially after the Suffolk Superior Court directed the department to do so in *Foster v. Mici*. PLS took affidavits from many prisoners, including many lifers, and argued that these prisoners were no longer threats to society. The DOC balked at any notion that the courts should release prisoners. As one DOC attorney told the court: "There's a reason why they live behind a wall." As of the end of 2020, the court had yet to rule on the requests made by PLS.

COVID provided the DOC with an excuse to re-think how people are incarcerated. The department used the outbreak as an excuse to argue for more overtime, expanded immunity, and the use of mass solitary confinement. The failures of the DOC during the COVID crisis are on full display for anyone who wishes to take the time to see them. These failures are most tragically evident by the increased number of names in this year's In Memoriam, many of whom died from COVID complications and we expect more to die in 2021 having been infected with COVID-19.

Since the onset of the COVID crisis, the Lifer's Group Inc. has sought to hold accountable the DOC and its private partners. This will continue to be a key part of our core mission moving forward into 2021.

IN MEMORIAM

In 2019/2020, the following thirty-nine lifers who we are aware of died while incarcerated. Each lifer who died in 2019 and in the first quarter of 2020 were remembered individually with a moment of silence at a Lifer's Group Inc. General meeting. Those lifers who died after the lock down of the prison was implemented will be remembered at the first meeting of our membership once the lock down is lifted. The Lifer's Group Inc. maintains a list of lifers who we know did die while incarcerated. While this list by no means includes every lifer who died while in prison as the DOC has only recently begun providing names in accordance to Public Records Requests seeking the names of lifers who died from 2018 on. The other names were provided by members. The list, as of December 31, 2020, totaled **353** lifers.

In **2019** the following **eighteen** lifers died while incarcerated:

Roger Anyon
Robert Bond
Scott Boyer
Thomas Buttimer
Augustine "Augie" Chehardio
Christopher Cirillo
Raymond Credle
Peter Cruz
Ray Harmon
Kevin Hensley
Richard Howard
Robert "Bobby" Lee
Emil Petra
Paul Ramos
Fernando Riberio
Michael Rosa
Osborne Sheppard
Nathaniel Williams

In **2020**, the following **twenty-one** lifers died while incarcerated:

Stephen Blaney
Steven Bougeios
Samuel Caines
Thomas Carlino
Edward Cunningham
Robert Dadja
Leo Farland
George Goodwin
James Gordon
Imani Hakeem
Hussaun Harris
Robert Jenner
John Keniston
Benjamin Laguer
Joseph Messere
Lawrence Reopel
Milton Rice*
Robert Scott
Henry Sullivan
David Turner
James White

*As noted in the dedication, Milton Rice died while intubated in an outside hospital one day after the Commissioner had approved his medical parole. While the DOC, therefore, does not include Milton as dying while incarcerated, we have included his name, and will continue to do so, because the DOC should not be allowed to sweep his death under the rug by denying that he died while in their custody.

APPENDIX

PAROLE REVIEW FOR ALL

We are asking you to contact your family and/or supporters to advocate for the two pending bills to provide Parole Review For All (parole eligibility after 25 years for those serving LWOP and virtual life sentences).

The Senate bill is S826

The House bill is H3358

Attached are the names and contact information for your supporters' State Senators and Reps as well as information that they may find useful and helpful as they contact their legislators.

Please forward this information to them ASAP, asking, pleading, begging them to contact their legislators. This is urgent and necessary if we hope to get the bills passed.

Making those serving LWOP eligible for parole will benefit ALL prisoners because it will change the mindset of the Parole Board, judges and legislators.

Please do this NOW!!

FOR ALL LIFERS, ESPECIALLY THOSE SERVING LWOP:

ASK YOUR FAMILY TO VISIT THE STATE HOUSE IF POSSIBLE

TO ASK YOUR LEGISLATORS TO SUPPORT THESE BILLS!!

LEGISLATION WE MUST WORK TO SUPPORT

There are three sets of reform bills before the **Judiciary Committee** this term that the **Lifers' Group** strongly recommends for passage. To make any of this happen, we need to have our families and supporters contact the members of the **Judiciary Committee**, urging them to support these bills and to recommend them **FAVORABLY** to the legislature. This is important, because without such a recommendation, the bills will never be considered by the legislature and will "die" in committee! Have your supporters contact as many of these legislators as possible. Even a quick phone call or email simply asking them to support the bills (by name and number) and leaving the supporter's name and address is useful. The most effective support comes from making arrangements to visit with or talk with the legislator on the phone. In those instances, have your supporters tell the legislator how the legislation would help them and you. Have them tell their and your "stories" about why this is important to them and why they feel you deserve a second chance. Without this effort, we cannot expect legislators to be willing to pass these bills!

1. **ABOLISH LWOP: S826 & H3358, An Act to Reduce Mass incarceration.** This bill abolishes LWOP sentences and makes all prisoners eligible for parole after 25 years. The bill is retroactive to apply to those already serving LWOP.

2. **RAISE THE AGE: S825 & H3420, An Act to Promote Public Safety and Better Outcomes for Young Adults.** This bill raises the age of criminal majority in three stages, to include 18, then 19 and 20 year old offenders. These ages would thereby be treated like juveniles.

3. **IMPROVE PAROLE: S1390 & H3457, An Act Relative to Parole.** This bill expands the Parole Board to nine with three members having social work and psychological backgrounds. Lifer hearings would be in front of 6 members. It also requires the use of objective evidence-based standards and decision making and specification of the guidelines and use of risk assessment data for the applicant. For denials, specific reasons based on objective data must be detailed and the tasks specified for the prisoner to complete to gain parole. Repeat hearings occur no later than every 3 years.

THE JOINT COMMITTEE ON THE JUDICIARY

SENATE:

Chair: James Eldridge, 617-722-1120; Room 320; james.eldridge@MASenate.gov
Middlesex & Worcester

Sonia Chang-Diaz, 617-722-1673; Room 111; sonia.chang-diaz@MASenate.gov
2nd Suffolk

William Brownsberger, 617-722-1280; Rm 504; william.brownsberger@MASenate.gov
2nd Suffolk & Middlesex

Cynthia Stone Creem, 617-722-1639; Room 312A; cynthia.creem@MASenate.gov
1st Middlesex & Norfolk

Eric Lesser, 617-722-1291; Room 423C; eric.lessor@MASenate.gov
1st Hampden & Hampshire

Patrick O'Connor, 617-722-1646, Room 419; patrick.o'connor@MASenate.gov
Plymouth & Norfolk

HOUSE:

Chair: Claire Cronin, 617-722-2396; Room 136; claire.cronin@MAHouse.gov
11th Plymouth

Michael Day, 617-722-2396, Room 136; michael.day@MAHouse.gov
31st Middlesex

(over)

