



Testimony of Olivia Naugle
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The Sentencing Project

In Support of S.3221/H.5562

Before the Economic Development
Conference Committee

9/14/2026

Dear Chair Michlewitz, Chair Rodrigues, Chair Fiola, Chair Finegold, Rep. Soter and Sen. Durant,

Established in 1986, The Sentencing Project advocates for effective and humane responses to crime that minimize imprisonment and criminalization of youth and adults by promoting racial, ethnic, economic, and gender justice.

We respectfully ask that the Economic Development Conference Committee adopt language to raise the age of juvenile jurisdiction that includes 18-year-olds, as passed by the Senate (S.3221). While The Sentencing Project supports this policy for several reasons, this testimony is limited to issues surrounding the collateral consequences of an adult criminal conviction in Massachusetts, particularly regarding employment, as a strong rationale in support of raising the age.

OVERVIEW

The National Inventory of Collateral Consequences of Conviction have found 1,776 collateral consequences of conviction in Massachusetts, 760 of them created under the Commonwealth's constitution, laws and regulations; the remainder are federal.¹

Collateral consequences of an adult criminal conviction are wide-ranging, including impacts on employment and volunteering, education, housing, and civic participation. They exist beyond the bounds of the legal system, punishing people for having been punished. Keeping 18-year-olds in juvenile court jurisdiction gives adolescents the opportunity for developmentally appropriate accountability and rehabilitation while reducing the lifelong consequences of an adult criminal conviction.

MOST COLLATERAL CONSEQUENCES ARE PERMANENT

Of these 760 Massachusetts-specific consequences, 599 are permanent and 307 are mandatory,² demonstrating the long and certain impact of a conviction beyond the immediate punishments of the courts.

Collateral consequences are typically wide-ranging. For example, Massachusetts bans a person convicted of a felony -- any felony at all -- from receiving a license to operate Keno (ALM GL ch. 10, § 27A), receiving an auctioneer's license (ALM GL ch. 100, § 4), becoming an architect (ALM GL ch. 112, § 60B), or employment in assisted living residences (651 CMR 12.06

¹ This testimony relies on the National Inventory of Collateral Consequences of Conviction, updated by the Council of State Governments. That information is available online at <https://niccc.nationalreentryresourcecenter.org/>.

² In fact, 210 of Massachusetts's collateral consequences are both permanent and mandatory.

). These are some of the 75 mandatory and permanent consequences of a felony conviction - demonstrating how mistakes in one's youth can harm career opportunities for a lifetime in a way that an 18-year old would not expect.

Imagine stealing a car at age 18, completing the terms of the sentence, getting admitted to college, completing the coursework, and then learning ten years later that Massachusetts has decided your poor decision during senior year of high school means you're not allowed to be an architect. How is that just?

COLLATERAL CONSEQUENCES ALSO APPLY TO MISDEMEANORS

Collateral consequences are not limited to felony convictions. In Massachusetts, there are 221 collateral consequences for misdemeanor convictions, 41 of these mandatory and permanent. For example, a person with a misdemeanor conviction cannot work as a marriage and family therapist, rehabilitation counselor, or mental health counselor (ALM GL ch. 112, § 165) or for the state police ALM GL ch. 22C, § 14). People who have made mistakes in their youth often possess the lived experience needed in mental health and public safety professions, but Massachusetts laws exclude them from doing so.

IMPACT ON EMPLOYMENT

Most collateral consequences relate to employment and the ability to obtain employment. Under the National Inventory of Collateral Consequences of Conviction's categorization, 532 collateral consequences in Massachusetts are categorized as either (a) business licensure and participation; (b) employment and volunteering; (c) government contracting and program participation; (d) occupational and professional licensure and certification or (e) education.

Efforts to obtain and maintain employment for justice-involved persons is already hampered by societal biases against people with convictions - those with criminal records will find it hard to find employment even without state laws further limiting their career choices. Employers discriminate against job candidates who have criminal histories, especially against those who are Black, and application questions about criminal histories deter some people from applying to certain jobs and college.³

Raising the age of juvenile jurisdiction to include 18-year-olds in the juvenile justice system will improve economic outcomes for young people themselves and for the Commonwealth by reducing the likelihood that a youthful mistake becomes a permanent obstacle to employment.

³ Pager, D. (2007). *Marked: Race, Crime, and Finding Work in an Era of Mass Incarceration*. Chicago, IL: University of Chicago Press.

COLLATERAL CONSEQUENCES FALL DISPROPORTIONATELY ON PEOPLE OF COLOR

Raising the age of juvenile court jurisdiction to include 18-year-olds is also a racial justice issue. Collateral consequences burden all people convicted of crimes, but that burden falls disproportionately on people of color.⁴ Black Americans are more likely than white Americans to be arrested; once arrested, they are more likely to be convicted; and once convicted, they are more likely to experience lengthy prison sentences. Massachusetts imprisons Black people at 7.4 times the rate of white people and ranks first in the country in its Hispanic-white disparity of imprisonment (4.1 times).⁵

CONCLUSION

Thank you for your consideration. We respectfully urge the Economic Development Conference Committee to adopt raising the age of juvenile jurisdiction to include 18-year-olds as passed by the Senate (S.3221).

⁴ The Sentencing Project (Apr. 2018). Report to the United Nations on Racial Disparities in the U.S. Criminal Justice System. Online: <https://www.sentencingproject.org/publications/un-report-on-racial-disparities/>

⁵ Nellis, A. (2021). The Color of Justice: Racial and Ethnic Disparity in State Prisons. Online: <https://www.sentencingproject.org/reports/the-color-of-justice-racial-and-ethnic-disparity-in-state-prisons-the-sentencing-project/>