

SENATE No. 1052

The Commonwealth of Massachusetts

PRESENTED BY:

Sonia Chang-Diaz

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to reinvest justice and opportunity in communities affected by incarceration.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>	
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/18/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/28/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/31/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>1/31/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/1/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/1/2019</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>2/1/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/4/2019</i>

SENATE No. 1052

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 1052) of Sonia Chang-Diaz, Mary S. Keefe, Jason M. Lewis, Kay Khan and other members of the General Court for legislation to reinvest justice and opportunity in communities affected by incarceration. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to reinvest justice and opportunity in communities affected by incarceration.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 29 of the General Laws, as appearing in the 2016 Official Edition,
2 is hereby amended by adding the following section:-

3 Section 2DDDDD. (a) There shall be established a Strong Communities and Workforce
4 Development Fund. Monies transferred to the fund shall be continuously expended, without
5 regard for fiscal year, exclusively for carrying out the purposes of this section.

6 (b)(1) There shall be a board of directors to consist of thirteen members to be appointed
7 by the secretary of housing and economic development, with the approval of the governor. Said
8 board of directors shall consist of not less than six (6) individuals who are, or have been at some
9 time, members of the target population as defined in subsection (d) of this chapter; and a
10 combination of appointees with professional case management experience, entrepreneurial or
11 business management experience, professional youth development experience, experience

12 providing professional or vocational training, or experience in labor market analysis. The terms
13 of the initial members shall be as follows: three shall be appointed for one year, three shall be
14 appointed for two years, three shall be appointed for three years, and three shall be appointed for
15 four years. Upon the expiration of the term of a member, a successor shall be appointed for a
16 term of four years. Said members shall elect a chairman and shall meet at least bi-annually. They
17 shall serve without compensation, but shall be reimbursed for expenses necessarily incurred in
18 the performance of their duties. Upon notification by the chairman that a vacancy exists, the
19 secretary of housing and economic development shall appoint, with the approval of the governor,
20 another member to fill the unexpired term.

21 (2) The executive office of housing and economic development shall provide staff
22 support to the board of directors. The total expenditure from the fund for administration,
23 including salaries and benefits of supporting staff shall not exceed 5 per cent of the total amount
24 disbursed by the fund in any given fiscal year.

25 (c)(1) It shall be the duty of the executive office of public safety and security to calculate
26 the aggregate annual population of the department of corrections and the houses of corrections,
27 and to calculate annually an average marginal cost rate per inmate among the department of
28 corrections and the houses of corrections, based on the actual marginal cost rates used by the
29 department of corrections and the houses of corrections for their budgeting purposes.

30 (2) The secretary of housing and economic development shall annually determine the
31 difference between the combined population of the department of corrections and the houses of
32 corrections in fiscal year 2019, multiplied by the rate of total population growth for the
33 commonwealth since fiscal year 2019, and the actual combined population of the department of

34 corrections and the houses of corrections in that year. The secretary shall multiply said difference
35 by the average marginal cost rate per inmate. Not later than October 1 in each year the secretary
36 shall certify this calculation to the joint committee on ways and means, the secretary of
37 administration and finance, and the comptroller for the prior fiscal year, and shall publish said
38 calculation on a public website. The comptroller shall transfer an amount equal to one half of the
39 product of this calculation to the fund.

40 (d) Monies in the fund shall be competitively granted for the purpose of developing and
41 strengthening communities heavily impacted by crime and the criminal justice system, by
42 creating opportunities for job training, job creation, and job placement for those who face high
43 barriers to employment. The target population is defined as any person who meets two or more
44 of the following characteristics: (i) is under 25 years of age; (ii) is a victim of violence; (iii) does
45 not have a high school diploma (if over 18 years of age); (iv) has been convicted of a felony; (v)
46 has been unemployed or has had family income below 250 per cent of the federal poverty level
47 for six months or more; or (vi) lives in a census tract where over 20 per cent of the population
48 fall below the federal poverty line.

49 (e) Eligible grant recipients shall exhibit a model of creating employment opportunities
50 for members of the target population, or, in the case of programs serving a target population aged
51 20 years and under, may instead demonstrate a model of building within such members the skills
52 necessary for future employment. Such model shall be supported by research and evaluation, and
53 may include transitional employment programs; social enterprise; pre-apprenticeship or other
54 training programs; school- or community-based high school dropout prevention and re-
55 engagement programs; cooperative and small business development programs; and community-
56 based workforce development programs. Components of successful programs may include, but

57 are not limited to: job training in both “soft skills” and skills identified as lacking in growth
58 industries; stipends or wage subsidies; serving as employer of record with private employers;
59 case management; cognitive behavioral therapy; and supports such as child care vouchers or
60 transportation assistance. The fund may give priority to programs that include access to services
61 such as addiction treatment and trauma-informed mental health care as relevant to the fund’s
62 mission, but such services by themselves are not eligible for monies from the fund. Training
63 programs that do not include a strong presumption of full employment by a specific employer, or
64 entry into a bona fide apprenticeship program recognized by the commonwealth, upon successful
65 completion by each participant shall not be eligible for funding; provided that high school
66 dropout prevention and re-engagement programs need not include said presumption.