(HOUSE: continued)

Colleen Garry, 617-722-2380; Room 238; colleen.garry@MAhouse.gov
36th Middlesex-

Jay Livingstone, 617-722-2013; Room 472; jay.livingstone@MAhouse.gov
8th Suffolk

Carole Fiola, 617-722-2430; Room 236; carole.fiola@MAhouse.gov
6th Bristol

John Velis, 617-722-2877; Room 174; john.velis@MAhouse.gov
4th Hampden

Christopher Hendricks, 617-722-2305; Room 237; chris.hendricks@MAhouse.gov
11th Bristol

Liz Miranda, 617-722-2430; Room 236; liz.miranda@MAhouse.gov
5th Suffolk

Susannah Whipps-Lee, 617-722-2090; Room 540; susannah.whipps@MAhouse.gov
2nd Franklin

Sheila Harrington, 617-722-2305; Room 237; sheila.harrington@MAhouse.gov
1st Middlesex

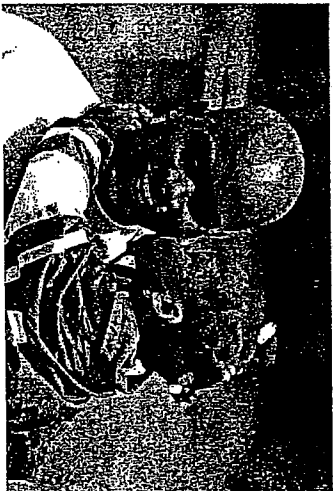
Alyson Sullivan, 617-722-2014; Room 39; alyson.sullivan@MAhouse.gov
7th Plymouth

IF YOU WANT ANY OF THESE BILLS TO PASS, YOU MUST ENGAGE YOUR SUPPORTERS TO
REALLY CONTACT THE JUDICIARY COMMITTEE ASKING THEM TO SUPPORT THESE BILLS!!!

DO THIS NOW

Tips For Contacting Legislators

1. Don't be nervous. Lawmakers want to hear from you. It is an important part of their job. They will welcome your call, email, or letter.
2. You do not need to share much information. A call or note can be as simple as: "Hi, my name is Jane. I'm from Boston, and I am calling to let you know that I support House Bill H3358 and Senate Bill S826 and would like to see you support these bills."
3. If you have a personal story you wish to share about a loved one who is incarcerated or, perhaps, you are a survivor of crime, always feel free to share that information with lawmakers.
4. Sometimes you may be connected to a legislative staff member because a lawmaker is out of the office. Don't be discouraged. Your information will be passed along to the legislator. If you also wish to speak to the lawmaker in person, let the staff member know and you will almost certainly receive a call back or you can make an appointment to visit the legislator's office.
5. When writing, be as brief as possible — but do not leave out any detail that you feel is important in making your point.
6. Avoid cut-and-paste styled messages. Lawmakers receive a lot of form letters and emails each day. They say for them the letters and emails that stand out are those that have a personal touch.
7. Schedule to visit with a legislator. Beacon Hill is your state house — a place where you are welcome. Take advantage of the opportunity to walk the halls and meet the people who represent you. Most legislators also have local offices in the neighborhoods they represent where they meet with citizens to discuss issues.
8. If your legislators are a co-sponsors of either bill, please reach out to them to say thank you for their support.



Life Without Parole Myths

Myth: Life Without Parole is only given to the worst of the worst.

Fact: The sentence often has little to do with the facts of the case. Life Without Parole is a sentence given almost exclusively to those accused of murder who choose to go to trial. Those who plead their case are typically given Life With The Possibility of Parole or a lesser charge.

Myth: Releasing murderers would be dangerous to society.

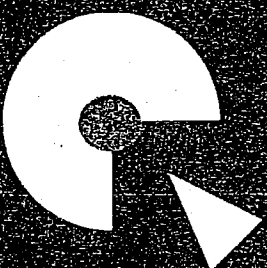
Fact: National and state figures show that people who have served a life sentence are among the least likely returning citizens to re-offend.

Myth: It is too risky to try and too complex to accomplish.

Fact: In fact, Massachusetts has proven that offering First Degree Lifers a parole opportunity is both viable and safe. Every person who was sentenced for First Degree Murder for a crime committed before they turned 18 already receive this opportunity. Not one of these people has returned to prison for a new crime.



Citizen's
Guide to
reforming
Life
Without
Parole
in
Massachusetts



PRFA

Parole Review For All

**Life Without Parole:
The Other Death Penalty**

13% of all people currently locked up in Massachusetts state prisons are serving the terminal sentence of Life Without Parole. This means that nearly 1,100 women and men locked up today will die behind the walls regardless of anything they may do to reform themselves and regardless of anything the Department of Correction may do to help them rehabilitate.

Life Without Parole is a mandatory sentence given to anyone found guilty of First Degree Murder. It is a purely punitive sentence in that it offers no chance for relief if a person changes. The sentence itself is an antiquated holdover from a more punitive era that believed that the Department of Correction could not truly help anyone rehabilitate. Thankfully, that thinking has been proven wrong over the last three decades. It is one reason why almost all industrialized nations around the world have abandoned the mandatory sentence. The time has come to embrace a new approach.

Parole Review For All is a sentencing strategy that offers the opportunity for parole to those sentenced to First Degree Murder after they first serve 25 years. While incarcerated, women and men will have to actively participate in DOC rehabilitation programming and other services that state believes will help the sentenced person rehabilitate. This is not a get out of jail free card! In fact, the Massachusetts Parole Board issues a very limited number of paroles each year to those who have taken a life.

How You Can Help

The Massachusetts Legislature is currently debating two bills that will offer every prisoner in Massachusetts the opportunity for a meaningful parole hearing after 25 years.

House Bill H3358 Senate Bill S826

We ask you to support these bills and to contact your state senator and representative to express your support.

