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Massachusetts gets mixed grades on freedom

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Massachusetts is known as the “cradle of liberty,” but a new report suggests the state has a mixed record of personal and economic freedoms.

The Cato Institute’s “Freedom in the 50 States” report, released last week, measures states against each other using 230 metrics of how their policies promote freedom in fiscal, regulatory and economic realms.

Massachusetts was ranked 30th in the nation for overall freedom by the self-described Libertarian think-tank, dropping from a 16th place spot in 2017.

The state placed 25th for personal freedoms, which include a variety of categories including victimless crimes, guns, tobacco, and education. That’s down from a 16th-place ranking just three years ago.

However, the Bay State was ranked No.1 for criminal justice, with the overall rate of incarceration and arrests for minor charges well below other states.

“It has long locked up fewer of its residents than the vast majority of other states,” the report’s authors wrote. “It also arrests fewer people for drugs and other victimless crimes than most other places.”

On fiscal policy, Massachusetts placed eighth in the nation, according to the report, which said the state’s derogatory “Taxachusetts” label is “a bit of a misnomer.”

“Massachusetts’s overall tax burden is just slightly higher than average, although individual income taxes are among the highest in the country,” the report’s authors wrote.

But the report noted that the state’s asset forfeiture law is “among the worst in the country, putting the burden of proof on innocent owners, giving proceeds to law enforcement, and requiring only probable cause for showing the property is subject to forfeiture.”

The state also ranked near the bottom for Second Amendment rights, which the group said were a “dead letter” over the state’s tough gun control regulations.

“The state tries to make guns as expensive as possible (locking mandates; dealer licensing; license to purchase any gun, with safety training) and virtually prohibits carry in public,” the report noted.

By comparison, New Hampshire ranked No. 1 for overall freedom by the group, which said the “Live Free or Die” state has “regained the crown” as the freest state in the nation after slipping to second place in last year’s report.

The Granite State also got high marks for personal freedoms, including victimless crimes, guns, tobacco, and education.

New Hampshire Gov. Chris Sununu boasted about the state's top rankings, posting on social media that he was "very proud to lead the nation and be a model for other states."

The Cato Institute suggested that Massachusetts could improve its fiscal ranking by reducing how much it spends on housing, community development and public welfare assistance.

The group said the state could improve its low regulatory rankings by repealing what it referred to as "outdated and cronyist" consumer protection regulations.

State leaders could also make the civil asset forfeiture regime more consistent with its top criminal justice score by requiring a criminal conviction before forfeitures, the group suggested.