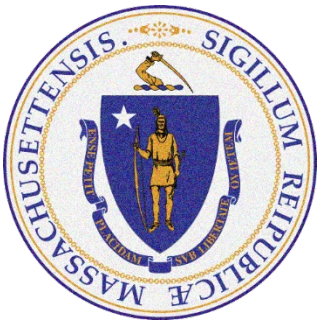
MASSACHUSETTS PAROLE BOARD
2020 ANNUAL STATISTICAL REPORT



Commonwealth of Massachusetts
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Karyn E. Polito, Lieutenant Governor

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MASSACHUSETTS PAROLE BOARD OVERVIEW

Introduction

The Massachusetts Parole Board ("the Parole Board") is an agency within the Executive Office of Public Safety and Security (EOPSS) with the decisional authority in the Commonwealth of Massachusetts for matters of parole granting, parole supervision, and revocation. The Parole Board has jurisdiction over all individuals committed to state or county correctional facilities for terms of sixty days or more, in accordance with M.G.L. c. 127, § 128, excluding those who are ineligible for parole. The agency serves the public, victims, inmates, parolees, and petitioners throughout the Commonwealth by conducting face-to-face parole release hearings, supervising parolees in the community, providing notice and assistance to victims and their families, and providing reentry services to individuals leaving custody, pursuant to M.G.L. c. 127, § 158.

The first legislation in the United States to authorize parole was enacted in Massachusetts in 1837. Although over the years there have been numerous legislative changes affecting parole in Massachusetts, the agency's core reentry mission remains the same.

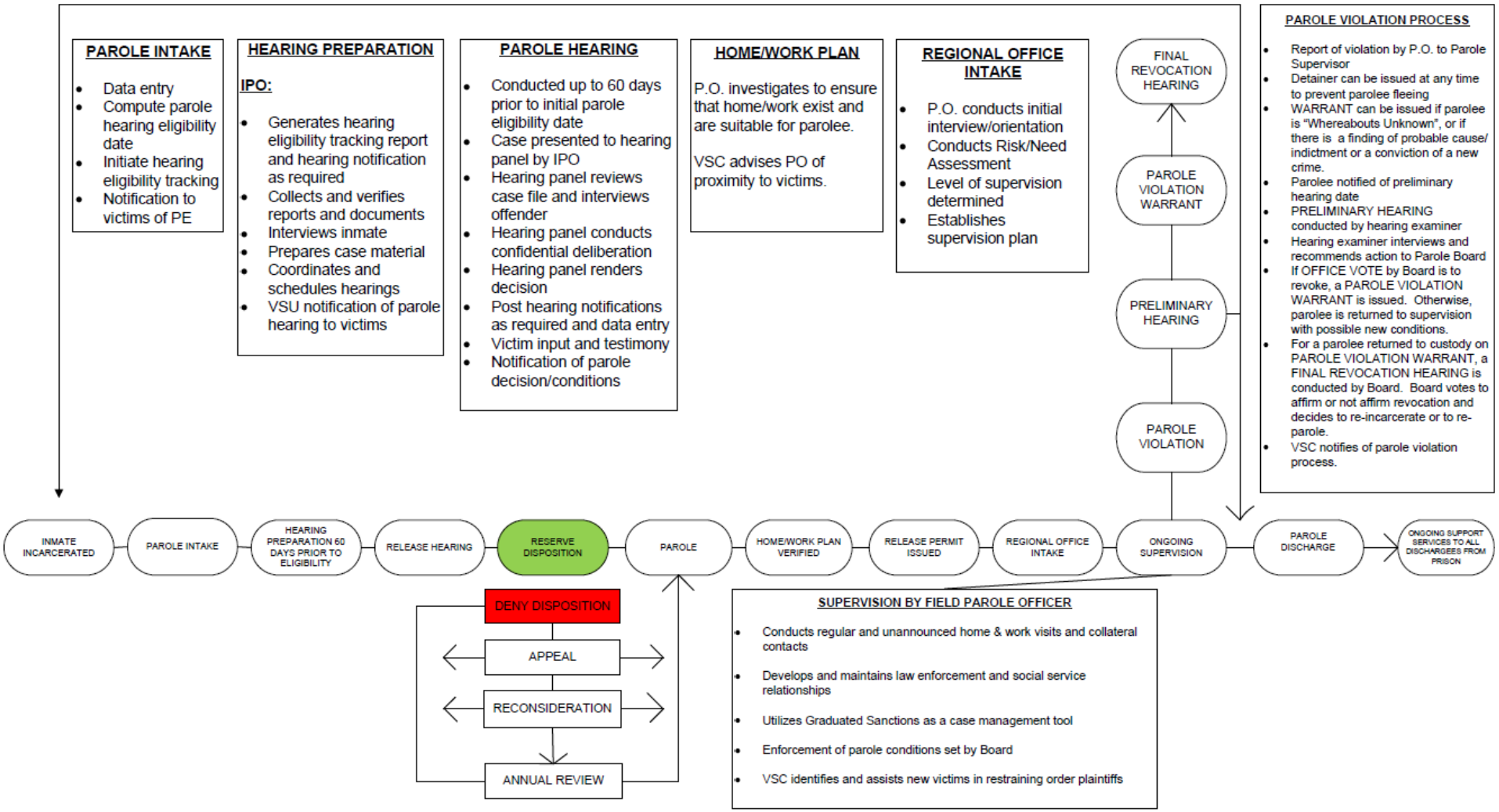
Mission

The Parole Board's overall mission is to promote public safety by the return of inmates to the community through supervised, conditional release, so that a successful transition from confinement to discharge from parole provides a basis for continued responsible conduct.

Parole Process

In Massachusetts, parole is the procedure whereby certain inmates are released prior to the expiration of their sentence, permitting the remainder of their sentence to be served in the community under supervision, subject to specific rules and conditions of behavior. The Parole Board has statutory responsibility for administering the parole process. It determines whether and under what conditions an eligible individual sentenced to a correctional institution should be issued a parole permit. Once released, it supervises all individuals released under parole conditions. It also determines whether alleged parole violations warrant revocation of parole permits. Figure 1 captures the Massachusetts parole process.