Main State House Phone Number:

617-722-Extension (see below)

Address:

State House, Room XXX (see below)
Boston, MA 02133

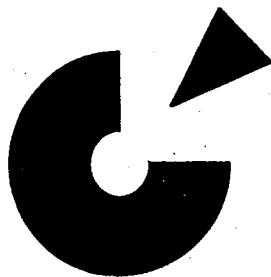
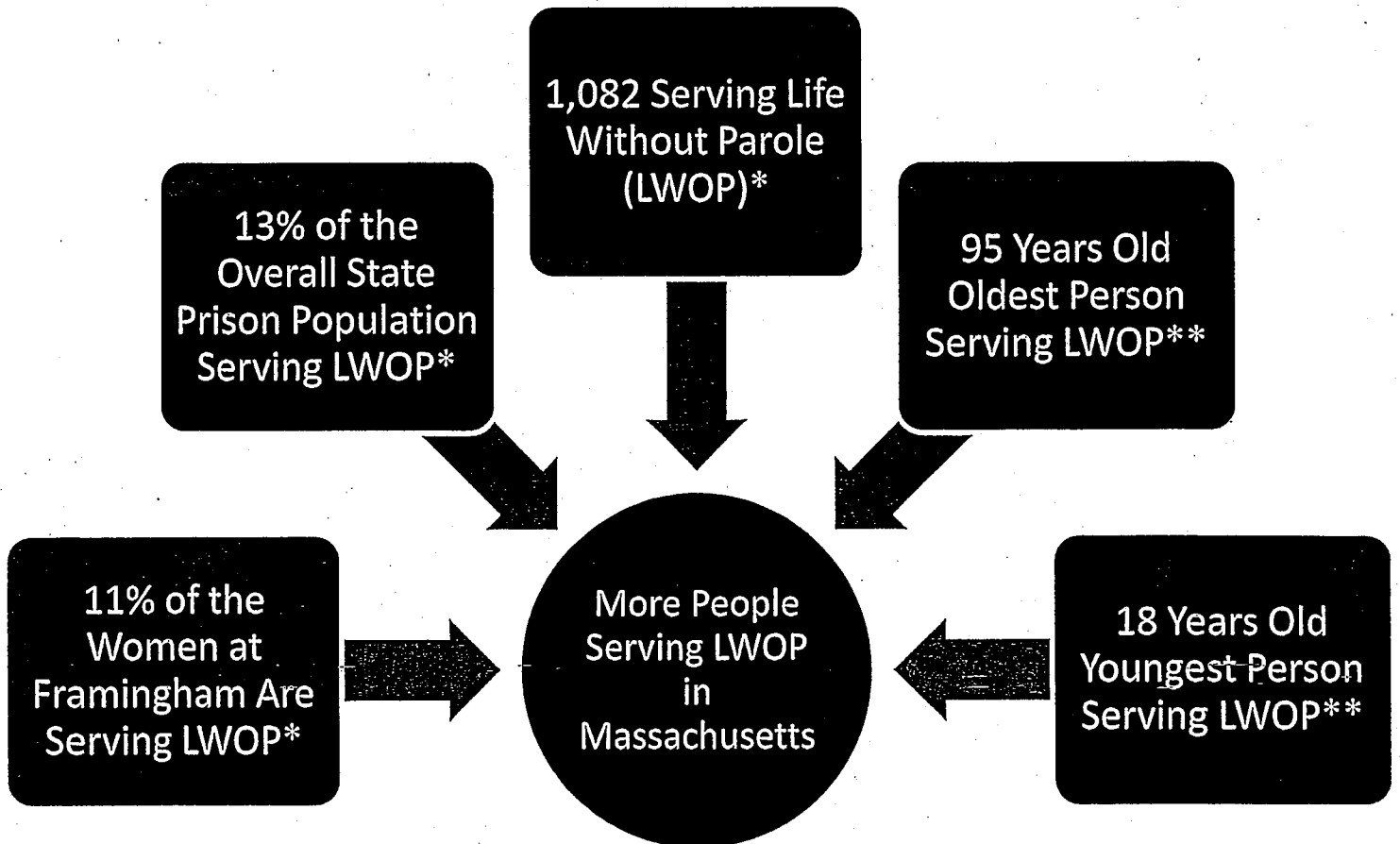
To Find Your Senator & Representative
www.WhereDoIVoteMA.com

Joint Committee on the Judiciary

Senators	Room #	Ext.	Email	District
James Eldridge, Chair	320	1120	James.Eldridge@MAsenate.gov	Middlesex & Worcester
Sonia Chang-Diaz, Vice Chair	111	1673	Sonia.Chang-Diaz@MAsenate.gov	2nd Suffolk
William Brownsberger (Senate President Pro	504	1280	William.Brownsberger@MAsenate.gov	2nd Suffolk & Middlesex
Cynthia Creem (Senate Majority Leader)	312A	1639	Cynthia.Creem@MAsenate.gov	1st Middlesex & Norfolk
Eric Lesser	413C	1291	Eric.Lesser@MAsenate.gov	1st Hampden & Hampshire
House	Room #	Ext.	Email	District
Claire Cronin, House Chair	136	2396	Claire.Cronin@MAhouse.gov	11th Plymouth
Michael Day, House Vice Chair	136	2396	Michael.Day@MAhouse.gov	31st Middlesex
Colleen Garry	238	2380	Colleen.Garry@MAhouse.gov	36th Middlesex
Jay Livingstone (Bill Sponsor)	472	2013	Jay.Livingstone@MAhouse.gov	8th Suffolk
Carole Fiola	236	2430	Carole.Fiola@MAhouse.gov	6th Bristol
John Velis	174	2877	John.Velis@MAhouse.gov	4th Hampden
Christopher Hendricks	B1	2425	Christopher.Hendricks@MAhouse.gov	11th Bristol
Liz Miranda	236	2430	Liz.Miranda@MAhouse.gov	5th Suffolk
Senate Leadership				
Senators	Room #	Ext.	Email	District
Karen Spilka, President of the Senate	332	1500	Karen.Spilka@MAsenate.gov	2nd Middlesex & Norfolk
Michael Rush, Majority Whip	109C	1348	Michael.Rush@MAsenate.gov	Norfolk & Suffolk
House Leadership				
House	Room #	Ext.	Email	District
Robert DeLeo, Speaker of the House	356	2500	Robert.DeLeo@MAhouse.gov	19th Suffolk
Ronald Mariano, Majority Leader	343	2300	Ronald.Mariano@MAhouse.gov	3rd Norfolk
Patricia Haddad, Speaker Pro Tempore	370	2600	Patricia.Haddad@MAhouse.gov	5th Bristol

The Meaning of Life in Massachusetts

As a percentage of the incarcerated population, Massachusetts continues to lock up more people until they die than any other state in America.



