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Dear Governors' Councilors,

I am a professor at Middlesex Community College who has written extensively about parole. I am also a member of the Coalition for Effective Public Safety, a coalition of individuals, agencies, and associations of Massachusetts residents that advocate for fairness in criminal and juvenile justice proceedings, corrections, and parole.

I have testified before the Council in terms of our Parole Board composition, attended approximately 30 public lifer parole hearings, and am here today at Colette Santa's hearing because I believe so strongly in the promise of parole.

While Governor Baker, in his nomination announcement, said that Ms. Santa's "extensive service within the Massachusetts Department of Correction" qualifies her to serve on the Parole Board, at this time, I respectfully disagree. I am here to advocate for the current Parole Board vacancy to be filled by a social worker, sociologist, psychologist, or psychiatrist who is both committed to the objectives of parole and who has a background in treating mental health problems and addiction.

Our present Parole Board has five members who have worked in law enforcement, parole, as attorneys, or in corrections, with only one member, Dr. Charlene Bonner, having both experience and training in psychology.<sup>1</sup> We have no Parole Board members with experience and training in psychiatry, sociology or social work. I oppose Santa's nomination precisely because in order to fairly judge the potential parolees who come before them, the Board needs more balance in their training and experience. We need a candidate who will help the Commonwealth more fairly balance the statute, M.G.L.c. 27, § 4, which requires that persons appointed to the Board have an undergraduate degree and at least five years of experience and training in one or more of the following fields: "parole, probation, corrections, law, law enforcement, psychology, psychiatry, sociology [or] social work." The spirit of this statute asks for a diversified Board.

A candidate who has at least five years of experience in treating persons who have mental illness and addiction would add to the complement of members and help rectify what is currently a very low paroling rate in Massachusetts. The Parole Board holds over 10,000 hearings a year, where members travel across the state, and in a one or two-person panel, hear cases. That number includes approximately 190 hearings with the full board for those serving life sentences eligible

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<sup>1</sup> Board member Lucy Soto-Abbe earned a Master's in Forensic Psychology while she was a victim witness advocate at the Hampden District Attorney's Office, but she has never practiced in that field.

for parole.

The Council of State Governments (CSG) reports that during FY2015 only 19% of the parole eligible prisoners in our Houses of Correction were released on parole. In FY2015, the Parole Board reported that 46.4% of the parole eligible prisoners serving DOC sentences received positive votes for parole, but 18% of those people “max out and are not released to parole.”<sup>2</sup>

Since September, 2015, the Board has only cast positive votes for 18% of juvenile lifers, and approximately 21% of adult lifers.<sup>3</sup> The nationally recognized Sentencing Project considers this an abysmal record.<sup>4</sup> If we increased the diversity of expertise on the Board, particularly stressing more knowledge and specific training/degrees in the areas of sociology, juvenile justice, psychology, psychiatry, addiction, and mental health, I believe the Board would be better equipped to judge those who come before it and our paroling rates would improve.

It is the job of the Parole Board to understand and predict behavior. For each case it hears, the Parole Board must decide if the person will be able to live and remain in the community without violating the law. Without addiction and mental illness specialists, the Parole Board suffers in both scrutinizing and understanding those who come before them. And thus, they may not let someone serve the remainder of his or her sentence in the community in spite of the fact that the person deserves a second chance, and could succeed with support and treatment on the outside.

The numbers of people entering prison with a substance problem or suffering from addiction in prison are on the rise in Massachusetts, due to the opioid crisis. According to the Department of Correction, approximately 80% of the persons incarcerated in Massachusetts state prisons have substance use issues.<sup>5</sup> Sheriffs estimate that the same figure is true for the house of correction population.<sup>6</sup> Per a *Massachusetts Bar Association Report*, Massachusetts has among the highest rates of alcohol use and addiction in the nation.

The mental health issues facing persons in prison are complex as well. “Within the

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<sup>2</sup> From The Coalition for Effective Public Safety (CEPS) letter to Governor Baker etc. <https://aclum.org/wp-content/uploads/2017/01/20170117-CSG-Letter.pdf>

<sup>3</sup> Mass.gov website <http://www.mass.gov/eopss/agencies/parole-board/>

<sup>4</sup> Phone conversation with Nicole Porter, Sentencing Project, Washington D.C.

<sup>5</sup> DOC’s Talking Points: Massachusetts Department of Correction Use of Non-Aggressive Drug Detection Canines, “Approximately eighty percent of inmates self-report addiction or more than recreational use of drugs and alcohol.”

<sup>6</sup> “Middlesex Sheriff’s Office awarded \$30,000 Substance Abuse Grant” “Approximately 75-80% of the inmate population at the House of Correction in Billerica report alcohol and substance abuse issues.” <http://www.wickedlocal.com/medford/news/x1623571546/Middlesex-Sheriff-s-Officeawarded-30-000-Substance-Abuse-Grant>

[DOC] custody population as of January 1, 2015, 28% of males and 59% of females were open mental health cases with 21% of males and 46% of females on psychotropic medications.”<sup>7</sup> In 2012, the Massachusetts Sheriffs’ Association reported that “42 percent of inmates in the county jail system have a form of mental illness and 26 percent have major mental illness.”<sup>8</sup> Fifteen percent of the male prisoners in the state system in 2015 were serving time for a sexual offense.<sup>9</sup> Many persons in Massachusetts prisons have suffered abuse, deprivation, and neglect as children and adolescents.

This is why I cannot approve Ms. Santa’s nomination and urge the Governors’ Council to use their powers to ask the Governor to nominate someone to the Parole Board with training and experience in psychology, psychiatry, sociology, or social work, specifically treating addiction and mental health issues.

Thank you for your consideration.

Sincerely,

Jean Trounstone

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<sup>7</sup> Massachusetts Prison Population Trends, in 2014, <http://www.mass.gov/eopss/docs/doc/researchreports/pop-trends/prisonpoptrends-2014-05042015-final.pdf> p.ii

<sup>8</sup> Treatment Advocacy Center, Office of Research and Public Affairs, <http://tacreports.org/treatmentbehind-bars/massachusetts>, Massachusetts, Background.

<sup>9</sup> Id. at 21.