



Massachusetts Sheriffs' Association

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June 18th, 2024

Senator Michael J. Rodrigues, Chairman
Senate Committee on Ways & Means
State House, Room 212
Boston, MA 02133

Representative Aaron Michlewitz, Chairman
House Committee on Ways & Means
State House, Room 243
Boston, MA 02133

Senator Cindy F. Friedman, Vice Chair
Senate Committee on Ways & Means
Room 313, State House
Boston, Massachusetts 02133

Representative Ann-Margaret Ferrante, Vice Chair
House Committee on Ways & Means
Room 238, State House
Boston, Massachusetts 02133

Senator Patrick M. O'Connor
Ranking Minority Member
Senate Committee on Ways & Means
Room 419, State House
Boston, Massachusetts 02133

Representative Todd Smola
Ranking Minority Member
House Committee on Ways & Means
Room 124, State House
Boston, Massachusetts 02133

Dear Honorable Members of the Conference Committee,

As the President and Vice President of the Massachusetts Sheriffs' Association we write to request the inclusion of the following items in the FY25 Budget. The Massachusetts

Sheriffs have valued our partnership with the Legislature and we appreciate your consideration as you meet over the next several weeks.

Technical Fix to Commissary Language

We respectfully request the adoption of the Senate Budget language which provides a technical fix to the commissary language passed in the FY24 budget.

The MSA, working closely with the Senate President and Senator Creem's Offices, brought forth the challenges with the current Commissary Language as written. The proposed technical fix has been drafted with the input and support of the Sheriffs, EOPSS, DOC, and current vendors understanding that the Sheriffs and DOC will not collect any commissions and clarifying that the "...facilities and entities, sellers, suppliers or vendors contracting with such facilities shall not charge more than 5 per cent below the prevailing market price for commissary items".

Failing to adopt the proposed commissary language fix, as we have been informed, will inevitably have a significant impact on the commissary vendors' ability to conduct business in the Commonwealth. Without these national vendors, who have far greater purchasing power than the 14 Sheriffs collectively, and the ability to provide a far greater range of products and amenities that the population demand and diverse housing populations require, the prices will increase, variety will decrease with an almost certain outcry from the very populations the Sheriffs are trying to serve. This collaborative effort to offer a technical fix to the current language allows the Commonwealth to meet the intended purpose of the initial legislation without the impending unintended consequences.

We are also requesting that the Conference Committee ensure the final budget updates the current effective date of July 1st to October 31st to avoid an adverse impact on the current commissary services provided.

Reentry Demonstration Initiative Reinvestment Trust Fund

We respectfully request the adoption of the Senate Budget language regarding the *Reentry Demonstration Initiative Trust Fund* administered by EOHSS. The Trust Fund will amend Chapter 29 to create the Trust to accommodate the recent approval by the Centers for Medicare and Medicaid Services (CMS) of Massachusetts 1115 MIEP Demonstration allowing 90 day pre-release services and medications for eligible incarcerated individuals to include youth, pretrial and sentenced.

The Trust will manage the returning Medicaid Federal Financial Participation (FFP) or federal match dollars from CMS. Massachusetts is the 4th state to receive this approval, leading the way to help improve health outcomes for all returning individuals to our communities upon re-entry.

Communications Access Trust Fund

We respectfully request the adoption of the House Budget language regarding the Communications Access Trust and Reporting. This language increases the Trust Fund from \$20,000,000 to \$35,000,000 to fund the implementation of *No Cost Communications* for Justice Involved Individuals. When the Communications Access Trust Fund was first established, the actual cost of the No Cost Communication Act was unknown. With the implementation date of December 1st, 2023, the Sheriffs, with only a few months of invoicing to date, anticipate the monthly expenditure for the 13 Sheriffs' Offices that hold incarcerated individuals to be approximately \$1,000,000 a month. This monthly figure does not include the Department of Corrections. The Sheriffs have seen a 116% increase in the number of calls generated since the implementation date with a 505% increase in electronic communications.

Individual Sheriffs' Line Items

We respectfully request that the following language, which we believe was inadvertently removed, be added back into the Sheriff's individual line items: *"and provided further, that the office shall provide relevant data to the Massachusetts Sheriffs' Association, Inc. to allow for the reporting of all requirements under item 8910-7110."* And that through the technical amendment the word "Inc" be removed as the Massachusetts Sheriffs' Association is a state funded agency and not an "Inc."

Long Acting Injectable Medications for the Treatment of Mental Illness

We respectfully request the Conference Committee adopt the House language in line item **1599-0107** that would support the demonstration programs at the County Correctional Facilities and the Department of Correction to treat persons suffering from serious mental illness with clinically appropriate, long acting injectable medications (LAI's).

Justice involved persons with serious mental illness (SMI) are overrepresented in correctional facilities and access to innovative long-acting antipsychotic medications continues to be a major challenge. The consequences of medication non-adherence include psychotic relapse, the need for hospitalization, risk of suicide, interruption of education, work activities and social relationships and potential progression of illness. Non-adherence to medication is a major problem that limits the effectiveness of treatment and adds to the personal burden of illness and cost of health care.

These funds would enable the justice-involved patient voluntary access to (a) behavioral health services; (b) FDA approved long-acting injectable medicines; (c) wrap around support services; and (d) coordination of continuity of care at reentry back into the community. In addition, these funds support the continuity of LAI's for individuals returning from the State Hospital to one of the Evaluation and Stabilization Units in either Hampden or Middlesex Counties.

The Massachusetts Sheriffs value our partnership with the Massachusetts Legislature on these many shared priorities. Please do not hesitate to reach out to us if you require additional information or have any questions. Thank you in advance for your consideration of these priorities.

Respectfully,



Sheriff Nick Cocchi, President
Hampden County Sheriff's Office



Sheriff Patrick McDermott, Vice President
Norfolk County Sheriff's Office

Cc: Carrie Hill, MSA Executive Director