PRFA

Parole Review For All

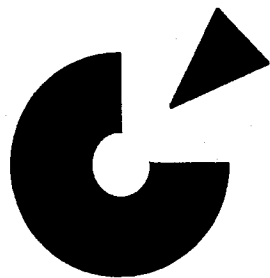
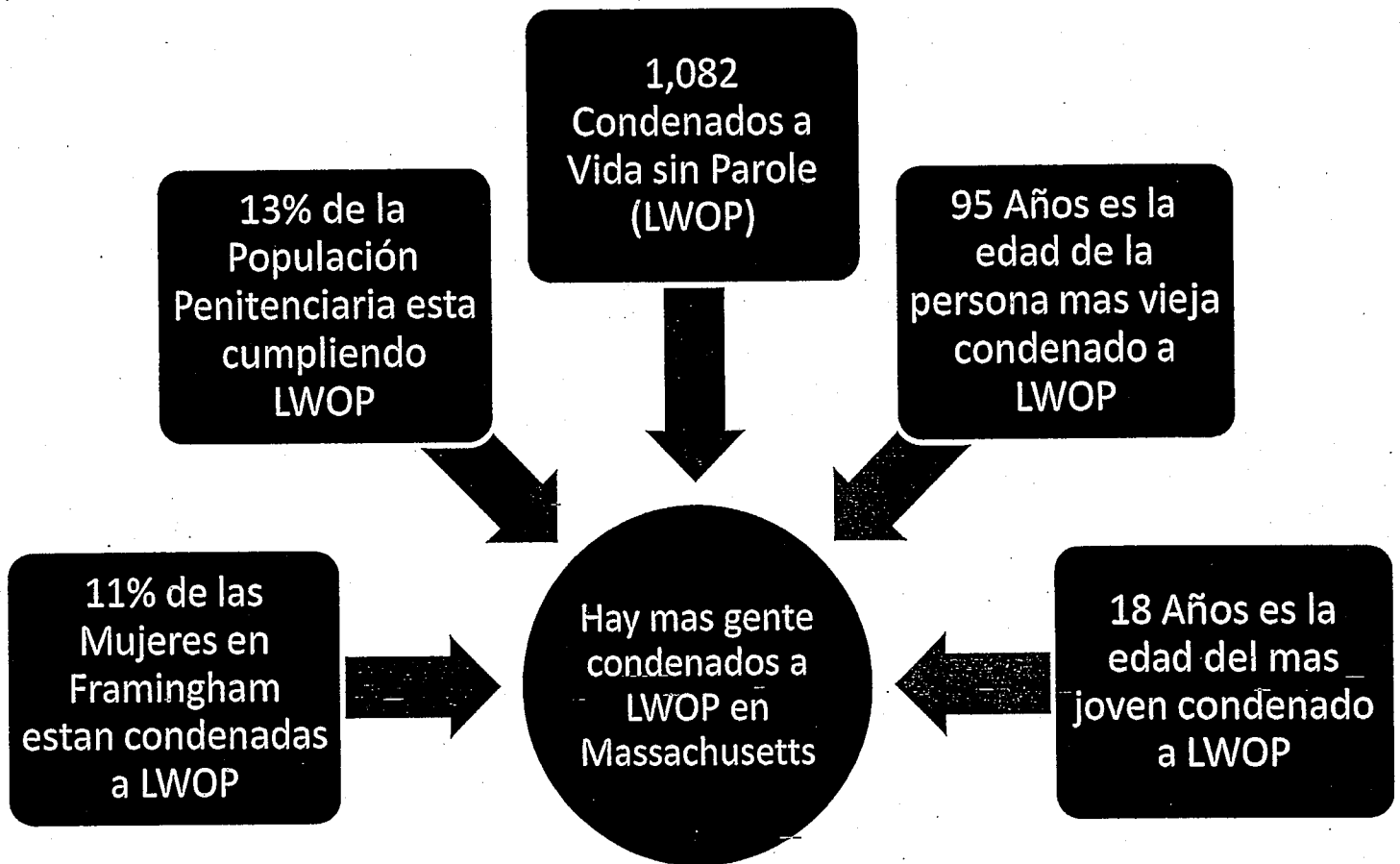
Sources:

* January 2019 MA DOC Institutional Fact Cards

** Lifers' Group Inc. Survey

Lo Que Significa Vida en Massachusetts

Como porcentaje de la población encarcelada, Massachusetts sigue encarcelando a más personas hasta que mueran que cualquier otro estado en los Estados Unidos.



PRFA

Parole Review For All

Sources:

* January 2019 MA DOC Institutional Fact Cards

** Lifers' Group Inc. Survey

REDEMPTION

Should a person be forever defined by one act?

**Or, should all people be given the opportunity
to demonstrate their rehabilitation?**

Almost 1,100 women and men in Massachusetts prisons are serving Life Without Parole and will die while incarcerated.

The state has declared all of these people to be irredeemable regardless of how much they may change over time.

House Bill H3358 and Senate Bill S826 will allow women and men in state prisons to receive a parole hearing after 25 years.

**Are you the same person today that you were
25 years ago?**

**Help restore hope to the criminal justice system.
Support House Bill 3358 and Senate Bill 826 by contacting
your state representative and senator today.**

To learn who represents you, visit www.WhereDoIVoteMA.com

Believe in the Power of Positive Change



REDENCIÓN

¿Debe una persona ser juzgada siempre por un solo acto?

¿O, deben todos tener la oportunidad de mostrar su rehabilitación?

Casi 1,100 hombres y mujeres en las cárceles de Massachusetts están condenados a Vida sin Parole y morirán en la cárcel.

El estado ha declarado a toda esta gente que son irremediables a pesar de lo que hayan hecho para cambiar con el tiempo.

La Propuesta de la Casa (House Bill) H3358 y La Propuesta del Senado (Senate Bill) S826 permitiría a hombres y mujeres en las cárceles recibir una audiencia de Parole después de 25 años.

¿Eres la misma persona hoy que fuiste hace 25 años?

Ayude restaurar la esperanza al sistema de justicia criminal. Apoye a la Propuesta de la Casa y La del Senado, contacte a tu representante estatal y senador hoy.

