

## **Appendix B: Joint Committee on Transportation Files**

**Straus, William - Rep. (HOU)**

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**From:** claireibarker@gmail.com on behalf of Claire Barker <Claire@barker.net>  
**Sent:** Tuesday, July 28, 2015 9:07 PM  
**To:** Straus, William - Rep. (HOU)  
**Cc:** Malia, Liz - Rep. (HOU)  
**Subject:** Fwd: Please support repeal of driver's license suspensions for drug offenses

Dear Rep. Strauss:

I am a supporter of FMM and strongly support H.3039/S.1812, "An Act relative to motor vehicle license suspensions." It makes no sense to keep punishing drug offenders after they have paid their debt to society. Suspending their driver's licenses just makes it harder for them to find jobs and housing and to maintain family ties after leaving prison. Public safety is best served when former prisoners can work or go to school, care for their families and lead law-abiding lives.

For eight years, I have mentored a prisoner at MCI Norfolk who is serving time for drug charges and will be severely impacted by this law when he returns home later this year. He has never had a Mass driver's license. Furthermore, he has passed the course work for a Commercial Driver's License and earned a welding license in prison, in addition to earning his high school diploma and two years of college credit. Not being able to drive to a job or pursue a Commercial Driver's license for five years is an unnecessary roadblock to his goal, which is becoming a productive member of society.

David and thousands of other prisoners with drug charges have paid their time. Please help them become successful Massachusetts citizens.

Sincerely,

Claire I. Barker

32 Orchard St #2

Jamaica Plain MA 02130

**Centrella, Kirsten (HOU)**

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**From:** angel rodriguez <rodriguez.angel63@yahoo.com>  
**Sent:** Tuesday, August 04, 2015 12:30 AM  
**To:** Straus, William - Rep. (HOU)  
**Cc:** Angel Rodriguez  
**Subject:** Repeal driver's license suspensions for drug offenses

Dear Sen. McGee and Rep. Straus:

I am a member of Families Against Mandatory Minimums (FAMM). I support H.3039/S.1812, "An Act relative to motor vehicle license suspensions." It makes no sense to keep punishing drug offenders after they have paid their debt to society. Suspending their driver's licenses just makes it harder for them to find jobs and housing and to maintain family ties after leaving prison. Public safety is best served when former prisoners can work or go to school, care for their families and lead law-abiding lives.

I myself lost my license due to a drug conviction where a vehicle was not involved. It has caused me and my family a great amount of stress due to the fact that I cannot contribute by going to work and being a productive citizen. I had a job and lost it due to not having a license. It has been very hard for me to find any kind of employment. I'm 39 yrs. old and been having my license since I was 17. Im a 10 yr. veteran of the MA. Army National Guard. I worked 12 yrs. for a Paper Mill out of Holyoke, Ma.

There is still so much more I can do if I only had a license to drive. It would mean the world to me to have my driving privileges reinstated.

My name is Angel Edwin Rodriguez. My address is 14 Willow St., Holyoke, Ma.

Thank You,  
Truly yours,  
Angel E. Rodriguez

**Straus, William - Rep. (HOU)**

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**From:** N Mckenzie <nmckenzie83@yahoo.com>  
**Sent:** Monday, July 27, 2015 8:32 AM  
**To:** Straus, William - Rep. (HOU)

Dear Rep Straus:

I am a member of Families Against Mandatory Minimums (FAMM). I support H.3039/S.1812, "An Act relative to motor vehicle license suspensions." It makes no sense to keep punishing drug offenders after they have paid their debt to society. Suspending their driver's licenses just makes it harder for them to find jobs and housing and to maintain family ties after leaving prison. Public safety is best served when former prisoners can work or go to school, care for their families and lead law-abiding lives.

This current law is outdated and needs to be changed. Please consider being a part of this change.

Thank You,  
Nola McKenzie  
47 Lakeview Terrace  
Waltham, MA. 02451

**Straus, William - Rep. (HOU)**

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**From:** George Ives <gvives@comcast.net>  
**Sent:** Saturday, July 25, 2015 12:09 PM  
**To:** McGee, Thomas (SEN); Straus, William - Rep. (HOU)  
**Subject:** Repeal driver's license suspensions for drug offenses

Dear Sen. McGee and Rep. Straus:

I am a member of Families Against Mandatory Minimums (FAMM). I support H.3039/S.1812, "An Act relative to motor vehicle license suspensions." It makes no sense to keep punishing drug offenders after they have paid their debt to society. Suspending their driver's licenses just makes it harder for them to find jobs and housing and to maintain family ties after leaving prison. Public safety is best served when former prisoners can work or go to school, care for their families and lead law-abiding lives.

George Ives  
148 Oxbow Rd.  
Wayland. MA 01778

[gvives@comcast.net](mailto:gvives@comcast.net)

**Straus, William - Rep. (HOU)**

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**From:** Betsy Simmons <betsy.simmons@verizon.net>  
**Sent:** Friday, July 24, 2015 11:35 AM  
**To:** McGee, Thomas (SEN); Straus, William - Rep. (HOU)  
**Subject:** thanks for your support

Dear Sen. McGee and Rep. Straus:

I am a member of Families Against Mandatory Minimums (FAMM). I support H.3039/S.1812, "An Act relative to motor vehicle license suspensions." It makes no sense to keep punishing drug offenders after they have paid their debt to society. Suspending their driver's licenses just makes it harder for them to find jobs and housing and to maintain family ties after leaving prison. Public safety is best served when former prisoners can work or go to school, care for their families and lead law-abiding lives.

I am a volunteer with AVP (Alternatives to Violence Project) offering workshops in communication and conflict resolution to inmates. I often hear their intentions and plans to get a job, go back to school, seek mentorships, reunite with family. The use of a car makes these goals attainable. Please vote to give returning citizens all the chances to reclaim their lives and contribute to their community.

Appreciations, Betsy L Simmons, 325 Albemarle Rd, Newtonville, MA

**Straus, William - Rep. (HOU)**

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**From:** keith sims <kkssiimmss11@verizon.net>  
**Sent:** Friday, July 24, 2015 11:25 AM  
**To:** McGee, Thomas (SEN); Straus, William - Rep. (HOU)  
**Subject:** Repeal driver's license suspensions for drug offenses

Dear Sen. McGee and Rep. Straus:

I support H.3039/S.1812, "An Act relative to motor vehicle license suspensions." It makes no sense to keep punishing drug offenders after they have paid their debt to society. Suspending their driver's licenses just makes it harder for them to find jobs and housing and to maintain family ties after leaving prison. Public safety is best served when former prisoners can work or go to school, care for their families, and lead law-abiding lives.

I mentor a prisoner in the BU College Behind Bars program through my church and the Partakers organization. A \$500 fine to get his MA driver's license will wipe out the savings he accrued in MCI-Norfolk and make it much harder for him to reintegrate. He has no family or other personal support system when he is released.

Keith Sims

47 Rice Spring Lane

Wayland MA 01778

**Straus, William - Rep. (HOU)**

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**From:** Sandra Hackman <s.hackman@comcast.net>  
**Sent:** Friday, July 24, 2015 5:10 PM  
**To:** Straus, William - Rep. (HOU)  
**Subject:** Repeal driver's license suspensions for drug offenses

Dear Rep. Straus and Sen. McGee:

I am a member of Families Against Mandatory Minimums (FAMM). I support H.3039/S.1812, "An Act relative to motor vehicle license suspensions." It makes no sense to keep punishing drug offenders after they have paid their debt to society. Suspending their driver's licenses just makes it harder for them to find jobs and housing and to maintain family ties after leaving prison. Public safety is best served when former prisoners can work or go to school, care for their families and lead law-abiding lives.

I urge you to support this important legislation. Thank you very much.

