

Helpful Probation Facts For Members of the Media

*“The Massachusetts
Probation Service:
A Legacy of Justice”*

2009 Revision

MASSACHUSETTS OFFICE OF
THE COMMISSIONER OF
PROBATION

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The Massachusetts Probation Service is a division of the Massachusetts Trial Court. Any reference to it as the State Probation Department or Probation Department, although commonly used by the media, is inaccurate.

In fact, the Massachusetts Probation Service is made up of 105 individual Probation Departments located in each of the Superior (12), District (62), Juvenile (11 divisions), Probate & Family (12 divisions) and Boston Municipal (eight divisions) courts. The Office of the Commissioner of Probation oversees the Massachusetts Probation Service. The Office of Community Corrections, an independent branch of the Office of the Commissioner of Probation, and the Massachusetts Trial Court Community Service Program fall under the jurisdiction of the Office of the Commissioner of Probation.

The Massachusetts Probation Service and the Massachusetts Parole Board are two separate entities. An individual, who is under the supervision of a Probation Officer, should be referred to as a “probationer” or an “offender” and never a “parolee.” A Probation Officer is not a “Parole Officer.”

Release of Information on Probationers

The Massachusetts Probation Service is not subject to the Public Information Act, according to **General Laws of Massachusetts, Chapter 276, Section 100**.

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General Laws of Massachusetts, Chapter 276, Section 100, states “Detailed reports of probation, work; records; accessibility of information.

“Information so obtained and recorded shall not be regarded as public record and shall not be open for public inspection but shall be accessible to the justices and probation officers of the courts...”

Information on probationer status is however available to the public. A probation spokesperson will confirm the following:

- **A person is on Probation.**
- **A probationer is or is not in compliance with the terms of their probation.**

Information regarding Youthful Offenders (ages 14-17)

Youthful offenders are subject to the same disclosure as adults. In Massachusetts, a Youthful Offender is a person who has committed an offense that would be punishable by imprisonment in the state prison if the person were an adult who has: (a) previously been committed to the Department of Youth Services or (b) committed an offense which involves the infliction of or threat of serious bodily harm or (c) committed certain other offenses, according to the “Handbook of Legal Terms for Judicial Branch Personnel,” published by the Judicial Institute. Probation information will not be provided on juvenile offenders.

For statistical information on the number of probationers in the state, see the **Massachusetts Probation Service Fact Sheet 2006**.