Para aprender quien te representa, visita www.WhereDoIVoteMA.com

Crea en el Poder del Cambio Positivo



PRFA

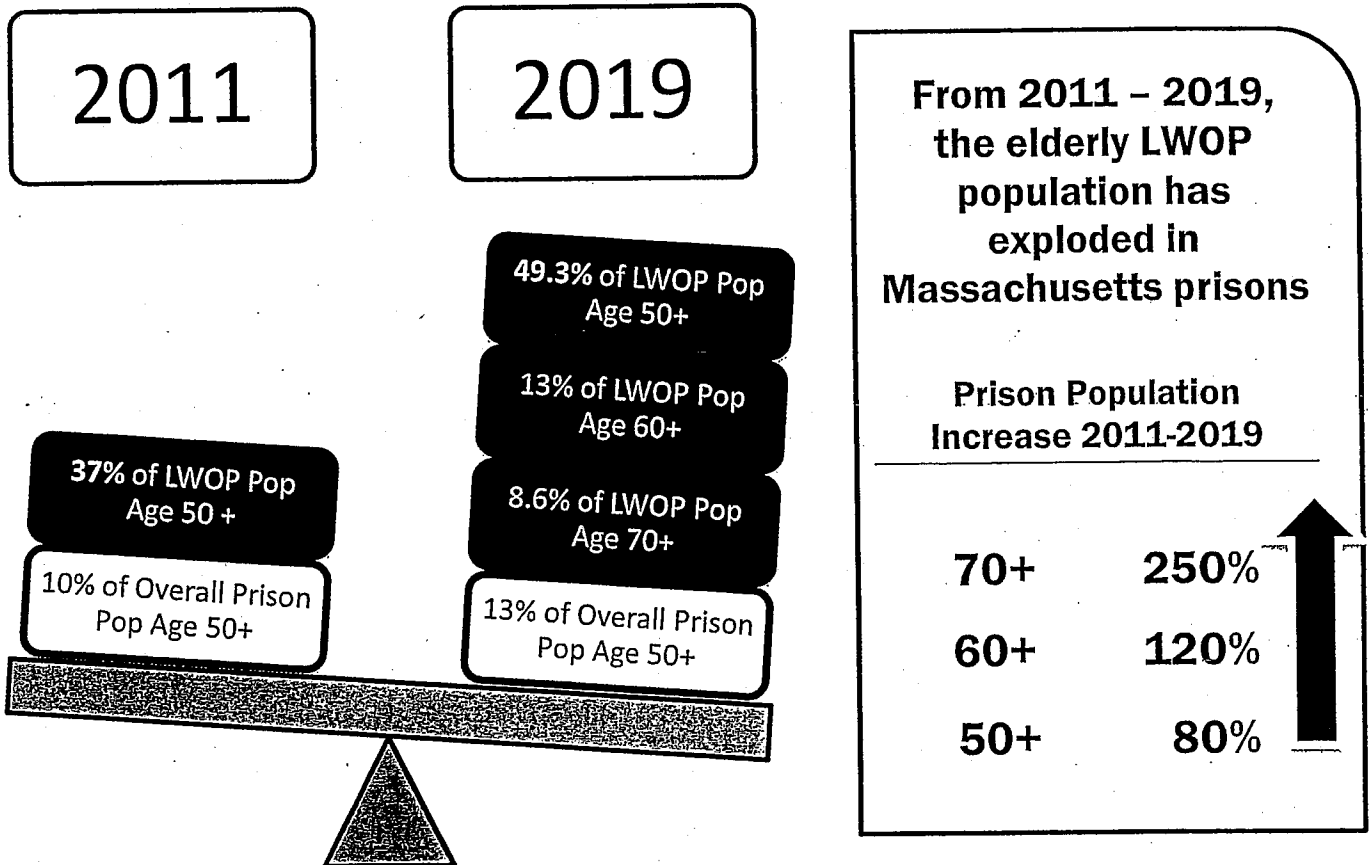
Parole Review For All

There is a crisis underway that lawmakers and citizens can no longer ignore. The illogical use of sentencing practices over the past three decades is now consuming more and more state resources. While officials have successfully chipped away at the edge of the crisis, the state prison infrastructure is still at a critical crossroads.

The Lifer Tipping Point

Almost HALF of all people serving Life Without Parole in Massachusetts Are Elderly

The use of extreme sentencing practices and the expanded use of the terminal sentence of Life Without Parole (LWOP) means that state prisons are increasingly populated with elderly and infirmed men and women.

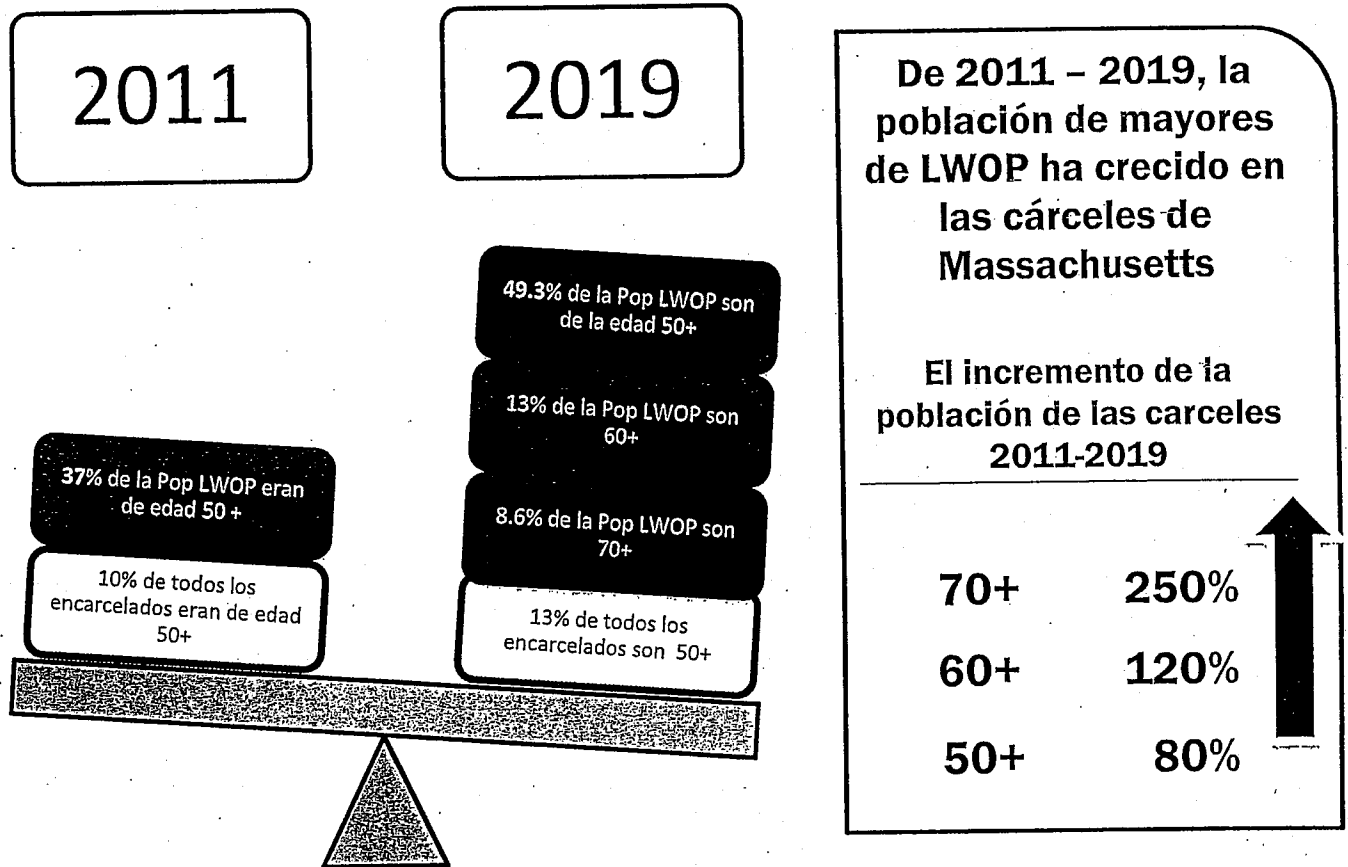


Hay una crisis que los gobernantes y los ciudadanos ya no pueden ignorar. El uso illogico de practicas de sentencias estas ultimas tres decadas ha consumido mas y mas lo recursos estatales. Mientras que funcionarios han minado al borde de la crisis, la infraestructura de las carceles estatales todavia estan en una encrucijada crítica.