Figure 1. Discretionary Parole Process



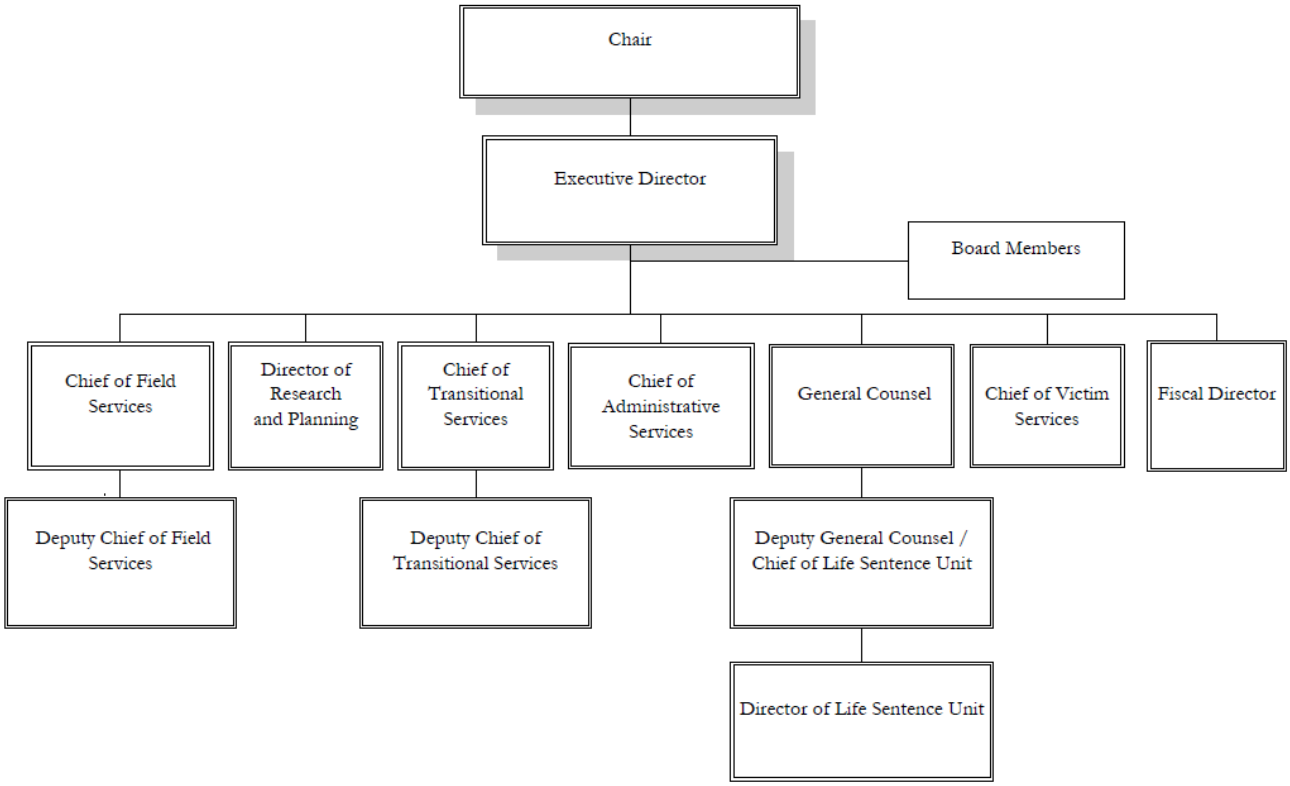
Organization Structure

The Chair of the Parole Board serves as the Executive and Administrative head of the agency, as well as the Commissioner of the Massachusetts Interstate Compact for Adult Offender Supervision (ICAOS). Each Board member, including the Chair, is appointed by the Governor to serve staggered five-year terms. The seven-member Board serves as the decision-making authority in release, rescission, and revocation determinations of inmates. Additionally, the Board functions as the Advisory Board of Pardons (ABP), making recommendations to the Governor on petitions for executive clemency.

As captured in the organizational chart (see Figure 2), there are eight divisions/units within the agency that work collaboratively to fulfill the common mission of the Parole Board. The Executive Director of the Parole Board assists the Chair by overseeing the operation of all units within the agency. The eight divisions/units include:

1. Transitional Services Unit (TSU)
2. Field Services Division (FSD)
3. Life Sentence Unit (LSU)
4. Victim Services Unit (VSU)
5. Office of the General Counsel
6. Research and Planning Unit (RPU)
7. Administrative Services Unit (ASU)
8. Fiscal Unit

Figure 2. Organizational Structure



The Parole Board's employees are assigned to every state and county correctional institution in the Commonwealth, regional field offices across the state, and at the Parole Board's central office.

LOOKING BACK AT 2020

2020 was a uniquely challenging year for the Parole Board, as well as the Commonwealth. On March 10, 2020, Governor Charlie Baker declared a state of emergency due to the COVID-19 pandemic.

Following the State of Emergency, the agency transitioned a portion of its staff to partial remote work to ensure the health and safety of its employees and their families. The agency further collaborated with other state agencies and outside vendors to supply personal protective equipment (PPE) for all agency staff. The Parole Board did not let the inability to conduct in-person hearings of inmates compromise the number of inmates that were seen for hearings. A seamless transition was made from in-person hearings to virtual hearings. The staff further did not allow COVID-19 to hinder the preparation of inmates for hearings, ensuring timely completion of assessment interviews for inmates.

Despite a significant reduction in the prison population, which resulted in fewer parole-eligible inmates compared to 2019, a higher proportion of hearing-eligible inmates were seen by the Parole Board. The Board also processed a much higher volume of office votes. Furthermore, the agency expedited the release process for inmates with positive Parole Board vote by increasing home plan options through the availability of new transitional and sober housing programs, expediting the process used to conduct home plan investigations, and the vetting of home plans by the Field Services staff to maximize the approval of suitable release opportunities. Despite the challenges of the pandemic, all units within the agency managed to function at full capacity, without compromising the overall mission of the Parole Board.

