Globe Editorial is Wrong on Prison Moratorium

As scholars and practitioners in the fields of criminal justice, government, sociology, social work, and law we are stunned by the Boston Globe July 20, 2022 editorial opposing proposed legislation which calls for a five year moratorium on prison and jail construction and expansion in Massachusetts. The moratorium, supported by both the House and the Senate, would give the state time to implement the 2018 Criminal Justice Reform law, decarcerate people under existing laws, and develop alternatives to incarceration that prioritize building up safe and healthy families and communities.

The editorial states: "a five-year moratorium risks ushering in an era of potentially cruel and unusual punishment." Surely the Globe Editorial Board knows that we already are in an era of cruel and unusual punishment. In fact, the June Prisoners’ Legal Services of Massachusetts report documents myriad incidents of sexual abuse and racial discrimination against women at MCI-Framingham. Similarly, the U.S. Department of Justice report found "reasonable cause to believe the MDOC [Massachusetts Department of Correction] fails to provide adequate mental health care to prisoners in mental health crisis." And recent statements by the House Chair of the Joint Committee on the Judiciary take the MDOC to task for "disturbing instances of noncompliance with both legal obligations and deadlines as well as outright resistance to clear statutory requirements and policy objectives," including those relating to the treatment of people in solitary confinement.

Given this easy-to-find information about abuses of those in custody, as well as the Globe’s own reporting over the years (including an article from June 26, 2022 citing compelling reasons for the moratorium), it is shameful that the Editorial Board chose to rely solely on the MDOC and a report commissioned by MDOC (the Ripples Report) for information.

The truth is that the MDOC has had decades to improve both the physical conditions of buildings and the mistreatment of incarcerated people. The aim of a five-year moratorium is to stop business as usual, in order to work on ways to legally decarcerate and stem the tide of people entering prisons and jails instead of continuing to give failed institutions free rein. Claiming that this moratorium would hurt incarcerated people shows scant understanding of the facts.
The editorial claims that the well-being of incarcerated people "seems not to matter to people who call themselves advocates for prison reform yet now stand in the way of much needed improvements with a singlemindedness that ignores the basic needs of those currently incarcerated." This statement insults the people, organizations, and communities working for the moratorium. Women who have spent time in prison and who have loved ones in prison are at the forefront of this campaign. So are over 100 organizations that work with, and on behalf of, people inside and that assist people coming home, such as Families for Justice As Healing, New Beginnings Reentry Services, Inc, Justice for Housing, Mental Health Legal Advisors Committee, Jane Doe, Inc, Prisoners' Legal Services, Massachusetts Public Health Association, National Association of Social Workers -- MA Chapter, and YWCA Cambridge. The Disability Law Center (DLC) endorsed the moratorium bills and reiterated its support just one week ago in an open letter to the conference committee charged with finalizing the moratorium language, despite the Globe's suggestion that the moratorium jeopardizes the DLC’s valid concerns about MDOC’s Bridgewater State Hospital.

We rely on the Boston Globe for unbiased, well-researched analysis. Given the overwhelming evidence in support of the moratorium, in this case the Editorial writers failed to do their homework.

*The Women and Incarceration Project’s evidence-based analysis of the Ripples Report can be found here: [MORE OF THE SAME: THE FLAWED RIPPLES PLAN TO INCARCERATE WOMEN](MORE_OF_THE_SAME_THE_FLAWED_RIPPLES_PLAN_TO_INCARCERATE_WOMEN)*

For inquiries: Susan Sered, ssered@suffolk.edu