El Punto Clave del que hace Vida

Casi LA MITAD de toda la gente cumpliendo Vida sin Parole en Massachusetts son Mayores

El uso de prácticas extremas de sentencias y el uso de sentencias terminales como Vida sin Parole (LWOP) significa que las cárceles están llenas de una población enferma y de tercera edad.



The care and custody of the elder LWOP population is causing DOC spending to spiral out of control.

**2016 DOC
Fiscal Year Spending**

\$571,538,972

**2017 DOC
Fiscal Year Spending**

\$599,728,171

**2018 DOC
Fiscal Year Spending**

\$626,599,379

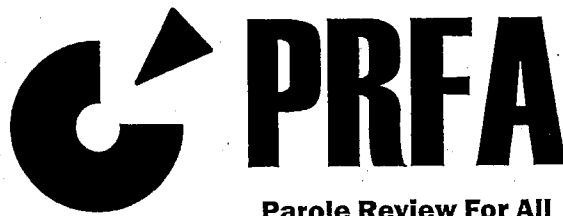
Massachusetts prisons are designed to incarcerate those who are a danger to society.

Massachusetts prisons are not designed to operate as elder and hospice care facilities.

**Passing House Bill H3358 & Senate Bill S826
(An Act to Reduce Mass Incarceration)
will allow:**

- Women and men who have demonstrated measurable rehabilitation to be granted parole hearings after 25 years of incarceration – parolees are monitored for the rest of their lives.
- The expanded use of less costly minimum security facilities for lifers deemed not to be a threat to society.
- The ability to transition infirmed people to outside elder care and treatment centers.

Change is needed now.



El cuidado y la custodia de la población de mayores LWOP están creando que los gastos del DOC se salgan de control.

2016 DOC Gastos para el año	2017 DOC Gastos para el año	2018 DOC Gastos para el año
\$571,538,972	\$599,728,171	\$626,599,379

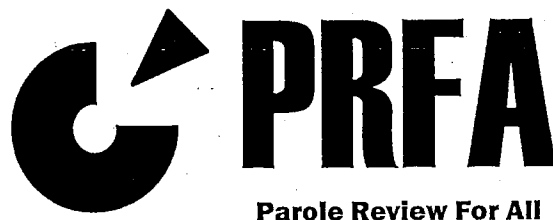
Las Cárceles de Massachusetts están diseñadas para encarcelar los que son un peligro a la sociedad.

Las Cárceles de Massachusetts no son diseñadas para servir como facilidades de cuidado a Mayores.

**Aprobando las Propuestas H3358 y S826
(Un Acto para reducir el encarcelamiento de Mass)
permitiría:**

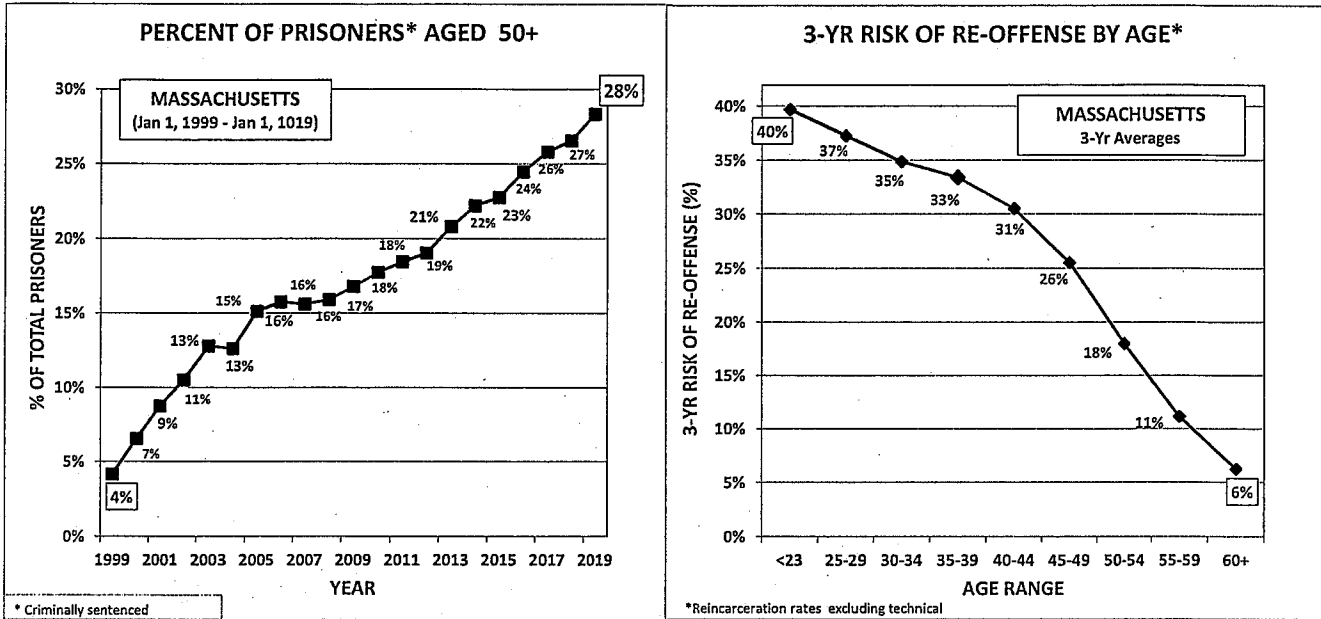
- Hombres y mujeres que han mostrado una rehabilitación serian concedido audiencias de Parole después de cumplir 25 años - gente puesta en Parole seria monitoreadas por el resto de sus vidas.
- El uso expandido de facilidades de seguridad mínima para esas personas que ya no siguen siendo un peligro a la sociedad.
- La habilidad de enviar a gente enferma a centros de tratamiento para el cuidado de mayores.

El Cambio se necesita ahora!