Sandra Hackman  
22 Meadowbrook Rd.  
Bedford, MA 01730

**Straus, William - Rep. (HOU)**

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**From:** Jorge Juan <jorge.juan2358@gmail.com>  
**Sent:** Friday, July 24, 2015 7:44 PM  
**To:** Straus, William - Rep. (HOU)

I'm in favor to repair automatic suspensión driver licence drug offenders

**Straus, William - Rep. (HOU)**

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**From:** Adrienne Zak <adrienne.zak@gmail.com>  
**Sent:** Friday, July 24, 2015 11:23 AM  
**To:** McGee, Thomas (SEN); Straus, William - Rep. (HOU)  
**Subject:** Re: Repeal driver's license suspensions for drug offenses

Also, I can be reached by telephone at 978-505-5632 if you have any questions regarding this email. I look forward to your action.

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Adrienne Zak  
978.505.5632  
[adrienne.zak@gmail.com](mailto:adrienne.zak@gmail.com)

On Fri, Jul 24, 2015 at 11:21 AM, Adrienne Zak <[adrienne.zak@gmail.com](mailto:adrienne.zak@gmail.com)> wrote:  
Dear Sen. McGee and Rep. Straus:

I am a member of Families Against Mandatory Minimums (FAMM). I support H.3039/S.1812, "An Act relative to motor vehicle license suspensions." It makes no sense to keep punishing drug offenders after they have paid their debt to society. Suspending their driver's licenses just makes it harder for them to find jobs and housing and to maintain family ties after leaving prison. Public safety is best served when former prisoners can work or go to school, care for their families and lead law-abiding lives.

As a former AmeriCorps VISTA who served at the Boston Rescue Mission, a transitional home in the heart of downtown Boston, I've experienced first-hand the many obstacles to becoming a 'contributing member of society' that ex-offenders face. Many of them had little to no money to even pay for a replacement ID, let alone the \$500 reinstatement. While they made mistakes, they did their time and want to re-enter society but we make it far too difficult for them to do so. Their time is better spent looking for jobs and rebuilding relationships - once they're back as Massachusetts residents, we all benefit when ex-offenders become contributing members of society. Let's repeal this outdated, unfair legislation as soon as possible. Everyone will benefit.

Best,  
Adrienne Zak  
97 Mt Vernon St  
Unit 21  
Boston, MA 02108

NEW ENGLAND REGIONAL COUNCIL OF CARPENTERS

United Brotherhood of Carpenters and Joiners of America

29 ENDICOTT STREET  
WORCESTER, MA 01610



TELEPHONE (508) 755-3034  
FAX (508) 752-6714

Testimony in support of H. 3039 / S.1812  
*An Act Relative to Motor Vehicle License Suspension*

July 22, 2015

The Honorable William M. Straus, House Chair  
Joint Committee on Transportation  
State House, Room 134  
Boston, MA 02133

The Honorable Thomas M. McGee, Senate Chair  
Joint Committee on Transportation  
State House Room 109C  
Boston, MA 02133

Dear Chairman Straus, Chairman McGee, and honorable members of the committee,

Carpenters Local 107 asks for the Committee on Transportation to support and report out favorably H. 3039 / S. 1812.

The construction industry is one of the few industries left that has good jobs for those who do not have a college education and is a gateway to a middle class career. Many working in our industry, including some of our over 600 members of our local union, have experienced the outdated and draconian measures which impose an automatic loss of driving privileges for up to 5 years, and at least \$500 in fees to reinstate licenses. A driver's license is mandatory for those working in construction. Without a license our members cannot work and without work they cannot pay the fees to reinstate their license. This actively prevents individuals in recovery from finding stable employment and creates a "back-door CORI" in RMV databases even when criminal records are sealed or expunged.

We have had and probably will continue to have skilled members who are ready to work, but do not have access to a driver's license because of an automatic license suspension for an offense that has nothing to do with driving a motor vehicle. Like having a CORI, the effects of the RMV suspension and fee harm people who are trying to get a job and support themselves, and stay within the bounds of the law.

S.1812/H.3039 would resolve these issues by repealing the automatic driver's license suspension of anyone convicted of a drug crime and clear individuals' driving records regarding automatic drug related suspensions.

We ask that you move this bill favorably and work on its passage throughout the legislative process.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Minasian', with a horizontal line extending to the right.

David Minasian

*Business Representative/Organizer*

*New England Regional Council of Carpenters*

*Cell: 508-517-1168*

*Office: 508-755-3034*

*Fax: 752-6714*



Caring Partners. Creative Solutions. Better Lives.

July 23, 2015  
Senator Thomas McGee  
Representative William Straus  
Joint Committee on Transportation  
Room A2  
State House  
Boston, MA 02133

*Re: Testimony in support of House Bill 3039 and its Senate Companion, S.1812.*

**To the Honorable Chairmen McGee and Straus and members of the Joint Committee on Transportation:**

My name is Opal Stone, and I am the Project Manager for the Worcester Initiative for Supported Reentry (WISR), a reentry program operated by Advocates. Our organization was founded in 1975 by a group of volunteers providing patient rehabilitation services on the grounds of Westborough State Hospital. Advocates is now one of the largest human services organizations in the state. Today, Advocates employs over 1,200 staff members and serves 20,000 individuals at over 100 sites across Eastern and Central Massachusetts.

WISR works with men returning to Worcester County from Department of Correction state prisons and the Worcester County House of Correction. These are men who volunteer to participate in the project because they are invested in turning their lives around after they have served their debt to society; they know they need the assistance of projects like WISR to help them successfully address the multiple and competing demands that will be placed upon them successfully transition from jail or prison into the community.

Unfortunately, many of WISR's participants do not fully comprehend the barriers they will have to overcome to successfully reintegrate into the community. They anticipate overcoming the stigma of their criminal history will be a challenge when seeking employment and independent housing. Many also anticipate reconnecting with family and resolving broken relationships will be difficult. Others know complying with probation and parole conditions is a part of their new life in the community. What many do not anticipate, however, is that these challenges will be exaggerated even further by something as seemingly simple as obtaining a driver's license.

Imagine trying to find a job and then maintain employment without the ability to get to the job. How will you pay rent? How will you take your daughter to her doctor's appointment? How will you begin to feel, as one man described to me once "Like a normal human being. Like a real man." when you cannot meet your family obligations? For many of the men we support, their two primary points of motivation to live a crime-free life are to find fulfilling work that pays a



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living wage and to rebuild relationships with their family and loved ones, especially their children.

I have seen this one barrier derail the self-esteem and best intentions of some of some of the most focused WISR participants.

WISR has served 166 men in the course of the last 22 months. Currently, 36 men are actively engaged in the program and 25 of them or 69% have a suspended driver's license due to non-driving drug-related charges. All of them have reported challenges obtaining employment due to their transportation issues. Some have struggled to meet their post-incarceration supervision requirements, like probation appointments, due to their inability to drive. Still others, and out of desperation, choose to drive without a driver's license, which poses a significant public safety issue.

I thank you for your consideration and ask you to support H. 3039/S.1812 – legislation that removes one more barrier that can derail the successful reentry of individuals who are working in earnest to become law-abiding, tax-paying, contributing members of their communities in the Commonwealth.

Opal R. Stone  
Project Manager  
Worcester Initiative for Supported Reentry (WISR)  
Advocates, Inc.  
1881 Worcester Rd  
Framingham, MA 01701

**Written Testimony of Leah Sakala,  
Senior Policy Analyst, Prison Policy Initiative**

**To the Massachusetts Legislature's  
Joint Committee on Transportation**

**July 23, 2015**

**SUPPORT H.3039/S.1812**

Co-chair McGee, Co-chair Straus, and members of the Joint Committee on Transportation, I write to submit testimony on behalf of the Prison Policy Initiative, a national nonprofit based in Easthampton, Massachusetts that produces research to address the broader harm of mass incarceration. The Prison Policy Initiative strongly supports passage of H.3039/S.1812, "An Act relative to motor vehicle license suspension."

