

May 18, 2018

Officers

Mark D. Smith

President

Jonathan M. Albano

President-Elect

Christine M. Netski

Vice President

Martin F. Murphy

Treasurer

Chinh H. Pham

Secretary

Members of the Council

Thomas O. Bevan

Russell Beck

Margaret A. Brown

Peter G. Coulombe

Prasant D. Desai

June D. Duchesne

Jennifer Sevigney Durand

Michael C. Fee

Mark C. Fleming

Martha J. Nahill Frahm

Anthony A. Froio

Megan N. Gates

Douglas R. Gooding

Rachel E. Hershfang

Peggy L. Ho

Hannah L. Kilson

Sarah G. Kim

Matthew V.P. McTygue

Ian Roffman

Vincent D. Rougeau

Anthony A. Scibelli

Paige Scott Reed

Carol A. Starkey

Mary B. Strother

E. Abim Thomas

Lisa M. Tittlemore

Patrick S. Tracey

Patricia A. Washienko

Raquel J. Webster

Past Presidents

Lisa G. Arrowood

Edward J. Barshak

Joseph W. Bartlett

Jack Cinquegrana

Paul T. Dacier

Gene D. Dahmen

Anthony M. Doniger

Thomas E. Dwyer, Jr.

Donald R. Frederico

Lisa C. Goodheart

Julia Huston

Hugh R. Jones, Jr.

Michael B. Keating

Renée M. Landers

Hon. Edward P. Leibensperger

Joan A. Lukey

Hon. Sandra L. Lynch

Hon. Margaret H. Marshall (Ret.)

Edward I. Masterman

John A. Perkins

Rudolph F. Pierce

Joel M. Reck

John J. Regan

Richard W. Renehan

Lauren Stiller Rikleen

Mary K. Ryan

James D. Smeallie

Richard A. Soden

Carol A. Starkey

Kathy B. Weinman

Raymond A. Young

Dear Senator:

I write as President of the Boston Bar Association (BBA), a volunteer organization of nearly 13,000 members drawn from private practice, corporations, government agencies, legal aid organizations, the courts, and law schools. Our mission is to advance the highest standards of excellence for the legal profession, facilitate access to justice, and serve the community at large. I am writing to respectfully request your support for a number of budget amendments: Amendment #1015 to appropriate \$5 million in funding for residential re-entry programs to reduce recidivism, Amendment #992 to appropriate \$23 million for civil legal aid through the Massachusetts Legal Assistance Corporation (MLAC), and Amendment #791 to appropriate the full \$1.3 million for the Tenancy Preservation Program (TPP).

Amendment #1015: Residential Re-Entry Programs

The BBA is incredibly grateful for all the hard work put in by the Senate to pass sweeping criminal justice reforms aimed at making our criminal justice system more fair and effective. However, we continue to trail far behind other states in funding re-entry programs that help to prevent individuals from getting trapped in cycles of recidivism. In the BBA's recent criminal justice reform report, [*No Time to Wait*](#), we highlighted the "lack of program availability" as one of the three reasons why so many are denied access to these vital resources and urged the Commonwealth to "ensure adequate funding and accountability for anti-recidivism reforms."

Each year thousands of Massachusetts residents are released from county jails and state prisons, many with little or no resources to help in securing essential needs like employment and housing. Without any support, the likelihood of returning to illegal practices, and re-entering the criminal justice system, greatly increases. Community-based residential re-entry services, like those that would be funded through line item 0339-1011, offer safe housing, workforce development, and case management, fostering connections and stability for those reentering society. While there is of course much to celebrate in the passing of historical criminal justice reforms in the Commonwealth, for these efforts to be successful, we must invest in the necessary resources to ensure lasting recidivism reduction, and we urge you to support Amendment #1015 to allocate \$5 million for the establishment of residential re-entry programs to achieve that goal.

Amendment #992: Massachusetts Legal Assistance Corporation

As you likely know, the BBA has a long history of supporting adequate funding for MLAC (line-item 0321-1600), the largest provider of civil legal services in the state. Civil legal aid is crucial to ensuring access to justice for low-income residents, as without it, individuals and families with significant legal problems related to housing, health care, immigration, domestic violence and other life-altering issues are left alone to navigate the courts and complex areas of law. Plus, changes in federal policy and cuts to anti-poverty programs, and emerging needs like resettlement following Hurricane Maria and the opioid crisis, are only increasing the need for legal assistance here in the Commonwealth, and legal services providers are

already forced to turn away 65% of eligible residents who seek help due to a lack of resources. In addition to the great need, the BBA's own [*Investing in Justice*](#) report revealed the significant returns on investment civil legal aid achieves, and estimates from 2016 showed that MLAC provided, through shelter and health care cost savings and the receipt of federal benefits and other financial support, an economic benefit of \$49.2 million to the Commonwealth.

Amendment #791: Tenancy Preservation Program

The BBA similarly has a long history of supporting adequate funding for the judiciary, including statewide expansion of the Housing Court, which we were grateful received full funding in the Senate Ways and Means budget. For this expansion to be successful, all of the many important benefits of the Housing Court must be provided to the entirety of the Commonwealth. One such benefit is the TPP (line item 7004-3045), which provides a unique intervention that enables trained counselors to assist with services in cases involving persons with disabilities, preventing homelessness and shelter stays. The TPP is also a sound investment and ultimately saves the state millions of dollars. Current estimates show that in FY17, the program saved the state \$2.5 million in shelter costs alone, and if expanded to the full state, it could save an additional \$2.5 million.

We hope you will join the BBA in support of Amendment #1015, #992, and #791 to help ensure a more safe and effective criminal justice system and access to justice for all residents of the Commonwealth.

Very truly yours,



Mark Smith
President