**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

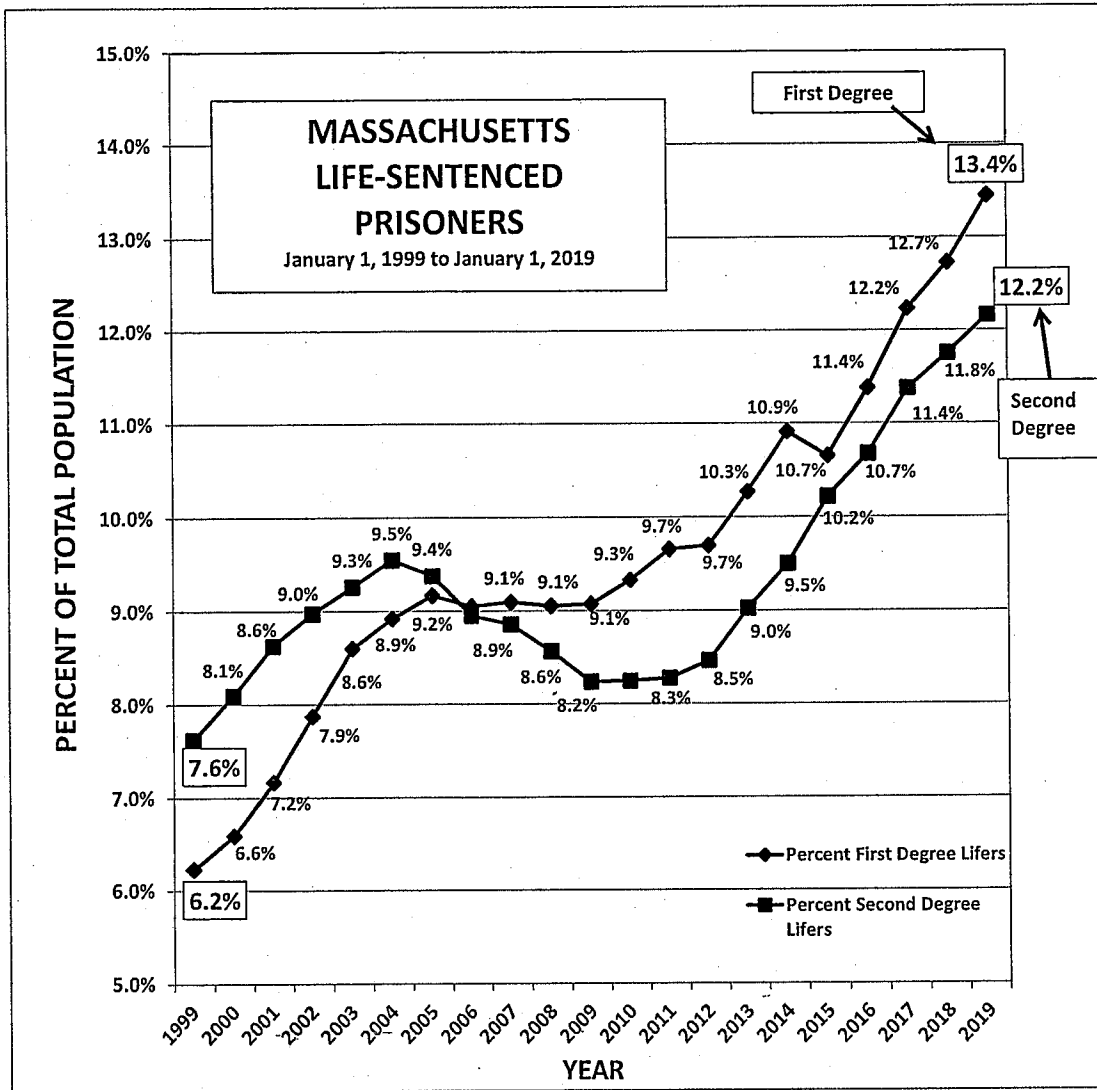
Recidivism rates of Massachusetts prisoners decrease sharply as prisoners get older, with the steepest drop occurring once prisoners are 50 or older

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.

**25% OF MASSACHUSETTS STATE PRISONERS
ARE SERVING A LIFE SENTENCE**

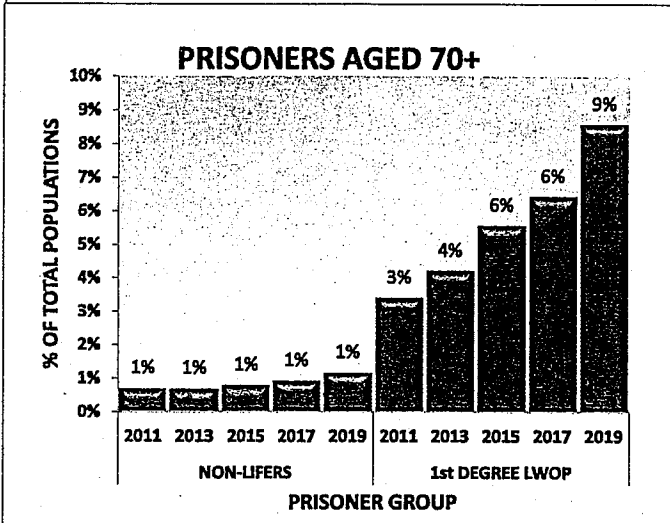
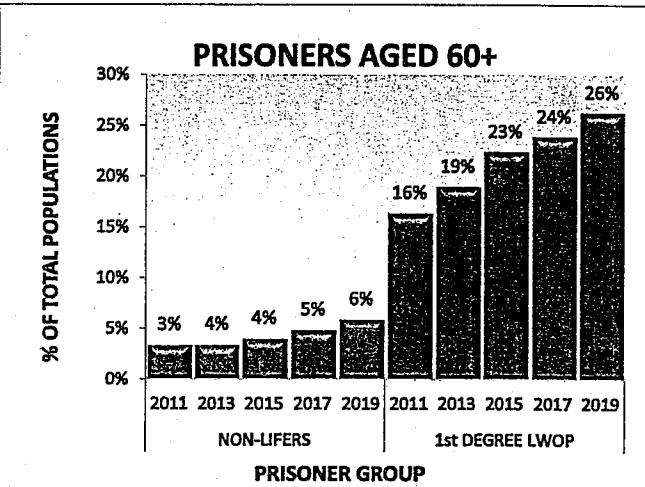
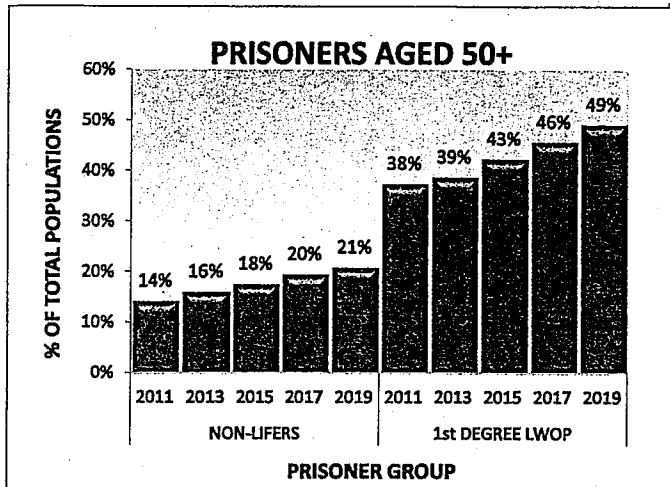


