



**Testimony submitted to the Joint Committee on Public Safety and Homeland Security
In Support of H. 2440/S. 1550 An Act to Strengthen Family and Community Connection
with Incarcerated People
By Lucy Costa and Nancy Bettinger, LWVMA Criminal Justice Reform Specialists
Hearing held on October 21, 2021**

The League of Women Voters of Massachusetts (LWVMA) represents 47 local Leagues across the state, from Cape Cod to the Berkshires. We urge you to support H.2440 and S.1550, and report them favorably out of committee. If passed, these bills would both eliminate excessive restrictions to prison visitation which were enacted in recent years (including those enacted prior to the COVID 19 pandemic) and ensure that incarcerated people can foster strong bonds with friends, family, and the broader community. Additionally, these bills would require all corrections officers, guards and employees to attend training on why ongoing visitation is important to incarcerated peoples' rehabilitation, and on how to treat visiting family members and members of the public with respect and civility.

Between November 2020 and June 2021, incarcerated people were unable to visit in person with their loved ones and supporters from their communities at all. As the Commonwealth enters this next phase of recovery from the COVID pandemic and more social interaction in the community is permitted, it is vital that incarcerated people are able to re-establish their social ties. H.2440 and S.1550 contain multiple provisions which reduce the barriers to meaningful, regular prison visits.

H.2440 and S.1550 are consistent with positions adopted over the years by the League of Women Voters. As explained in the document *Where We Stand*, the League of Women Voters of Massachusetts supports:

- Measures to protect the civil and individual rights of the offender and to promote the offender's rehabilitation through individualized treatment
- Programs within the Department of Corrections that improve opportunities for (parent) -child contact.

As studies have shown, regular prison visitation reduces both prison misconduct by people while incarcerated (Cochran, 2012) and recidivism by people once released from prisons and jails. Successful re-entry into family environments and the larger community is improved by strong social ties (Mitchell, Spooner, Jia, Zhang, 2016). In the first year that new limits to the number of unique visitors that incarcerated people could have in Massachusetts and other limitations were enacted, prison visits fell by 23%. (Arsenault, 2019). Even before the COVID pandemic, incarcerated people in Massachusetts were already experiencing greater isolation from loved ones. These bills would enable incarcerated people to receive 3 visits per week, versus one visit per week under pre-COVID regulations. These bills would also discontinue the limitation on the number of unique people who can visit an incarcerated person. These provisions would allow incarcerated people to see multiple family members, friends and other social supports more



regularly. Additionally, for incarcerated parents with multiple children, these bills' provisions would ensure that all of their children and children's caregivers could visit.

Approximately 2.7 million children in the U.S. or about 1 in 28 U.S. children have an incarcerated parent. Here in Massachusetts, Black children are nearly nine times more likely than white children to have a parent who is incarcerated. In the Commonwealth, Latinx children are three times more likely than white children to have a parent who is incarcerated. Children with incarcerated parents often experience an increase in disciplinary issues at school, greater instances of reduced family income and poverty, and significant emotional trauma. Research is increasingly showing the contact visits between children and their incarcerated parents helps mitigate these negative impacts and "benefit children's overall well-being and social adjustment by letting them express their feelings about being separated from their parent while receiving reassurance they are still wanted and loved." (Summary of research by Arditti 2008; Poehlmann et al. 2010; Sack and Seidler 1978 in Urban Institute's research report *Parent-Child Visiting Practices in Prisons and Jails A Synthesis of Research and Practice*) In the words of Dinky Manek Enty, Center on Juvenile and Criminal Justice deputy director and supervisor of the Children's Waiting Rooms in Sacramento, "One-on-one family contact visits are particularly critical for younger children whose healthy development can flourish with positive human contact with their parent." Provisions of these bills such as allowing incarcerated people to hold their children, and prohibiting the use of drug-sniffing dogs on minor children would add to the positive contact that children and their incarcerated parents can have.

Additional provisions in these bills further protect individual rights and dignity of incarcerated people and their visitors. Some of these provisions include ensuring that legal visits are kept confidential, allowing incarcerated people and their visitors to use the restroom during visits, and setting a maximum number of days (15) that an incarcerated person can be prohibited from having visitation due to a disciplinary offense.

We urge the Committee to vote H.2440 and S.1550 favorably out of committee and therefore ensure that prison visitation can provide maximum benefits not only to the rehabilitation of incarcerated people but also improve the lives of their loved ones, and ultimately, the well-being of their communities.

Thank you for your consideration.

References:

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