H.3039/S.1812 would end the misguided and harmful Massachusetts practice<sup>1</sup> of automatically suspending the driver's license of anyone who has been convicted of a drug offense, regardless of whether or not the offense had anything to do with driving or road safety. The Prison Policy Initiative released a 2014 report entitled "Suspending Common Sense in Massachusetts: Driver's license suspensions for drug offenses unrelated to driving," which found that these unnecessary license suspensions are dangerous, expensive, and counterproductive.

As our report explains, Massachusetts has been wasting precious time and resources enforcing and administering this specific license suspension policy for more than two decades, and every year about 7,000 Massachusetts residents lose their driving privileges for up to five years under this law.<sup>2</sup> After the suspension period is over, individuals who seek to regain their driving privileges must pay a \$500 fee before their license may be

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<sup>1</sup> Mass. Gen. Laws ch. 90, § 22 (f).

<sup>2</sup> Prison Policy Initiative, "Suspending Common Sense in Massachusetts: Driver's license suspensions for drug offenses unrelated to driving," May 14, 2014. Available at: <http://www.prisonpolicy.org/driving-report.html>

reinstated.<sup>3</sup> This policy is especially puzzling because driving privileges have no direct connection with drug convictions, and decades of experience with this policy have made it clear that it is not an effective way to respond to illegal drug activity. In addition to being ineffective, however, our research finds that this policy is doing real harm.

### *Public Safety*

To be clear, driving is a privilege and not a right. In many instances license suspensions and revocations are used as critical policy tools to maintain public safety by keeping dangerous drivers off the road. Suspending the licenses of safe drivers, however, makes Massachusetts less safe in several ways.

First, unnecessary license suspensions are counterproductive in a car-centric culture such as ours. For example, in Massachusetts, four out of every five of workers 16 and older commute to work by car.<sup>4</sup> Unnecessarily suspending the licenses of safe drivers puts Massachusetts residents, many of whom are in the difficult process of recovery from addiction, in the position of having to choose between complying with the terms of their suspension, and fulfilling any personal, employment, or family responsibilities that require driving. Given this choice, some people will invariably decide that the risk of an additional penalty is worth being able to keep a job or care for children.

When safe drivers do choose to drive with a suspended license, however, they are unable to comply with the requirement to be insured. Roughly one in 20 drivers on the road in Massachusetts is uninsured, and when such drivers are involved in accidents every one pays the price.<sup>5</sup> Allowing all safe drivers in Massachusetts to retain their licenses, and therefore be able to carry insurance, is a straightforward step in the right direction.

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<sup>3</sup> Mass. Gen. Laws ch. 90, § 33.

<sup>4</sup> Census Bureau, 2012 American Community Survey, Table S0801 "Commuting Characteristics by Sex." See also: Patrick Doyle, "How Massachusetts Commutes to Work," Boston Magazine, March 12, 2013. Accessed on April 14, 2014 from: <http://www.bostonmagazine.com/news/blog/2013/03/12/massachusetts-commute-to-work/>

<sup>5</sup> PRWeb, "Recession Marked by Bump in Uninsured Motorists; IRC Analysis Finds One in Seven Drivers Are Uninsured," April 21, 2011. Accessed on April 14, 2014 from: [http://www.prweb.com/releases/uninsured\\_motorists/prweb8330897.htm](http://www.prweb.com/releases/uninsured_motorists/prweb8330897.htm)

Secondly, charging law enforcement and Registry of Motor Vehicle officials with administering license suspensions for reasons unrelated to driving reduces their capacity to respond to actual public safety issues. For example, Massachusetts police officers issue tens of thousands of traffic citations to people who were in the road with a suspended or revoked license.<sup>6</sup> Limiting those citations to people who actually pose a danger on the road would allow police and other public safety officials to better prioritize and protect the safety of the Commonwealth.

### *Resources and economic burden*

In addition to public safety concerns, the Massachusetts license suspension policy constitutes an economic burden on the state at virtually every stage of the legal process. Unnecessarily suspending people's licenses, and then requiring them to pay a fee to regain their driving privileges, requires significant administrative processing time. Some states have found that this extra time adds up to several additional staffing positions.<sup>7</sup> When suspension cases are brought to the courts, the burden on the state only grows. Finally, some people with suspension violations end up with unnecessary jail time, all at taxpayers' expense.

National organizations such as the American Association of Motor Vehicles (AAMV) strongly oppose this kind of license suspension law, in large part due to the significant and unnecessary administrative burden that extraneous suspensions create. In fact, the AAMV recently issued a national report, "Best Practices Guide to Reducing Suspended Drivers 2013," expressing the organization's strong opposition to driver's license suspensions.<sup>8</sup>

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<sup>6</sup> Justin Graeber, "Study: Keeping unlicensed drivers off road nearly impossible," *The Enterprise* (Brockton, MA), January 7, 2013. Accessed on April 14, 2014 from: <http://www.enterpriseneews.com/x459330966/Study-Keeping-unlicensed-drivers-off-road-nearly-impossible>

American Association of Motor Vehicle Administrators Suspended Revoked Working Group, *Best Practices Guide to Reducing Suspended Drivers 2013* (Arlington, Virginia: American Association of Motor Vehicle Administrators, February 2013), p 11. Accessed on April 14, 2014 from: <http://www.aamva.org/workarea/downloadasset.aspx?id=4248>

<sup>8</sup> *Ibid.*

### *Rehabilitation, responsibility, and mobility*

The third major problem with the policy of suspending driver's licenses for drug offenses unrelated to driving is that it creates significant barriers for people with previous drug convictions who want to move forward with their lives. That's because personal mobility is a key piece of meeting personal responsibility.

Employment, for example, is strongly associated with lower recidivism rates and positive outcomes for individuals with previous involvement in the criminal justice system.<sup>9</sup> Not only does the Massachusetts license suspension policy practically prohibit any job that requires driving (like delivery services or construction jobs), but it also rules out any job that is not accessible by public transportation, bike, foot, or carpool year-round. This is particularly concerning in a state such as Massachusetts, where 80% of workers 16 and older commute to work by car,<sup>10</sup> and where outside of Route 128 nearly 90% commute to work by car.<sup>11</sup>

The Massachusetts legislature has taken great strides forward recently to enable people with criminal records to get jobs, recognizing the benefits to the entire Commonwealth. In 2010, the legislature passed landmark "CORI reform" legislation to block employers from asking potential employees about prior convictions early on in the application process. The Massachusetts driver's license suspension policy, however, creates a "back door" way for employers to access this information because it appears on an individual's driving record, which can be easily obtained by potential employers.

In addition, unnecessarily suspending people's licenses for drug convictions inhibits their ability to meet family responsibilities, such as picking children up from school or taking a relative to the

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<sup>9</sup> See, for example: Solomon, Amy L., Kelly Dedel Johnson, Jeremy Travis, and Elizabeth C. McBride. *From Prison to Work: The Employment Dimensions of Prisoner Reentry* (Washington DC: Urban Institute, 2004) Accessed on April 14, 2014 from: [http://www.urban.org/UploadedPDF/411106\\_prison\\_to\\_work.pdf](http://www.urban.org/UploadedPDF/411106_prison_to_work.pdf)

<sup>10</sup> Census Bureau, 2012 American Community Survey, Table S0801 "Commuting Characteristics by Sex." See also: Patrick Doyle, "How Massachusetts Commutes to Work." *Boston Magazine*, March 12, 2013. Accessed on April 14, 2014 from: <http://www.bostonmagazine.com/news/blog/2013/03/12/massachusetts-commute-to-work>

<sup>11</sup> Calculated by the Prison Policy Initiative from town level results of the Census Bureau's 2012 American Community Survey, Table S0801.

doctor. Not only does this burden entire communities, but our 2014 “Suspending Common Sense in Massachusetts” report summarizes robust research findings that maintaining strong family connections and participating in family life helps individuals with prior criminal records avoid future involvement with the criminal justice system.

