

MASS. MATTERS | GLOBE EDITORIAL

Smart on crime

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Fifth in an occasional series on issues that are important in the race for governor.

CAMPAIGNING FOR governor in 1990, Bill Weld coined a catchy phrase to sum up his criminal justice policy, vowing to "reintroduce our inmates to the joys of busting rock." What Weld, who had been a prosecutor, had to have known was that the vast majority of inmates eventually will be released to the communities they once victimized. About 20,000 inmates are released from state prisons and county jails each year; 97 percent of all prisoners will leave eventually. When they do, nearly half of them commit new crimes within a year. Busting rocks made for a great slogan, but it did nothing to prepare inmates for that inevitable release, increasing the likelihood they would commit new crimes.

The fear of appearing soft on crime still casts a long shadow in Massachusetts politics. But for several years now, fortunately, the pendulum has swung back toward rehabilitation. None of this year's candidates for governor would subscribe to the busting rocks doctrine. But being smart on crime, as well as tough, takes leadership. With violence on the rise and a majority of inmates being released unsupervised, the next governor will have to make reshaping the state's corrections policy a public-safety priority. If the past two years are any indication, it promises to be an uphill battle.

Exhibit A: In 2004, Governor Romney's Commission on Corrections Reform laid out entrenched problems within the state's prison system -- problems that cripple the state's ability to ensure that inmates are coming out less dangerous than when they went in. The number of inmates in maximum security lock-ups (read: expensive and least conducive to rehabilitation) has soared, even though the overall prison population stayed flat. The Department of Correction budget, slated at \$425 million for 2007, is bloated with high salaries and overtime pay.

The clout of prison guards

Over time, corrections managers have allowed the powerful officers' union to hijack their ability to promote, demote, discipline, and otherwise run the department efficiently. Many of these problems have yet to be addressed; last winter, the report's main author, former attorney general Scott Harshbarger, resigned from the commission in frustration. "We're stymied by a lack of leadership," he said.

Of all the candidates espousing the tough-but-smart approach to corrections, Tom Reilly may have the most difficulty making the case that he is a reformer. On the one hand, his public safety platform is the most comprehensive of any of the Democratic candidates; it hits many of the tough-but-smart notes -- reentry programs, more drug abuse and mental health treatment, and mandatory supervision for former offenders. Reilly also supports sentencing guidelines that could help curb the over-classification of inmates to maximum-security prisons.

But Reilly also has the support of the Massachusetts Correctional Officers Federated Union, the same union that has posed an obstacle to serious prison reform. Reilly insists that he would be independent. But some of the campaign's statements are not reassuring. His campaign stopped short of endorsing the Harshbarger report, saying Reilly would "take a look" at its recommendations. More revealing was Reilly's promise to "ensure adequate staffing levels" at the DOC. That posture will surely endear him to the unions, but it ignores a basic fact laid out in the commission report: Massachusetts already has the second-highest staff-to-inmate ratio (1:2) in the country.

Life after lockup

In the governor's race, Harshbarger supports Deval Patrick, who released his public safety policy last week. In an interview, Patrick called for limiting access to criminal records by some employers to encourage more jobs for former offenders. He wasn't shy about his willingness to confront the unions if necessary. But he seemed almost naive about the pull of law enforcement unions in this state, a political reality that has stopped some of the most experienced police and corrections managers in their tracks. "I read about their power and their influence and so forth," Patrick said. "And I guess I need to experience it to appreciate it."

As former chairman of the think-tank MassINC, Chris Gabrieli studied sentencing guidelines, misclassification of inmates, and the chronic problem of inmates "wrapping" their sentences: opting for longer sentences to avoid supervision when they get out. All of these areas, he said, threaten public safety and need immediate reform.

Gabrieli is vowing a top-to-bottom performance review of the state's corrections policy. He is not convinced, for example, that every former offender needs post-release supervision. Quality supervision will be expensive, and he said he'd rather get more consistent follow-up with those who pose significant danger than waste money tracking the lowest-level offenders.

No matter who wins the Democratic primary, that candidate will face a double-edged sword in Lieutenant Governor Kerry Healey. Healey's expertise in criminal justice policy is the real thing: She has extensive knowledge not only of corrections policy, but of the most innovative reentry efforts for prisoners. She is advocating the development of reentry plans for inmates as soon as they begin serving their sentences, and phasing state prisoners through the county jails as they near their release dates.

But as Romney's number two, Healey can't duck the administration's glaring failure to implement major recommendations of the Harshbarger report, even while claiming to endorse it. Ultimately, it raises questions about whether her reform-minded rhetoric will translate into real change.

Such questions extend beyond corrections reform: In a state with little appetite for the death penalty, for example, Healey's and independent candidate Christy Mihos's support for it will make both vulnerable to attack from Patrick or Gabrieli, if either of them makes it that far. Reilly, having changed position 15 years ago, is the only Democrat in the race who supports capital punishment. ■