Below are summaries from the Transitional Services Unit (TSU), Field Services Division (FSD), and Victim Services Unit (VSU) that explain how each unit functioned in 2020, followed by some key statistics to summarize the agency's achievements in 2020.

LOOKING BACK AT 2020: Updates from Units

Transitional Services Unit (TSU)

The TSU staff adjusted quickly to the shift to partial remote work and were able to properly manage their duties, including conducting Level of Service/Case Management Inventory (LS/CMI) interviews for inmates, processing office votes and parole permits, and above all, successfully conducting all parole hearings via WebEx that used to be conducted face-to-face at institutions.

The TSU further facilitated 2nd Degree Life Sentence Hearings and Victim Access Hearings via WebEx. The TSU assisted the LSU by providing all required documents for 2nd degree life sentence inmates and facilitated LS/CMI Interviews for inmates on life sentence.

The TSU did not hire any new staff in 2020.

Field Services Division (FSD)

All nine Regional Field Offices operated without any interruption during the COVID-19 emergency.

The Training Unit within the FSD and the Fiscal Unit collaborated with the Massachusetts Emergency Management Agency (MEMA), EOPSS, Department of Correction (DOC), and outside vendors to supply PPE for all agency staff.

A new Regional Field Office, which houses Region 1, Region 2, and the Warrant Apprehension Unit was opened in Dorchester.

In partnership with the Behavioral Health for Justice Involved Individuals program (BH-JI), case management trainings including crisis intervention techniques, decreasing stigma among sex offenders, and reentry communications and collaborations were conducted. Via SAMHSA's GAINS Center for Behavioral Health and Justice Transformation online platform, specialized trainings on topics including safety and wellness, de-escalation techniques, mental health awareness, interpersonal communication and anger management skills were added for all field staff.

No Recruit Parole Officer class was held in 2020.

Victim Services Unit (VSU)

The VSU successfully operated remotely and assisted victims of crimes and their families throughout all parole events.

The VSU ensured a seamless transition from in-person hearings to virtual hearings by assisting victims, survivors, and family members on navigating the video-conferencing technology and remote hearing process to be able to attend virtual Victim Access Hearings.

In April 2020, the VSU secured an emergency procurement grant, which awarded Victims of Crime Act (VOCA) funds to support the Victim Service Coordinators (VSCs) in mitigating the impact of COVID-19. The grant enabled VSU to purchase nine new laptops and printers, which provided all unit members with the appropriate technology.

The VSU staff also provided virtual trainings to District Attorneys' office, educating them about the agency and the role of the VSU. Trainings were also provided to other victim service agencies to bring awareness of the types of services provided by the VSU staff.

LOOKING BACK AT 2020: Hearings and Office Votes

Hearings

In 2020, 3,625 parole-eligible inmates appeared before the Parole Board and received either a positive or denied vote. Out of these, 2,007 received a positive vote, resulting in a 55% paroling rate.

The 3,625 institutional hearings represented 56% of all hearing-eligible inmates, which exceeds the proportion of all hearing eligible inmates who received a positive or denied vote in 2019 (at 50%).

In 2020, a total of 254 hearings involved victim access.

Office Votes

A total of 3,095 office votes were processed in 2020, which is 33% higher than the number of office votes processed in 2019 (N=2328).

Due to the pandemic, the agency processed a much higher volume of office votes, namely reconsideration requests, change of vote requests, and appeal requests.

The agency also processed 87 early consideration requests that were submitted since April 1, 2020. Out of these, 79% were approved, and 55% of those approved were granted parole as of March 25, 2021.

LOOKING BACK AT 2020: Releases, Compliance Credits, Parole Violations, and Discharges

Releases:

Despite a general decline in the overall inmate population, 2,205 inmates were released to supervision, which approximates the number released in 2019 (N= 2,238). The agency achieved this by engaging in a multi-pronged approach to ensure that inmates with a positive vote achieved timely release by:

- Carefully vetting home plan to maximize the rate of suitable home approvals.
- Expediting the home plan investigation timeline by shortening the investigation period by one-half in most cases.
- Providing additional transitional and sober housing options, resulting in 16% of releases to these forms of housing.

Compliance Credits:

In 2020, 172 parolees were discharged early due to earning compliance credits. This was an increase from the 41 parolees who earned an early discharge in 2019.

Parole Violations:

From 2019 to 2020, there was a 12% increase in the number of reported violations, leading to a 10% increase in the use of graduated sanctions; however, there was a significant decline in the number of revocations by 21%. These figures reflect an increased use of more intervention-focused and community-based sanctions as an alternative to revocation of parole.

Discharges:

From 2019 to 2020, the successful parole discharge rate went up by 6 percentage points (from 70% to 76%) among all parolees who were serving either a house of correction or a department of correction sentence.

TRANSITIONAL SERVICES UNIT

The TSU is responsible for preparing all release, revocation, and rescission hearings to be heard by the Parole Board related to either the Commonwealth's Department of Correction (DOC) or county House of Correction (HOC). The division compiles necessary case information for the Parole Board Members to make an informed, balanced judgment. Duties include data entry for all inmates committed across the state, date calculations to determine parole eligibility and discharge dates, as well as case preparation for parole hearings. The case preparation for a parole hearing includes reviewing and investigating any inconsistencies in the parole eligible inmate's master file, analyzing and summarizing information for the Parole Board Member(s), interviewing the inmate and completing an assessment of his/her criminogenic factors, as well as acting as an agency liaison to the inmate as they prepare for their appearance before the Parole Board. The Level of Service/Case Management Inventory (LS/CMI) is conducted as a risk/needs assessment tool. This unit is also responsible for scheduling, coordinating, and facilitating all Parole Board hearings, as well as Parole Board office votes, with the exception of hearings organized by the LSU. The execution of all parole release permits and coordination of transition of inmates to the community is also the responsibility of the TSU. Finally, this unit tracks parole violation warrants and coordinates preliminary revocation hearings in conjunction with Hearing Examiners, for offenders who are returned to custody.