Finally, the license suspension policy increases the chances that people with prior convictions will return to the criminal justice system by creating logistical barriers for people who are trying to comply with conditions of probation and parole, and by creating new opportunities for people to be charged with suspension-related violations.

*H.3039/S.1812: a common-sense solution*

Our research has clearly found that the Massachusetts policy of suspending driver’s licenses for drug offenses unrelated to driving is ineffective, it makes our roads more dangerous, it wastes money, and it makes it harder for people with prior criminal records to work, care for their families, and avoid returning to the criminal justice system in the future. Massachusetts has other laws that address both controlled substance activity and road safety. The practice of suspending Massachusetts residents’ licenses in response to drug convictions that are unrelated to driving is making us less safe and making our communities less stable.

By passing H.3039/S.1812, Massachusetts would join at least 34 other states around the country that have formally rejected the idea of suspending driver’s licenses for unrelated drug offenses. In addition to sparing Massachusetts from the harm of unnecessary license suspensions in the future, H.3039 S.1812 would close the loophole around CORI reform by removing irrelevant past drug conviction information from Massachusetts drivers’ records.

I thank the Committee for its time and attention to this issue.



Leah Sakala  
Senior Policy Analyst



110 Royal Little Drive  
Providence, RI 02904-1860  
(401) 868-2000  
AAA.com

The Honorable William Straus  
House Chair, Joint Committee on Transportation  
Room 134, Massachusetts State House  
Boston, MA 02133

The Honorable Thomas McGee  
Senate Chair, Joint Committee on Transportation  
Room 208, Massachusetts State House  
Boston, MA 02133

July 22, 2015

Dear Chairmen and Committee Members,

I write to you in support of Senate Bill 1812 and House Bill 3039, "An Act Relative to Motor Vehicle License Suspension," sponsored by Senate Majority Leader Harriette Chandler.

AAA Northeast supports this bill due largely to concerns regarding the length of the current driving suspension—5 years—coupled with the fact that the overwhelming majority of drug-related offenses leading to these suspensions do not involve driving violations or infractions.

Loss of a license for 5 years presents a significant and prolonged hardship in regard to sustaining employment, educational, medical and family commitments. We respectfully ask for a favorable report on S1812/H3039.

Many thanks for your thoughtful consideration.

Very truly yours,

A handwritten signature in cursive script that reads 'Mary Maguire'.

Mary Maguire  
Director, Public/Legislative Affairs  
AAA



## LEAGUE OF WOMEN VOTERS® OF MASSACHUSETTS

133 Portland Street, Boston, MA 02114 • Tel: 617-523-2999 • Fax: 617-248-0881  
E Mail: [lwwma@lwwma.org](mailto:lwwma@lwwma.org) • Website: [www.lwwma.org](http://www.lwwma.org)

Testimony submitted to the Joint Committee on Transportation  
In support of H.3039-S.1812, An Act relative to motor vehicle license suspension  
Carolyn Lee, LWVMA Specialist on Courts and Criminal Justice Reform  
July 23, 2015

Since 1974 the League of Women Voters of Massachusetts (LWVMA) has held strong positions in support of alternative sanctions and sentences for people convicted of nonviolent crimes, recognizing that purely punitive sanctions and sentences can jeopardize rehabilitation and reintegration. In 2012 the League of Women Voters of the United States adopted its position on sentencing, which includes taking into consideration the circumstances and nature of the crime.

In addition, since 1984 LWVMA has supported measures to protect the civil and individual rights of an offender.

Current law mandates that people convicted of any drug offense have their driver's license suspended for up to 5 years and then must pay a fine to apply for reinstatement. A drug offense related to possession, use or sale is unrelated to a person's driving ability and record, provided the person was not convicted of driving while operating under the influence (OUI). In fact, current law makes the punishment for a first drug offense more severe than for an OUI first offense.

Further, via the license suspension, a back-door CORI check is available to anyone who can check driving records, because the suspension remains on the records indefinitely. Without a driver's license and a clean CORI, it is extremely difficult to obtain employment. Thus, the current law makes it much more difficult for someone convicted on even a minor drug offense to become a productive member of the workforce and society.

This bill repeals the mandatory license suspension and mandates expunging the suspension from the driving records for those previously convicted.

This bill is one of many before the legislature this session that seeks to reduce the adverse, long-term effects of minor drug offenses and reform our criminal justice system to encourage people to become and remain productive members of society, most of which are being reviewed in the Judiciary Committee.

The League of Women Voters notes that this committee passed a similar bill favorably out of committee last session, and is extremely disappointed that it was subsequently sent to study. We look forward to this bill actually becoming law in this session as part of a comprehensive reform of our laws related to minor drug and other offenses.

Thank you for your consideration.

National Association of Social Workers

Christopher G. Hudson, Ph.D., DCSW  
*President*

Carol J. Trust, LICSW  
*Executive Director*

**TESTIMONY SUBMITTED BY  
THE NATIONAL ASSOCIATION OF SOCIAL WORKERS – MA CHAPTER  
TO THE JOINT COMMITTEE ON TRANSPORTATION IN SUPPORT OF  
An Act Relative to Motor Vehicle License Suspension (HB 3039, SB 1812)**

Joint Committee on Transportation  
State House, Room 236  
Boston, MA 02133

July 23, 2015

To the Joint Committee on Transportation:

On behalf of the National Association of Social Workers - Massachusetts Chapter (NASW-MA), a membership organization of 7,600 Social Workers throughout the state, I would like to convey strong support for Senate Bill 1812 and House Bill 3039, The Motor Vehicle License Suspension bill. Passage of this bill will repeal the automatic driver's license suspension of anyone convicted of a drug crime and clear individual's driving records regarding automatic drug related suspensions. Passage of this bill will not prevent judges from suspending an individual's driver's license for a drug offense if they determine that to be an appropriate punishment. In addition, driving under the influence of any substance would still carry the same punishment.

There are provisions of S1812 and H3039 which are directly in line with the mission and values of NASW that I would like to take a moment to highlight. Specifically, this bill will impact the rehabilitation of non-violent drug offenders who have non-vehicle-related drug offenses. By allowing them to seek gainful employment for which driving is a necessity of the job, or to get to the job site, they will have greater motivation to remain sober, to provide their families with financial security, and to become tax-paying citizens. The benefits to the individual and his/her family far outweigh the negative results of the automatic loss of their license to their future.

NASW has long considered fair sentencing, including S1812 and H3039, to be a priority since they support rehabilitation efforts of non-violent drug offenders. The passage of these bills will allow those individuals the opportunity to get better, more highly paid jobs that offer a career ladder and a chance at long term success. NASW-MA Chapter strongly supports this measure and I would urge you to report it out of committee favorably.

Jonas Goldenberg, LICSW  
Director of Clinical Issues  
NASW-MA Chapter  
617-227-9635 X14



STEVEN W. TOMPKINS  
SHERIFF

## Suffolk County Sheriff's Department

Jail  
200 Nashua Street  
Boston, MA 02114  
(617) 635-1100

House of Correction  
20 Bradston Street  
Boston, MA 02118  
(617) 635-1000



July 20, 2015

Honorable William M. Straus, House Chair  
Joint Committee on Transportation  
State House, Room 134

**Re: S.1812/H.3039 - *An Act Relative to Motor Vehicle License Suspension***

Dear Chairman Straus:

I write to express my support for S.1812/H.3039, *An Act Relative to Motor Vehicle License Suspension*. I understand that this matter is scheduled to be heard by the Joint Committee on Transportation on July 23<sup>rd</sup>, 2015 and I urge your favorable consideration.

