

The Commonwealth of Massachusetts
MASSACHUSETTS SENATE

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Vice Chair
CHILDREN, FAMILIES AND
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and
MENTAL HEALTH AND
SUBSTANCE ABUSE
and
MUNICIPALITIES AND
REGIONAL GOVERNMENT

February 1, 2016

Senator William N. Brownsberger, Chair
Special Commission to Reduce the Recidivism of Sex Offenders
State House, Room 504
Boston, MA 02133

RE: Final Report Comments

Dear Chairman Brownsberger:

I write to offer my comments on the available drafts for the final report of the Special Commission to Reduce the Recidivism of Sex Offenders, as mandated in Section 208 of Chapter 38 of the Acts of 2013.

First, regarding the statement on the role of sentencing and correction policy:

- Under 2. I recommend that the Commission emphasize the importance of treatment while incarcerated. The note currently reads, "Treatment and monitoring while incarcerated or as a condition of parole or probation..." I propose that the statement read, "Treatment and monitoring while incarcerated and as a condition of parole or probation..."
- Under 3. footnote 1, The Importance of Assessment in Sex Offender Management: An Overview of Key Principles and Practices, The Center for Sex Offender Management (US DOJ) 2007, I urge the Commission to recommend mandatory "formal assessments such as presentence reports and psychosexual evaluations" in addition to mandatory mental health assessments to identify and treat underlying mental health illnesses. Limiting assessments to psychosexual evaluations may miss other underlying mental health illnesses, the treatment of which may be imperative to the offender's successful reentry into society.

- Under 5. I urge the Commission to clearly state that “intensive court-ordered treatment strategies” includes treatment while incarcerated.

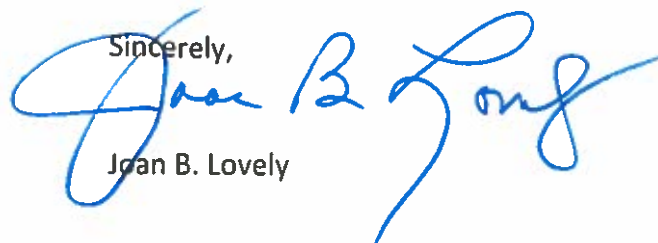
Second, regarding the prevention statement draft:

- In paragraph 5, the report names three programs “highlighted in [the Massachusetts Sexual Violence and Prevention Plan] and incorporated by other states throughout the USA.” In the meeting minutes from September 24, 2015, the Commission agreed to “generally address in its recommendations, interventions and prevention but will not make any specific recommendations as to particular programs.” I inquire as to whether naming the programs in the Commission’s report will be construed as a recommendation from the Commission to utilize these particular programs or understood to be an illustration of possible programming that has been previously recommended by a separate coalition.

Third, I strongly recommend that the Commission’s report include reference to the **U.S. Department of Justice Federal Bureau of Prisons Sex Offender Programs** as a potential model for addressing sexual offenders and recidivism in our Commonwealth. The expected results of that program’s objectives are to establish: “Treatment programs that provide sexual offenders [in Bureau institutions] the opportunity to change behaviors, thereby reducing criminality and recidivism; Specialized correctional management practices to address behavior that indicates increased risk for sexual offenses upon release; Evaluation services to appraise risk of sexual offenses upon release and provide recommendations for effective reintegration into the community; and Transition services for sexual offenders releasing to the community.” (U.S. Department of Justice Federal Bureau of Prisons PROGRAM STATEMENT OPI: CPD/PSB; NUMBER: 5324.10; DATE: February 15, 2013-Sex Offender Programs.)

Thank you for your dedicated work on this important issue. I look forward to our continued work towards a meaningful report. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,



Joan B. Lovely