Release, Rescission, and Revocation Hearings

Three types of hearings are held across the Commonwealth of Massachusetts in correctional facilities: release, rescission, and revocation hearings. These hearings are all held with an inmate who is in custody and therefore, referred to as institutional hearings. Institutional hearings are primarily held in two locations: the HOC facilities, located in each county within the Commonwealth, and the state DOC facilities. There are also parole hearings held at the Parole Board's central administrative office, which include life sentence hearings and victim access hearings, which are separately reported.

Table 1 presents the number of all institutional release, rescission, and revocation hearings held in 2020 with either a positive or denied vote, broken out by facility type. In 2020, the Parole Board held 3,625 institutional hearings with either a positive or a denied vote. Out of the total, 64% of hearings were held for inmates housed in the county HOCs and the remaining 36% were held for inmates housed in the Massachusetts DOC. As a result of these hearings, 2,007 inmates were granted a positive parole vote. In the majority of cases, inmates receiving a positive vote are released to supervision in Massachusetts. They could also be released to out of state supervision through the Interstate Compact, to serve another state or federal sentence, or to Immigration and Customs Enforcement (ICE) custody where a determination of deportation would be made. In a small number of cases, inmates are also released to a Massachusetts DOC or HOC facility.

As presented in table 1, the number of positive votes this year resulted in an overall paroling rate of 55% for all inmates, with the paroling rate being higher (at 61%) among inmates from the HOC compared to 46% among inmates from the DOC, which is consistent with the historical trend. The paroling rate is calculated by dividing the number of hearings that resulted in a positive Parole Board vote by the sum of total hearings held that resulted in either a positive or denied vote.

Table 1. 2020 Institutional Release, Rescission, and Revocation Hearings.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
House of Correction	1,410	905	2,315	61%
Department of Correction	597	713	1,310	46%
Total	**2,007**	**1,618**	**3,625**	**55%**

Figure 3 shows the trend in paroling rates separately by the type of facility. Although the HOC and DOC paroling rates have fluctuated somewhat over the past six years, there is a modest upward trend in the paroling rates for both facilities, as captured by the trendlines in the figure below.

Figure 3. Trend in Paroling Rates for Release, Rescission, and Revocation Hearings.

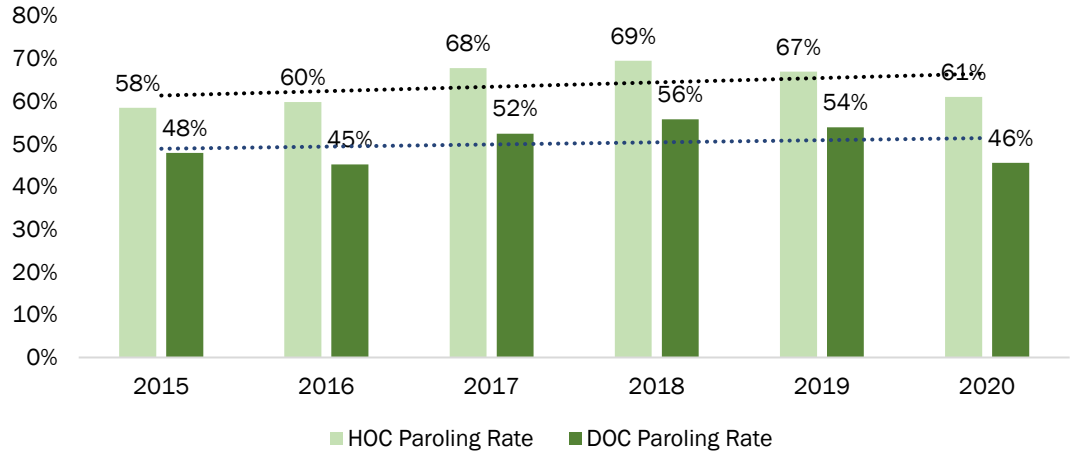


Table 2 provides the racial/ethnic breakdown for all institutional hearings with positive and denied votes.

Table 2. 2020 All Institutional Hearings Held with Positive or Denied Votes by Race/Ethnicity.

Race/Ethnicity	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate	% Denied
Caucasian/White	1,005	818	1,823	55%	45%
Hispanic/Latino	563	400	963	58%	42%
African American/Black	402	362	764	53%	47%
Asian/Pacific Islander	16	7	23	70%	30%
American Indian/Native Alaskan	1	1	2	50%	50%
Not Reported	20	30	50	40%	60%
Total	**2,007**	**1,618**	**3,625**	**55%**	**45%**

Release Hearings

Table 3 shows release hearings with either a positive or a denied vote for inmates housed in the Massachusetts DOC and HOC facilities.

Table 3. 2020 Release Hearings.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
House of Correction	1,296	779	2,075	62%
Department of Correction	496	643	1,139	44%
Total	**1,792**	**1,422**	**3,214**	**56%**

Table 4 further breaks out the release hearings by HOC facilities, which served as the hearing location.

Table 4. 2020 Release Hearings by House of Correction Facility.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate[1]
Barnstable County House of Correction	51	38	89	57%
Berkshire County House of Correction	43	32	75	57%
Bristol County House of Correction	126	79	205	61%
Dukes County House of Correction	1	0	1	n.a.
Essex County Correctional Alternative Center	117	40	157	75%
Essex County House of Correction	127	73	200	64%
Essex County Women in Transition Center	35	3	38	92%
Franklin County House of Correction	40	23	63	63%
Hampden County House of Correction	65	77	142	46%
Hampden County Pre-Release Center	43	13	56	77%
Hampshire County House of Correction	29	14	43	67%
Middlesex County House of Correction	105	73	178	59%
Norfolk County House of Correction	72	60	132	55%
Plymouth County House of Correction	65	61	126	52%
Suffolk County House of Correction[2]	165	88	253	65%
Western MA Recovery and Wellness Center	21	5	26	81%
Western MA Women's Correctional Center	45	9	54	83%
Worcester County House of Correction	146	91	237	62%
Total	**1,296**	**779**	**2,075**	**62%**

[1] Paroling rates are not provided where the sum of positive and denied votes is less than 5.
[2] A small subset of inmates were transported from Suffolk County House of Correction to Nashua Street Jail for their hearings.