As you know, this legislation will allow Massachusetts to eliminate the legal requirement to suspend driver's licenses for people convicted of non-violent, non-vehicle-related drug offenses for up to five years. By opting out, Massachusetts would join with more than 30 other states in ending a practice that has proven to be a preventable impediment to successful offender re-entry.

As the Sheriff of Suffolk County, I can attest with certainty that obstacles that restrict an offender's ability to get a job also contribute to the Commonwealth's high rate of recidivism. By prohibiting an ex-offender from legally driving we are, albeit unintentionally, preventing them from finding and maintaining employment and potentially limiting their chances of staying out of our jails and prisons, thus increasing the likelihood that they will recidivate.

Compounding this hardship is the exorbitant \$500 license reinstatement fee per drug conviction that few of the affected individuals can afford. Additionally, a kind of "back-door CORI" effect is created within RMV databases, even where criminal records are sealed or expunged.

Bills S.1812/H.3039 represent a safe and reasonable modification to existing Massachusetts driving restrictions which, if enacted, have the potential to significantly impact the many successful offender re-entry initiatives being advanced by my office and every other Sheriff's Department in the Commonwealth. Accordingly, I strongly urge your favorable consideration of these bills during your Joint Committee deliberations.

Thank you for your consideration of this correspondence. I am available at your convenience, in the event that you wish to further discuss these matters.

Best regards,

Sheriff Steven W. Tompkins,  
Suffolk County Sheriff's Department



THE COMMONWEALTH OF MASSACHUSETTS  
SHERIFF OF HAMPDEN COUNTY  
627 RANDALL ROAD  
LUDLOW, MA 01056

MICHAEL J. ASHE, JR.  
SHERIFF

TEL: 413-547-8000  
FAX: 413-589-1851

July 22, 2015

Senator Thomas M. McGee, Chair  
Joint Committee on Transportation  
State House, Room 109C  
Boston, MA 02133

Representative William M. Straus, Chair  
Joint Committee on Transportation  
State House, Room 134  
Boston, MA 02133

*Tom* *William*  
Dear Senator McGee and Representative Straus,

I am writing to offer my strong support of S-1812/H-3039, "An Act Relative To Motor Vehicle License Suspension".

If enacted, S-1812/H-3039 would repeal the automatic driver's license suspension of anyone convicted of a drug crime and clear individual's driving records regarding automatic drug related suspensions.

Current law imposes an automatic loss of license for up to 5 years and at least \$500 in fees to reinstate licenses, for non-violent drug offenders.

This proposed legislation is important and necessary because it will assist offenders to re-enter our cities and towns. The keys to successful re-entry are stable housing, employment, and treatment services, access to all of which is greatly enhanced by having a driver's license

I fully support this legislation because it will assist offenders to re-enter our streets and neighborhoods which results in safer cities and towns throughout the commonwealth.

I urge you to vote favorably on this important legislation.

Sincerely,

*Michael J. Ashe, Jr.*  
Michael J. Ashe, Jr.  
Sheriff

**Massachusetts Communities Action Network (MCAN)**  
150 Mt. Vernon Street, Suite 200 E Boston, MA 02125  
(617) 470-2912 cell, (617) 822-1499 (office) [www.mcan-pico.org](http://www.mcan-pico.org)

Testimony In Support of House 3039 and Senate 1812, An Act  
Relative to Motor Vehicle License Suspension

We are testifying in support of House 3039 filed by Representative Malia and other legislators and for Senate 1812 filed by Senator Chandler and other legislators.

It is a huge injustice to impose a \$500 fee and waiting time for ex-prisoners to regain their driver's licenses. And additionally make people wait what could add up to years before they get their driver's licenses.

It is a barrier to getting a job.

And then that increases recidivism which means more hardship to the ex-prisoner, their families, communities, victims, and taxpayers.

This law is against our values that call for redemption and second chances.

It is against the rhetoric of saying a prisoner must pay his/her debt to society but then to put this economic burden on them on top of that afterwards anyway.

This kind of penalty is bloodlessly called a "collateral sanction" which means it's another indignity and penalty added even after the official prison sentence has ended.

We are a faith based community improvement organization working in 12 cities in our state and we are part of the Jobs NOT Jails Coalition.

Please act swiftly to pass this bill to repeal this terribly unjust law.



We believe our faith calls us to change the world!

July 23, 2015

Transportation Committee  
State House  
24 Beacon St  
Boston, MA. 01233

To the Honorable Senator Thomas McGee, Senate Chair and the Honorable Representative William Straus, House Chair,

I am writing in support of SB.1812 (filed by Senator Chandler) and HB.3039 (filed by Representative Malia) The same provision on ending the RMV sanction is part of the Jobs NOT Jail's Justice Reinvestment Act, HB.1429 and SB. 64, filed by Rep. Mary Keefe and Senator Sonia Chang-Diaz.

I am the Executive Director of Unitarian Universalist Mass Action Network (UU Mass Action). UU Mass Action is a faith organization and the state action network for the 20,000 Unitarian Universalists who live in our Commonwealth. Our membership puts our values into action through our social justice work, and ending mass incarceration is one of our core campaigns.

A key contributor to the high recidivism rate in our state is the barriers that exist when a person has served their sentenced and has been released back into the community. Upon release, the person is expected to find a place to live and find work. These are both critical factors in regaining a person's dignity. Finding work and a safe place to live allows the person to integrate back into their community. A job also allows the person to pay their parole fees and to remain in compliance with their parole obligation.

The current RMV rule requires a person to pay \$500 to reinstate their license, which may take up to 5 years. This affects people whose offense did not involve a motor vehicle (estimated to affect up to 7,000 people). Not having a driver's license means not having transportation for thousands of returning citizens. In the majority of communities in our state, no transportation means it is impossible to hold down a job. No job means that the person cannot take care of their family or even

Laura Wagner LICSW Executive Director  
PO Box 224, Greenbush, MA 02040-0224 | 617-971-8731 |  
lwagner@uumassaction | [www.uumassaction.org](http://www.uumassaction.org)

themselves. The person cannot pay their parole fee; they are found in violation of their parole and reincarcerated.

This frustrating situation is about systems, not personal failings. The small amount of money the state collects in fees pales in comparison to the money spent on reincarcerating people.

More importantly, this is a moral outrage. The numbers of people our Commonwealth is incarcerating is unacceptable. To then establish barriers that makes the person's chance of success post-release almost impossible serves no one.

We have far more pressing needs in our Commonwealth that require significant funding. I ask that you please support this RMV bill which will actually save money through reducing the recidivism. Returning citizens will then have a chance to take care of their families and also have a reasonable chance to rebuild their life.

There are so many barriers to re-entry. Please do the right thing and remove this one.

Thank you for your time and consideration of this matter.

Sincerely,

*Laura Wagner LICSW*

Laura Wagner LICSW  
Executive Director, UU Mass Action

Laura Wagner LICSW Executive Director  
PO Box 224, Greenbush, MA 02040-0224 | 617-971-8731 |  
lwagner@uumassaction | [www.uumassaction.org](http://www.uumassaction.org)



# The Commonwealth of Massachusetts

MASSACHUSETTS HOUSE OF REPRESENTATIVES  
STATE HOUSE BOSTON, MA 02133

**RE: H3039 An Act relative to motor vehicle license suspension**  
**DT: 15 July 2015**

Dear Honorable Chairs and Members of the Joint Committee on Transportation,

Thank you for hearing *H3039, An Act relative to motor vehicle license suspension* before your committee today. I am a proud co-sponsor of this bill and an active member of the Drug Law Reform Caucus.

