



## Legislation Summary:

### An Act to reduce the criminalization of poverty

Initial bill number: [S777](#) / [H2359](#) (Bill numbers will change as legislation proceeds.)

Sponsors: Sen. William Brownsberger, Rep. Chynah Tyler

This bill addresses fines, fees and collateral consequences that make it harder for individuals to meet their or their family's needs and be productive members of society. It enables cities and towns to allow for diversion in the case of some offenses, strengthens sealing or expungement of records in various databases, especially for juveniles, restricts CORI records to post-arraignment, decreases some fines or fees if an individual or their family doesn't have means, prohibits incarceration solely for non-payment of fines and fees if it would cause substantial hardship, and increases felony larceny threshold.

**Why this is good:** Locking people up [solely because they are poor](#) leads to a two-tier justice system. Forty-one state constitutions [ban debtors' prisons](#) but Massachusetts does not. This bill also keeps first-time and youthful non-violent offenses from leading to custody and instead diverts individuals to programs and hopefully to productive lives. This bill would increase our [felony threshold from being one of the lowest](#) in the country to \$1500 (although Texas and Wisconsin have higher levels at \$2500, which would be preferable).

**Bottom Line:** Diversion of youths and first-time offenders is more likely to lead someone out of bad behavior. Our felony threshold of \$250 has been in place since the 1980s and is one of the lowest in the US, minor infractions should not be deemed felonies. Locking people up because they or their families cannot pay fines or fees does not lead to healthy families or communities. Putting impediments in the way of people trying to earn a living is also not of benefit to society.