Table 5 separates the release hearings by DOC facilities, which served as the hearing location.

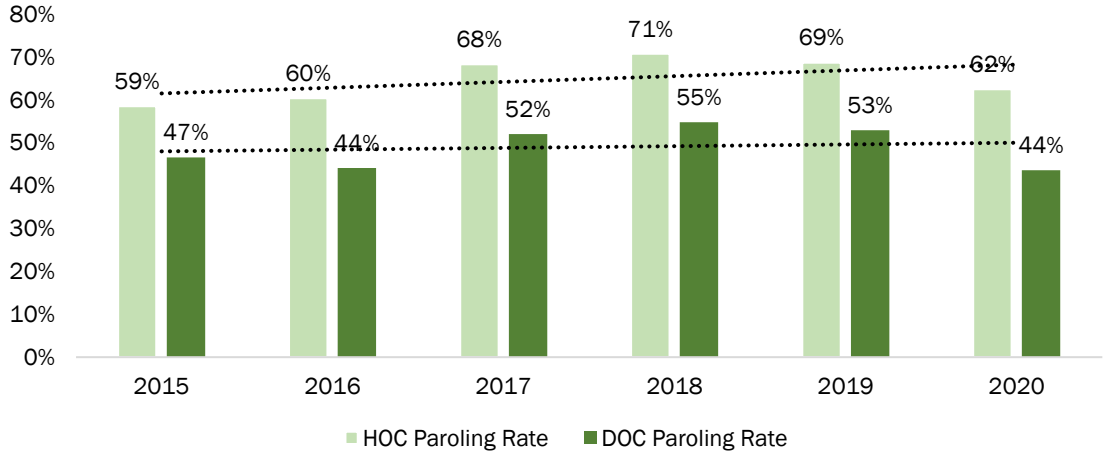
Table 5. 2020 Release Hearings by Department of Correction Facility.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate[3]
Boston Pre-Release Center	32	6	38	84%
Bridgewater State Hospital	0	0	0	n.a.
Lemuel Shattuck Hospital	0	1	1	n.a.
MA Treatment Center	5	102	107	5%
MASAC/MASAC @ Plymouth[4]	0	0	0	n.a.
MCI - Cedar Junction	23	16	39	59%
MCI - Concord	44	44	88	50%
MCI - Framingham[5]	19	10	29	66%
MCI - Norfolk	40	71	111	36%
MCI – Shirley (Medium and Minimum)	165	108	273	60%
NCCI – Gardner (Medium and Minimum)	20	70	90	22%
Northeastern Correctional Center	45	16	61	74%
Old Colony Correctional Center (Medium)	16	51	67	24%
Old Colony Correctional Center (Minimum)	15	12	27	56%
Out of State Cases	5	12	17	29%
Pondville Correctional Center	39	18	57	68%
South Middlesex Correctional Center	14	1	15	93%
Souza Baranowski Correctional Center	14	105	119	12%
Total	**496**	**643**	**1,139**	**44%**

Figure 4 summarizes the trend in paroling rates for only release hearings, separately by the type of facility.

[3] Paroling rates are not provided where the sum of positive and denied votes is less than 5.
[4] MASAC was relocated to the former site of MCI-Plymouth effective May 1, 2017 and is now referred to as MASAC at Plymouth. The number of release hearings held at MASAC at Plymouth in 2020 decreased in correlation with the total facility occupancy.
[5] Due to some Massachusetts counties not having housing for female inmates, numerous females serving county sentences are sentenced to serve at MCI-Framingham. Therefore, some of the hearings held at state facilities are for county sentenced inmates. The number of release hearings held at MCI-Framingham in 2020 decreased in correlation with the total facility occupancy.

Figure 4. Trend in Paroling Rates for Release Hearings.



Rescission hearings

Rescission hearings are held when the Parole Board exercises its discretion to re-visit a prior decision to grant parole, due to a change in circumstances following the date of the inmate's parole hearing to determine whether or not to withdraw, postpone, or allow the inmate's prior positive parole vote to stand. A change of circumstance that prompts the Parole Board to hold a rescission hearing could be when the inmate has received new disciplinary infractions for institutional misconduct or availability of new information since the date of the hearing (i.e. an outstanding warrant). Table 6 displays the paroling rate for rescission hearings by facility type.

Table 6. 2020 Rescission Hearings.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
House of Correction	43	34	77	56%
Department of Correction	31	23	54	57%
Total	**74**	**57**	**131**	**56%**

Revocation Hearings

Revocation is the process by which a parolee's parole permit may be permanently or temporarily revoked, as a result of violation of one or more conditions of parole. More information concerning parole violations, which may lead to a revocation hearing is available in the Field Services Division section of this report. Table 7 displays the paroling rate for revocation hearings by facility type.

Table 7. 2020 Revocation Hearings.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
House of Correction	71	92	163	44%
Department of Correction	70	47	117	60%
Total	**141**	**139**	**280**	**50%**

Hearing Waivers, Postponements, and Other Dispositions

Not all the inmates who are eligible for hearing will receive a disposition of positive or denied vote by the Parole Board. Table 8 below breaks out the population that was eligible for hearing in 2020.

Table 8. 2020 All Eligible Institutional Hearings.

Hearings	House of Correction	Department of Correction	Total	Percentage
Hearings Held with Positive or Denied Vote	2,315	1,310	3,625	56%
Waivers, Postponements, and Other Dispositions	2,200	647	2,847	44%
All Eligible Hearings	**4,515**	**1,957**	**6,472**	**100%**

Inmates and parolees may waive their right to a parole hearing, either prior to or during the hearing process. They may also postpone a scheduled parole hearing, at which time a postponement hearing date is scheduled. An inmate may postpone if they want to receive additional time to establish a plan for his or her parole, to resolve outstanding legal matters, or to have counsel present in situations where representation is needed. In rare instances, where it does not appear possible for a parole eligible inmate to receive an adequate parole hearing due to circumstances outside the inmate's control, the Parole Board may administratively postpone the inmate's hearing and request counsel to be appointed or work with appointed counsel in order to obtain the inmate's postponement.