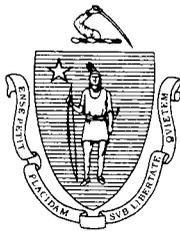
This bill would strike the law that requires the suspension of a driver's license for up to five years after a drug-related arrest. These drug-related arrests are often unrelated to operating a vehicle. This is an additional punishment after the person has served their time in a correctional facility and serves as a barrier to successful reentry into society. Without a driver's license, transportation to and from a job is difficult and can be impossible in areas without a reliable mass transit system. Under current statute, the driver's license can be reinstated after paying a \$500 fee. This feeds into a vicious cycle where a person cannot earn the income necessary to have their license reinstated because they do not have the ability to get to a job without a driver's license.

Thank you for your time and consideration of this bill. I respectfully request that *H3039, An Act relative to motor vehicle license suspension* be released favorably and expeditiously from your committee.

Sincerely,

A handwritten signature in black ink, appearing to read "P Heroux".

Representative Paul Heroux



*Commonwealth of Massachusetts*

HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON, MA 02133-1054

**JENNIFER E. BENSON**  
REPRESENTATIVE  
37<sup>TH</sup> MIDDLESEX DISTRICT

Committee:  
Chair  
Consumer Protection and Professional Licensure

ROOM 42, STATE HOUSE  
TEL: (617) 722-2014

July 23, 2015

Representative William Straus, Chair  
Joint Committee on Transportation  
State House, Room 134  
Boston, MA 02133

Senator Thomas M. McGee, Chair  
Joint Committee on Transportation  
State House, Room 109C  
Boston, MA 02133

**RE: H.3039, *An Act relative to motor vehicle license suspension***

Dear Chair Straus, Chair McGee, and Honorable Members of the Committee:

I write to ask that the Joint Committee on Education give House Bill 3039, *An Act relative to motor vehicle license suspension*, a favorable report.

Currently, individuals who are convicted of any drug offense lose their license for up to five years, and are required to pay at least a \$500 reinstatement fee. This is the current punishment even if the drug offense committed was not driving related. This law is based on a federal law, adopted in 1993, requiring states to either adopt a law requiring suspension of driver's licenses for people convicted of drug offenses for up to five years, or to formally opt out of the law.

House Bill 3039 would require the Commonwealth to submit a written certification, to the Secretary of the United States Department of Transportation, stating that the Commonwealth is opting out of the said federal law. This bill does not make exceptions for those convicted of drug or driving offenses, but supports individuals trying to readjust in society, especially after a period of incarceration or during substance abuse treatment. Today, employers value reliable individuals who have a driver's licenses. License suspension and reinstatement fees make the reentry process increasingly difficult.

It is becoming more common for employers to run driving records alongside CORI reports as a part of the standard application process. While a prospective applicant may have a sealed CORI under the new laws, suspensions for non-violent drug offenses are listed on the RMV record. H.3039 will close this unforeseen CORI loophole, by requiring the registrar to shield all records of the suspension and underlying offense from public access. H.3039 will ensure that driving records do not stand as secondary CORI records, which has undoubtedly caused individuals to lose job opportunities.

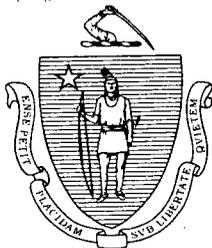
As a co-sponsor of House Bill 3039, I respectfully request that the committee favorably report the bill.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Benson". The signature is written in black ink and is positioned above the printed name.

Jennifer Benson  
State Representative  
37<sup>th</sup> Middlesex District



# The Commonwealth of Massachusetts

House of Representatives

State House, Boston 02133-1054

23 July 2015

Senator Thomas M McGee  
Chair, Joint Committee on Transportation  
State House, Room 109C  
Boston, MA 02133

Representative William M. Strauss  
Chair, Joint Committee on Transportation  
State House, Room 134  
Boston, MA 02133

Dear Chairman McGee and Chairman Strauss,

As the founders and Co-Chairs of the Harm Reduction and Drug Law Reform Caucus, we are writing today to request swift and favourable action on H.3039, *An Act relative to motor vehicle license suspension*. This bill would repeal the statute requiring a mandatory license suspension of up to five years for all drug convictions as well as a \$500 reinstatement fee. It will also purge previous suspension from RMV records to better protect privacy. H.3039 would help over 7,000 people in Massachusetts.

A federal law passed in 1993 requiring states to suspend drivers' licenses for those convicted of drug offenses, even in cases unrelated to driving. States that opted out risked losing federal highway funds. Despite this, 33 states have opted out without any penalty. The mandatory suspension of driver's licenses because of a drug conviction comes out of a political period where laws were passed throughout the country aimed at the punishment of addiction and drug offenders. It was a public safety response to a public health issue. In the past years, with a growing substance-addicted incarcerated population, high recidivism rates, and an increase in addiction in general, there has been serious momentum to reform the ways that we, as policymakers, deal with addiction. It is clear that pure punishment for the sake of punishment does not work and in fact, only makes the issue worse.

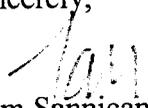
Passing H.3039 would not prohibit a judge from removing a drug offender's license in cases where that was appropriate. It would only require that this blanket policy be abolished in favour of individualized and tailored justice.

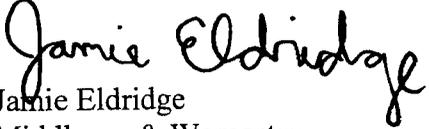
Once serving time for an offense, a formerly incarcerated person should be able to re-enter the community and have every opportunity to get their life back together. By removing their ability to drive, we are creating additional barriers to employment, child care, housing and performing daily tasks. Finding employment, child care, housing and living a full life is already hard enough for ex-offenders. Even for those who are able to appeal and get approval for a license often have difficulty affording the \$500 dollar reinstatement fee. These additional barriers many times put the offender in a position where they need to give up opportunities to improve their life or break the law by driving, risking further jail time. By making it hard for previous offenders to reintegrate successfully back into the community and create a sustainable life, we are increasing chances of recidivism and future crime.

As a Commonwealth, we must evaluate the ways that we bar justice-involved citizens from regaining access to a full and prosperous life. We must break down walls that stand in their way and instead be supporting routes for healthy, sustainable, crime-free living.

We urge you to consider favourable action on this bill Thank you for your time and consideration of this critical matter. If you have any additional questions please contact us at [tom.sannicandro@mahouse.gov](mailto:tom.sannicandro@mahouse.gov) or [james.eldridge@masenate.gov](mailto:james.eldridge@masenate.gov).

Sincerely,

  
Tom Sannicandro  
7<sup>th</sup> Middlesex District

  
Jamie Eldridge  
Middlesex & Worcester



**Testimony of Barbara J. Dougan  
Families Against Mandatory Minimums (FAMM)**

in support of

**H.3039/S.1812, An Act relative to motor vehicle license suspension**

Joint Committee on Transportation  
July 23, 2015

Chairman McGee, Chairman Straus and members of the Committee, thank you for this opportunity to testify in favor of two bills concerning the suspension of driver's licenses for those convicted of drug offenses. As the Massachusetts Project Director for Families Against Mandatory Minimums (FAMM), I speak to you today on behalf of over 2,500 Massachusetts residents, including many prisoners and their families. Almost all of those prisoners and their families have been affected by this issue.

**Who we are and why we care.** FAMM is a national non-partisan organization that works to repeal mandatory minimum sentencing laws on the state and federal level. In Massachusetts, FAMM's work focuses on drug sentencing laws. For those of you who are not familiar with this area of law, mandatory minimum sentencing laws require the courts to impose "one size fits all" sentences on drug offenders, regardless of what the person actually did, or whether he or she is a danger to public safety. Addicts, low level offenders and kingpins are all treated the same upon conviction – everyone goes to prison, and often for disproportionately long sentences. Even first-time, nonviolent drug offenders can – and do – receive mandatory sentences that are longer than the sentences for violent crimes.