LIFE WITHOUT PAROLE (LWOP) PRISONERS HAVE MORE THAN DOUBLED FROM 6% TO 13% OF THE STATE PRISONER POPULATION IN ONLY 20 YEARS. THIS SENTENCE OFFERS NO HOPE OF REDEMPTION OR SECOND CHANCE NO MATTER HOW MUCH A PRISONER MATURES AND CHANGES TO BECOMES REHABILITATED

We urge you to support bills S826 and H3358 pending on Beacon Hill that will offer hope for those LWOP prisoners who have demonstrated that they have changed and deserve a second chance. These bills do not guarantee release for any prisoner, but only provide an opportunity for a parole hearing to determine if the prisoner has become rehabilitated and will live without violating the law or endangering public safety.

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

As shown in the charts above, 49% of Massachusetts criminally sentenced prisoners serving LWOP sentences on January 1, 2019, were aged 50 and older, more than double the percentage of non-lifers. 26% were 60 or older as compared to only 6% of non-lifers. Not surprisingly, the disparity is even greater for those 70 or older, with 9% of LWOP prisoners at that age, while only 1.2% of non-lifers are that old. Most of the elderly LWOP prisoners have aged in prison, after serving very long sentences. Since 2009, 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 having a second chance to show if they have matured and become rehabilitated.

MA DOC Criminally Sentenced Population by Sentence and Age Group

January 1, 2019

	1st Deg Life		2nd Deg Life		25 years or more		All Others		Total	
	#	%	#	%	#	%	#	%	#	%
19 and under	0	0.0%	2	0.2%	0	0.0%	22	0.4%	24	0.3%
20-29	69	6.4%	85	8.7%	9	3.1%	1352	23.7%	1515	18.8%
30-39	193	17.9%	197	20.1%	39	13.5%	1962	34.4%	2391	29.7%
40-49	286	26.5%	205	21.0%	81	28.0%	1262	22.2%	1834	22.8%
50-59	248	22.9%	247	25.3%	86	29.8%	812	14.3%	1393	17.3%
60-69	192	17.8%	164	16.8%	58	20.1%	230	4.0%	644	8.0%
70-79	81	7.5%	71	7.3%	14	4.8%	53	0.9%	219	2.7%
80-89	10	0.9%	7	0.7%	2	0.7%	3	0.1%	22	0.3%
90-99	2	0.2%	0	0.0%	0	0.0%	0	0.0%	2	0.0%
Subtotal <50 years old	548	50.7%	489	50.0%	129	44.6%	4598	80.7%	5764	71.7%
Subtotal 50+ years old	533	49.3%	489	50.0%	160	55.4%	1098	19.3%	2280	28.3%
Total for each Sentence	1081	100.0%	978	100.0%	289	100.0%	5696	100.0%	8044	100.0%
Percent of Total Population		13.4%		12.2%		3.6%		70.8%		100.0%

Source: MA DOC Research & Planning Division, Public Records Request (Feb 2019)

**MA DOC Ages of Criminally Sentenced Populations by
Life Without Parole (LWOP) or All Other Sentences
January 1, 2011 through January 1 2019**

Age in Years	2011				2012				2013				2014			
	LWOP		All Others		LWOP		All Others		LWOP		All Others		LWOP		All Others	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
19 & Under	2	0%	70	1%	0	0%	45	0%	1	0%	39	0%	0	0%	37	0%
20-29	87	9%	2434	27%	90	9%	2536	27%	95	9%	2280	26%	105	10%	2112	25%
30-39	247	26%	2750	30%	244	25%	2826	30%	223	22%	2724	31%	219	21%	2579	31%
40-49	263	27%	2276	25%	276	28%	2275	25%	300	30%	2142	24%	301	29%	1965	23%
50-59	202	21%	1070	12%	194	20%	1144	12%	200	20%	1235	14%	205	20%	1248	15%
60-69	125	13%	338	4%	141	14%	347	4%	150	15%	344	4%	162	16%	366	4%
70-79	29	3%	70	1%	31	3%	78	1%	36	4%	81	1%	38	4%	89	1%
80-89	4	0%	18	0%	4	0%	20	0%	7	1%	20	0%	8	1%	18	0%
90-99	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	1	0%	0	0%
Subtotal <50 years old	599	62%	7530	83%	610	62%	7682	83%	619	61%	7185	81%	625	60%	6693	80%
Subtotal 50+ years old	360	38%	1496	17%	370	38%	1589	17%	393	39%	1680	19%	414	40%	1721	20%
Total for each Population	959	100%	9026	100%	980	100%	9271	100%	1012	100%	8865	100%	1039	100%	8414	100%
Percent of Total Pop.		10%				10%				10%				11%		

Age in Years	2015				2016				2017				2019			
	LWOP		All Others		LWOP		All Others		LWOP		All Others		LWOP		All Others	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
19 & Under	0	0%	17	0%	0	0%	9	0%	0	0%	11	0%	0	0%	24	0%
20-29	83	8%	2099	25%	78	8%	1828	24%	73	7%	1634	23%	69	6%	1446	21%
30-39	189	19%	2552	31%	179	18%	2326	31%	185	18%	2247	31%	193	18%	2198	32%
40-49	303	30%	1943	23%	299	30%	1749	23%	295	29%	1624	23%	286	26%	1548	22%
50-59	200	20%	1231	15%	206	21%	1213	16%	223	22%	1173	16%	248	23%	1145	16%
60-69	169	17%	384	5%	179	18%	390	5%	179	18%	391	5%	192	18%	452	6%
70-79	44	4%	93	1%	53	5%	97	1%	56	5%	117	2%	81	7%	138	2%
80-89	11	1%	18	0%	9	1%	14	0%	8	1%	16	0%	10	1%	12	0%
90-99	1	0%	0	0%	1	0%	0	0%	2	0%	0	0%	2	0%	0	0%
Subtotal <50 years old	575	58%	6611	79%	556	55%	5912	78%	553	54%	5516	76%	548	51%	5216	75%
Subtotal 50+ years old	425	43%	1726	21%	448	45%	1714	22%	468	46%	1697	24%	533	49%	1747	25%
Total for each Population	1000	100%	8337	100%	1004	100%	7626	100%	1021	100%	7213	100%	1081	100%	6963	100%
Percent of Total Pop.		11%				12%				12%				13%		