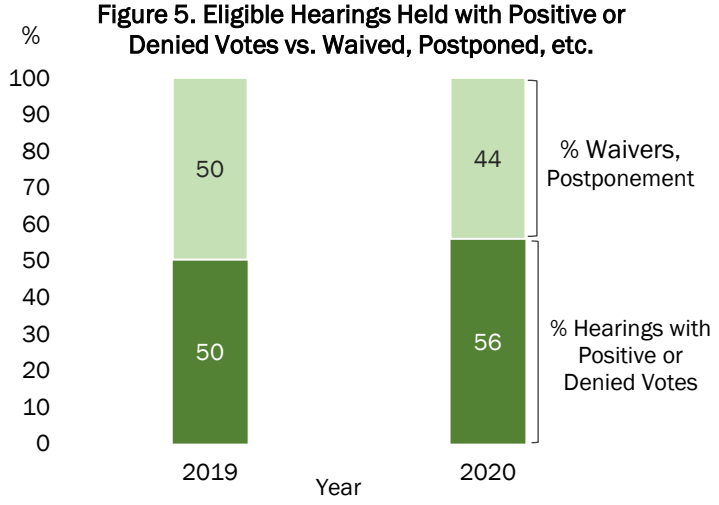
In addition to waivers and postponements, hearings may result in an action pending vote or other types of votes. These miscellaneous votes serve as an administrative disposition. For example, if a Board Member needs additional information to make an informed decision he or she may vote "action pending" for receipt of the desired document, and then make a final decision once the Parole Board has received the desired document. A hearing that results in a vote type of "other" may be because the inmate was sick and could not be seen (i.e., not seen), the Board Members voted in opposition (i.e., split decision), or the case needs to be put on the next available hearing list (i.e., PONAL). In these cases, the final disposition is captured by a subsequent hearing and disposition. Table 9 displays the breakdown for hearings without a Reserve or Denied disposition.

Table 9. 2020 All Institutional Hearings Without a Reserve or Denied Disposition.

Disposition	House of Correction	Department of Correction	Total
Postponed at Own Request	1,190	203	1,393
Postponed at Board Request	74	50	124
Waived Prior to Hearing	868	366	1,234
Waived at Hearing	11	3	14
Action Pending	21	6	27
Other	36	19	55
Total	**2,200**	**647**	**2,847**

Figure 5 below, compares the proportion of the eligible hearings with a positive or denied vote between 2019 and 2020.

Figure 5. Eligible Hearings Held with Positive or Denied Votes vs. Waived, Postponed, etc.



Office Votes

In addition to holding institutional hearings, the Parole Board makes decisions on parole related matters that do not require an in-person hearing. This is done by using documentation of the case to provide resolutions via office votes. Examples of office vote types include requests for change of vote, provisional rescissions and revocations, appeal, and reconsiderations. In 2020, the Parole Board processed 3,095 office votes (see Table 10). Due to the pandemic, the agency processed a much higher volume of office votes, namely reconsideration requests, change of vote requests, and appeal requests in 2020.

Table 10. 2020 Office Votes.

Office Vote Type	Total
Change of Vote Request	1,033
Request for Provisional Revocation	650
Reconsideration Request	477
Appeal Request	249
Mandatory Release Conditions Request	182
Request for Provisional Rescission	173
Special Consideration Request	87
Request for Out of State/Country Travel	62
Other[6]	182
Total	**3,095**

Furthermore, between April 1, 2020 and December 31, 2020, 87 special consideration requests were submitted. Out of these, 79% were approved and 21% were denied; out of those approved, 55% were granted parole, and 51% were released to parole supervision as of March 25, 2021.

Table 11. Special Consideration Requests Submitted (April 1, 2020 to December 31, 2020).

Total No. of Requests Submitted	87	Percentage
No. of Requests Denied	18	21%
No. of Requests Approved	69	79%
No. of Approved Requests Denied Parole	29	42%
No. of Approved Requests Granted Parole	38	55%
No. of Approved Requests Released to Parole Supervision	35	51%

Note: 2 approved early consideration requests have not had release hearings as of March 25, 2021

Institutional Risk/Needs Assessments

As a criminal justice agency with a commitment towards public safety, the Parole Board uses a risk/needs assessment instrument in making parole release decisions. The assessment identifies an individual's risk to recidivate, as well as reveals their criminogenic needs, which can then be incorporated into the parolee's case plan. The risk/needs assessment tool used by the Parole Board is the Level of Service Case Management Inventory (LS/CMI). The Parole Board implemented the LS/CMI in early 2013 as a tool to help in decisions to grant parole to inmates and for formulating appropriate supervision strategies for parolees. The LS/CMI categorizes risk to recidivate from very low to very high as set forth in Table 12. The institutional assessments captured in this table include those conducted by parole officers within the TSU as well as those conducted by Special Investigators within the LSU.

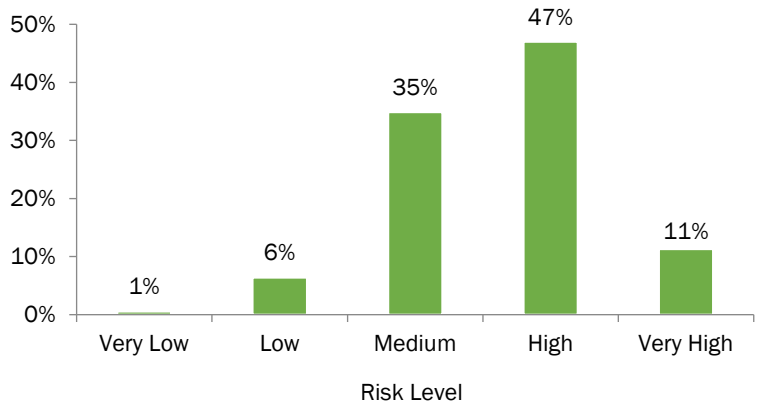
As summarized in Table 12, most of the institutional assessments scored at high risk level (47%), followed by medium risk (35%) and very high at 11%. Only 7% of assessments scored at low to very low risk.