The law in question, G.L. c. 90, §22(f) (hereafter "the driver's license law"), requires the automatic five-year driver's license suspension for those who are convicted of any violation of the Controlled Substances Act, M.G.L. c. 94C. It has nothing to do with whether the drug offense involved the use of a motor vehicle; the law is simply an added penalty for violating the state's drug laws. While this is not a sentencing law per se, and does not affect the length or conditions of the sentence itself, it is certainly a significant collateral consequence of the conviction. For that reason, our members have a strong interest in the repeal of this law.<sup>1</sup>

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<sup>1</sup> H.3039 and S.1812 also include sections that concern the suspension or nonrenewal of driver's licenses for those who are delinquent in their child support payments or who have outstanding arrest or default warrants. FAMM does not take a position on those aspects of the bill.

**The driver's license law does not improve public safety.** The only purpose of the driver's license law is to further punish drug offenders – beyond whatever sentences they must already serve. It is not related to the misconduct or rehabilitation of any particular drug offender, as shown by the fact that:

- The law does not distinguish among drug offenses, which can range from possession of drug paraphernalia to high level trafficking;
- The law does not distinguish among drug offenders, treating first-time low level offenders the same as those with lengthy records;
- It does not distinguish between those drug offenders who sell drugs to support their addiction and those who do not;
- It is unrelated to the type or length of the sentence required for the offense.

Nor is the law related to motor vehicle safety:

- It has nothing to do with driving while under the influence of drugs, which is covered by the DUI statute, G.L. c. 90, §24;
- It has nothing to do with the drug offender's competence as a safe driver;
- It has nothing to do with the drug offender's maintenance, inspection or registration of his vehicle.

Presumably the driver's license law was intended to deter drug abuse and drug offenses. But 25 years later, it is clear that this has not happened. Indeed, Massachusetts now finds itself in the midst of an opioid crisis that has claimed at least 1,000 lives in 2014 and 200 more as of April 2015. Remarkably, the state maintains a policy that interferes with or prevents access to drug treatment for those drug offenders who need it.

**The driver's license law is counterproductive and should be repealed.** In 2012, the Executive Office of Public Safety and Security convened a major conference on the successful reintegration of offenders back into the community and mainstream life. The event, "Rethinking Reentry: A Massachusetts Imperative," brought together a wide range of experts and stakeholders, including legislators, service providers, criminal justice agencies, advocates, housing and employment specialists, the faith-based community, academics and ex-offenders. The driver's license law was frequently cited as a barrier to successful reentry.<sup>2</sup> For example:

- The conference's Employment Group noted the need to "improve credentials of returning citizens in the job market, such as *driver's license[s]*, vocational certificates, job referrals, and case management (mentoring, accountability)" (emphasis added);

-2-

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<sup>2</sup> Commonwealth of Massachusetts, "Rethinking Reentry: A Massachusetts Imperative, A Future Search Planning Meeting, May 2012, FINAL REPORT" at pp. 23, 24, 77 and 78, available at <http://www.mass.gov/eopss/docs/doc/research-reports/rethinkingreentrymassachusettsimperativeconferencereport.pdf>.

- A cross-disciplinary group of participants called for “eliminating the collateral consequences of incarceration *such as losing a driver’s license* or membership on registration boards needed for employment” (emphasis added).

FAMM hears from many other experts. They are the men and women who have had their driver’s licenses suspended, and their families. They describe these consequences:

- They are limited in their search for employment by the availability of public transportation;
- They cannot accept jobs that require the use of their own vehicle or their employer’s;
- Traveling to and from jobs using only public transportation can add as much as four hours to the work day, interfering with their family obligations and sometimes forcing them to quit their jobs;
- They are limited in their options for drug treatment and medical care by the availability of public transportation;
- For those who wish to start fresh in a different neighborhood or town, they are limited in their search for housing by the availability of public transportation;
- They have difficulty maintaining family connections with those who do not live nearby, even though family support is critical for an ex-offender returning to the community;
- They have difficulty meeting the needs of their children in terms of childcare, medical appointments, school conferences, athletic events and extra-curricular activities.

After a drug offender has paid his or her debt to society, it is in the best interests of all concerned to remove barriers to successful reentry. While the driver’s license law is only one factor in what can be a complicated dynamic, it is one that can be easily fixed. In conclusion, FAMM urges the Committee to give H.3039 and S.1812 favorable reports.

Thank you for considering our testimony. If you have any questions, please feel free to contact me at (617) 543-0878, [bdougan@famm.org](mailto:bdougan@famm.org), or FAMM’s lobbyist, Mary Ann Walsh, at (617) 447-3711, [mawalsh@governmentalstrategies.com](mailto:mawalsh@governmentalstrategies.com).

## **2015-2016 In support of H. 3039 S.1812**

**The Committee for Progressive Legislation (CPL)**

**Ronal C. Madnick, President, 12 Pine Tree Drive, Worcester, MA 01609**

**Tel. 508-982-1722 Email rmadnick@msn.com**

**Worcester Telegram**

**December 13. 2011 12:00AM**

**AS I SEE IT**

**Reinstatement fee steep climb**

**By Aricka Seales**

**In 1992, Congress amended the Federal Highway Apportionment Act, which allows the withholding of federal highway funding from any state that does not suspend or revoke driving licenses of people convicted of a drug offense.**

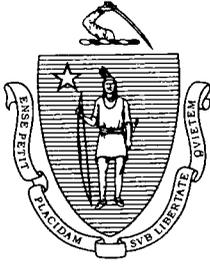
**While it would seem that this law could ensure safer roads by keeping drug offenders from driving, this law revokes licenses due to drug offenses regardless if they were committed while using a vehicle. Revoking a license for non-driving offenses does not only hurt an individual, but can cause serious side effects in our communities.**

**Since 1992, the Apportionment Act mandated that states must suspend licenses due to drug offenses; however, the law has since become voluntary if the state can show that it has a more adequate system in place.**

**Despite this, Massachusetts has continued revoking driver's licenses for reasons that are not related to road safety. Some of these non-driving suspensions involve an individual's failure to pay child support, failure to pay state taxes, or even being convicted of a drug offense.**

**While most states charge a reinstatement fee between the range of \$50 and \$150 for non-driving suspensions, the Massachusetts RMV charges an incredible fee of \$500. The \$500 fee is the same amount that the Massachusetts RMV charges for licenses reinstatement for those who've committed vehicular manslaughter or motor vehicle homicide.**

**Logic reveals that a majority of those without the means to pay for such a fee will likely fall into the category of people who are already struggling to make ends meet. Can we really expect people to pay \$500 for a non-driving offense when so many Massachusetts residents are unemployed? Without the resources to pay, individuals will likely remain without a license.**



**THE GENERAL COURT OF MASSACHUSETTS**

HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON, MA 02133-1054

**REP. ANGELO MICHAEL SCACCIA**

ROOM 33, STATE HOUSE  
BOSTON, MA 02133-1054  
(617) 722-2060

July 22, 2015

Chairman William M. Straus  
Joint Committee on Transportation  
State House – Room 134  
Boston, MA 02133

Dear Chairman Straus:

On Thursday, July 23rd, the Joint Committee on Transportation will hold a hearing on **House bill 3039, *An Act relative to motor vehicle license suspension.***

As a co-sponsor of this important bill, I respectfully request your consideration for a favorable report. Thank you for your deliberation, and please do not hesitate to contact me with any questions or concerns.

All the best,

A handwritten signature in cursive script that reads "Angelo Scaccia".