[6] 'Other' includes all other office vote types that had a total of less than 50 in 2020, including withdraw warrant requests.

Table 12. 2020 LS/CMI Institutional Assessments by Risk Level.

Risk Level	Count	Percentage
Very Low	18	1%
Low	219	6%
Medium	1,194	35%
High	1,609	47%
Very High	386	11%
Total	**3,426**	**100%**

Figure 6. 2020 LS/CMI Institutional Assessments Risk Level Distribution.



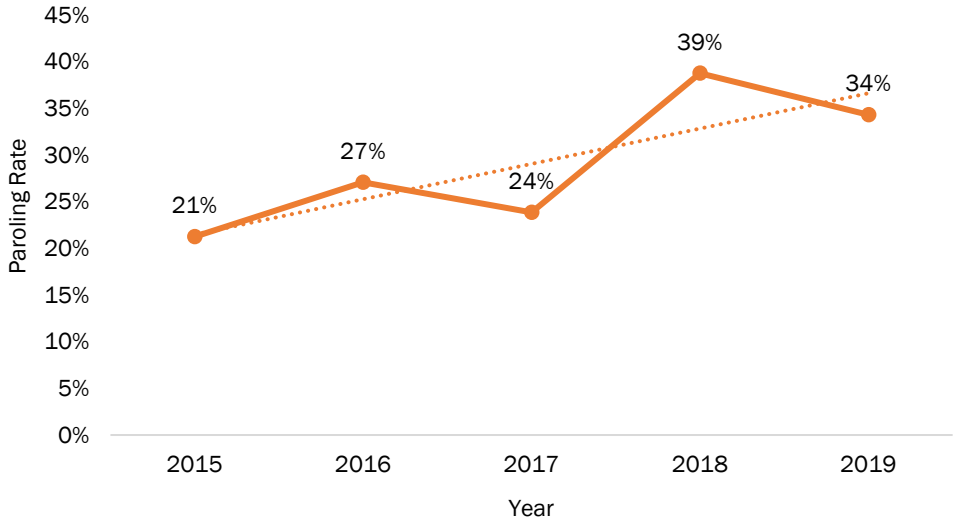
LIFE SENTENCE UNIT

The LSU is responsible for preparing all eligible inmates sentenced to life in prison for parole hearings. This includes gathering case materials, preparing case files for Parole Board members, interviewing inmates in preparation for hearings, and conducting the LS/CMI risk/needs assessments. The unit is responsible for maintaining the inmate's master file, which is a comprehensive compilation of documents and records related to the inmate's criminal history, institutional history, trial testimony, offender assessments, and additional evaluative information. The unit coordinates with affiliate agencies such as the District Attorneys' Offices, the Attorney General's Office, Massachusetts State Police, local police departments, and the DOC in order to obtain such materials. The unit organizes initial life sentence hearings and review hearings, which involves tracking initial parole eligibility and subsequent review hearing eligibility for life sentenced inmates. The unit also provides all necessary notifications of scheduled hearings at the Parole Board's central office and supplies notifications of subsequent decisions.

Life Sentence Hearings

There are two types of parole hearings for life sentenced inmates, initial and review. Adults sentenced to serve life in prison with the possibility of parole must serve no less than fifteen (15) years before being eligible for parole. The Parole Board holds the initial hearing within sixty (60) days of initial eligibility. If the Parole Board denies parole after the initial hearing, the inmate is provided with a subsequent review hearing at five years, or earlier, at the discretion of the Parole Board. Both the initial and review hearings take place before all seven members of the Parole Board at the Parole Board's central office and are open to the public. As these hearings are public, Records of Decision (RODs) on life sentence hearings are made available on the Parole Board's website. Statistics on paroling rates for those who had a life sentence hearing in 2020 will be published as an addendum at a later date, as some decisions remain pending. Figure 7 presents trend in paroling rates for life sentence hearings over the past five years.

Figure 7. Trend in Life Sentence Hearings Paroling Rates.



Juveniles with Life Sentences

In *Miller v. Alabama*, 132 S. Ct. 2455 (2012), the United States Supreme Court held that the "imposition of a mandatory sentence of life in prison without parole on individuals who were under the age of 18 when they committed the murder is contrary to the prohibition on 'cruel and unusual punishments' in the Eighth Amendment." Following the *Miller* decision, a juvenile who had been convicted of first-degree murder filed a petition challenging Massachusetts laws that required all individuals convicted of first-degree murder to serve life in prison without the possibility of parole. On December 24, 2013, the Massachusetts Supreme Judicial Court ruled in *Commonwealth v. Diatchenko*, 466 Mass. 655 (2013), that the statutory provisions mandating life without the possibility of parole were invalid as applied to juveniles who committed murder. The Court also determined that its holding was retroactive for all juveniles currently serving life sentences for first degree murder, and that Diatchenko (and others similarly situated) must be given a parole hearing.

After the Supreme Judicial Court's decision on December 24, 2013, the Parole Board identified cases in which offenders were under the age of 18 on the date of the offense, and were serving a sentence of life without parole for a conviction of first-degree murder.

VICTIM SERVICES UNIT

The VSU provides statewide assistance to victims of violent crimes whose offenders become parole eligible. It provides assistance to victims of homicide, domestic violence, sexual assault, child abuse, motor vehicle homicide, and other violent crimes. The unit provides critical services to victims and family members, including but not limited to:

- Serve as a source of information for parole eligibility, the parole decision-making process, parole supervision, and notification of parole events.
- Provide assistance in preparing victim impact statements and/or testimony for parole hearings.
- Accompany victims, parents/guardians of minor aged victims, and family members of homicide victims to parole hearings.
- Provide crisis intervention services.
- Request for parole conditions that increase the safety and wellbeing of victims.
- Provide safety planning.
- Offer information on victim compensation.
- Assist with Victim Notification Registration (VNR), which is also known as Criminal Offender Record Information (CORI) registration, that enables victims and family members to receive notification and services.
- Make referrals to appropriate criminal justice agencies and community-based victim service providers.