**ANGELO M. SCACCIA**  
State Representative  
14<sup>th</sup> Suffolk district



ACLU of Massachusetts  
211 Congress Street, Suite 301  
Boston, MA 02110  
617-482-3170  
www.aclum.org

July 23, 2015

Joint Committee on Transportation  
Sen. Thomas M. McGee & Rep. William M. Straus, Chairs

**SUPPORT for S.1812 and H.3039  
An Act relative to motor vehicle license suspension**

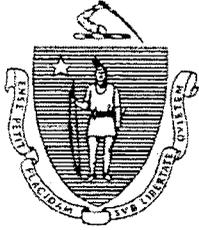
The American Civil Liberties Union urges the Committee to make a prompt favorable report on these bills.

This fair and sensible legislation would solve a significant problem for thousands of ex-prisoners who are working to rebuild their lives and move in a positive direction. Their problem — a problem for all of us in the Commonwealth who need wise criminal justice reforms for our common good — is that a Massachusetts statute, enacted in 1989, requires the automatic revocation of drivers' licenses, for up to five years, for all persons convicted of a drug offense. In addition, once an individual has succeeded in petitioning to have a driver's license reinstated, she must pay a mandatory \$500 fee.

This misguided law is counterproductive. It is the opposite of "smart on crime." Our laws should not thwart ex-offenders when they seek jobs, training, and education. Our laws should not stand in the way of people who want and need to fulfill their family responsibilities.

These unreasonable barriers to ex-offenders' successful re-entry and reintegration into their home communities should be removed now. The law which dictates that all drug offenders must have their drivers' licenses automatically suspended should be repealed.

Indeed, the ACLU of Massachusetts supports repeal, mitigation and other changes to *all* state laws and practices which pose unfair and unnecessary barriers to individuals who are moving forward with their lives. We hope that favorable action on this Act Relative to Motor Vehicle License Suspension is swift and that it is part of a larger project in Massachusetts to reform our criminal justice laws and policies.



# Commonwealth of Massachusetts

OFFICE OF THE SHERIFF  
COUNTY OF WORCESTER  
JAIL AND HOUSE OF CORRECTION  
5 PAUL X. TIVNAN DRIVE  
WEST BOYLSTON, MASSACHUSETTS 01583  
TELEPHONE: 508-854-1800  
FAX: 508-856-0465  
TTY: 508-854-1888

LEWIS G. EVANGELIDIS  
SHERIFF

July 27, 2015

Harriette L. Chandler, Majority Leader  
State House  
Room 333  
Boston, MA 02133

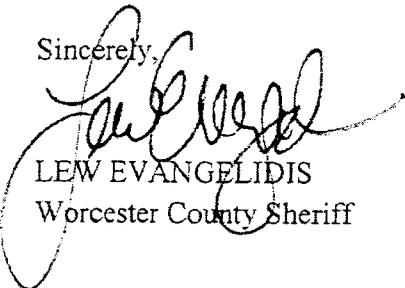
Dear Senator Chandler,

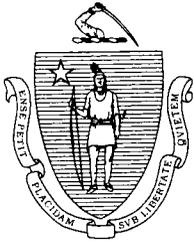
I am writing in support of Senate Bill 1812 (and House 3039), *An Act Relative to Motor Vehicle License Suspension*. The bill was recently heard by the Committee on Transportation and I fully support this bill's advancement in the legislative process.

Each year over 6000 adult men will come through the doors of the Worcester County Sheriff's Office, with over 85% of those individuals facing some level of substance abuse addiction. The challenges of rehabilitation and preparing these men to return to the sixty communities in Worcester County often revolve around our ability to treat their underlying addiction issues. During the rehabilitation process and preparing these men for reintegration, we find that transportation is one of the most challenging obstacles to successful reentry. Without a driver's license and transportation, newly released men are often unable to work, obtain housing, attend self-help groups and meet other obligations. I do believe that the *automatic* license suspension for drug offenses should be repealed, leaving the power to impose license suspensions upon the Judiciary.

Thank you for allowing me the opportunity to express my support for this bill. Please do not hesitate to contact me if you have any further questions.

Sincerely,

  
LEW EVANGELIDIS  
Worcester County Sheriff



*The Commonwealth of Massachusetts*

HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON 02133-1054

**DENISE PROVOST**

27<sup>TH</sup> MIDDLESEX DISTRICT  
ROOM 473B, STATE HOUSE  
TEL. (617) 722-2263  
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Denise.Provost@MAhouse.gov

COMMITTEES:

Transportation  
Higher Education  
Personnel and Administration

July 14, 2015

The Honorable Thomas M. McGee, Senate Chair  
The Joint Committee on Transportation  
State House, Room 109C  
Boston, MA 02133

The Honorable William M. Straus, House Chair  
The Joint Committee on Transportation  
State House, Room 132  
Boston, MA 02133

Dear Honorable Chairs:

I write in support of H.3039/S.1812, *An Act relative to motor vehicle license suspension*.

This bill would make it easier for ex-prisoners, who have served time for minor drug offenses, to reintegrate into society. A 1989 Massachusetts statute currently mandates an automatic 1-5 year driver's license suspension for individuals convicted of drug offenses. Once the suspension is over, these individuals must pay a \$500 license reinstatement fee.

Those with criminal records already face huge challenges in finding and maintaining employment, redeveloping strong family ties, and becoming productive, fully-integrated members of society. These tasks become even more difficult when individuals lack a reliable source of transportation. The mandatory driver's license suspension seems to lack any reasonable relationship to a rehabilitative purpose, and its arbitrarily punitive effect harms the goal of social reintegration while offering no public benefit.

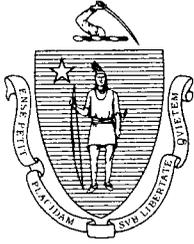
Wisely, the Massachusetts legislature has begun to approach drug use in a new way; the FY2016 budget, for example, allocates a large sum of money for opioid abuse prevention programs. The 1989 statute does not fit well with our current approach to addressing drug abuse, which acknowledges many people in our community use and abuse drugs. As the state moves away from its "tough on crime" response to drug use, we should be helping our family members, friends, and neighbors get back on their feet, and remove obstacles that push them back into unhealthy habits and illegal activities.

H.3039/S.1812 would repeal the license revocation statute. As a result, ex-prisoners would have access to one more tool to help them find a way out of the underground economy and the criminal justice system. I urge the Committee to report upon this legislation favorably and expeditiously. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Denise Provost".

Denise Provost



*The Commonwealth of Massachusetts*

HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON 02133-1054

**GAILANNE M. CARIDDI**  
**STATE REPRESENTATIVE**  
FIRST BERKSHIRE DISTRICT

Room 36, State House  
617.722.2370

Vice Chair  
Joint Committee on Economic Development  
and Emerging Technologies

District Office  
10 Main Street  
North Adams, MA 01247  
413.664.6812

July 22, 2015

The Honorable William M. Straus  
The Joint Committee on Transportation  
State House – 134  
Boston, MA 02133

**RE: H3039/S1812 – An Act to Provide Equal Access to Evaluations for Children  
with Disabilities**

Dear Chairman Straus:

I write today in support of H3039/S1812, An Act relative to motor vehicle license suspension, which is being heard in your committee.

As the Commonwealth's laws are currently written any person convicted of a drug offense automatically loses their driving privileges for up to five years. These punitive measures do not serve to rehabilitate drug offenders, but instead serve to prevent them from climbing out of the hole they are in. Without a car, it is impossible for most people to go to and find a job. This is evidenced by the 700 people per year who after losing their driving privileges because of a drug offense are subsequently arrested for driving without a license.

H3039/S1812 An Act relative to motor vehicle license suspension corrects these issues by eliminating the automatic suspension of a driver's license for a drug offense. Furthermore, a judge can still include a suspended driver's license as part of a punishment for a drug offense, but it would no longer be mandatory. Your consideration for a favorable vote is much appreciated.

Respectfully yours,

*GAIL CARIDDI*

Gailanne M. Cariddi  
State Representative First Berkshire District