Victim Notifications

The VSU is responsible for providing victim notification for all parole related events, including notice of parole hearing dates, parole hearing decisions, and parole releases. The VSU is also responsible for providing victims and CORI registered petitioners with notification related to public parole hearings conducted for inmates sentenced to life in prison and clemency petitions. In 2020, the VSU sent 17,280 notifications of parole events to registered victims, surviving family members of homicide victims, and citizen-initiated petitioners.

Locating Victims for CORI Registration

The VSU is responsible for locating and providing outreach to victims and their families. The VSU continues to increase its efforts to identify victims of violent crimes who are not CORI Certified at the time of sentencing. The unit's efforts include education and outreach to both District Attorney Victim Witness Advocates and community-based victim service agencies. The VSU's active participation in more than 25 community collaborations and high-risk teams across the state has increased awareness of victim rights in the parole process and created a seamless network of services for crime victims. VSU's goal is to ensure through education, outreach, and cross-agency collaboration that each agency working with crime victims recognizes and understands post-conviction victim rights; and that every victim is advised of the importance of the CORI registration process to access post-conviction victim services. These services include timely notification, assistance, and referrals to appropriate resources. Through their investigative efforts, the VSU has successfully located and established 226 new CORI Registrations in 2020.

Victim Services at Parole Hearings

The VSU assists victims, family members, and survivors of homicide victims during Victim Access Hearings (VAH) and life sentence hearings. During these hearings, victims and family members are provided the opportunity to attend the parole hearing in person and give oral testimony. Victim Service Coordinators (VSCs) are experienced professionals who provide victims and family members with guidance, support, and information throughout each step of the parole process. There are three types of Victim Access Hearings.

- Type A: Offense resulted in death
- Type B: Offense was either violent or sexual in nature
- County: County sentences in which hearings are held in HOC (excluding Type A)

The following table provides the number of VAH and life sentence hearings in 2020 in which the VSU provided services to victims or families of victims, along with the total number of attendees at these hearings. The majority of hearings in which VSU provided its services comprised of life sentence hearings (at 51%) followed by Type B VAH hearings (at 19%), VAH county hearings (at 17%) and finally, Type A VAH hearings (at 13%).

Table 13. 2020 VSU Services Provided by Hearing Type.

Hearing Type	Number of Hearings	Percentage of Hearings	Number of Attendees	Percentage of Attendees
VAH (Type A)	33	13%	65	20%
VAH (Type B)	48	19%	72	22%
VAH (County)	43	17%	44	13%
Life Sentence	130	51%	150	45%
Total	**254**	**100%**	**331**	**100%**

OFFICE OF THE GENERAL COUNSEL

The Office of the General Counsel represents the Parole Board in all litigation affecting the agency in the state's trial courts and represents the agency in labor and employment matters. It further develops agency regulations and policies, and monitors and drafts parole related legislation. The primary role of the Board's General Counsel, and by extension the Office of the General Counsel as a whole, is to support and represent the Chair and the Board in all legal and policy matters. To that end, the General Counsel has been appointed a Special Assistant Attorney General for the purpose of representing the agency in state and federal court.

Hearing examiners, within the Office of the General Counsel, schedule and conduct preliminary revocation hearings and evaluations for provided counsel at all state and county correctional institutions, parole regional offices, and other designated locations. Evaluations for provided counsel are conducted prior to any parole hearings at a parolee's request. The Office of the General Counsel evaluates each request and grants a referral to the Committee for Public Counsel Services for appointment of counsel to any inmate who does not appear capable of effectively advocating for themselves at their parole hearing.

The Office of the General Counsel also reviews all pardon and commutation requests. In Massachusetts, the power to grant executive clemency, pardons and commutations is held by the Governor, with the advice and consent of the Massachusetts Governor's Council. Acting as the Advisory Board of Pardons, the Parole Board reviews all petitions for executive clemency submitted to the Governor for consideration and submits recommendations.

Preliminary Revocation Hearings

The Parole Board's hearing examiners schedule and conduct preliminary revocation hearings at all state and county correctional facilities, parole regional offices, and other designated locations. At preliminary revocation hearings, the hearing examiner determines whether there exists reasonable grounds to believe that a parolee has committed acts that constitute a violation of parole conditions, and if so, whether there is probable cause to provisionally revoke parole and hold the parolee in custody pending the result of a final revocation hearing. Following a hearing, the hearing examiner prepares a summary and submits a recommended decision to the Parole Board.

In 2020, the Parole Board's hearing examiners conducted 352 preliminary revocation hearings, which declined by 27% compared to the 483 preliminary revocation hearings that were held in 2019.

FIELD SERVICES DIVISION

The FSD is comprised of the central office management staff, nine regional parole field offices, and specialized units namely, the Interstate Compact Unit (ICU), the Warrant and Apprehension Unit (WAU), and the Training Unit. The division is primarily responsible for supervising and monitoring all parolees who have been released on parole by the Parole Board and/or via the ICU, as well as those on mandatory or medical release. Supervision duties include conducting home and work investigations, conducting home and community visits, and verifying parolee employment or programming. The duties further include ensuring parolee is in compliance with general and special conditions of parole, responding to any violations of Global Positioning Systems (GPS), administering substance abuse testing, conducting LS/CMI assessments, investigating and reporting on parole violations, making arrests, and transporting parole violators. Above all, the FSD plays a key role in assisting with successful reintegration of parolees into the community by building strong partnerships with community service providers, and referring parolees to treatment and programming that include referrals for employment, housing, medical services, and rehabilitation services.

Releases to Supervision

Releases resulting from a positive Parole Board vote are discretionary releases and make up the largest proportion of all releases to parole. As a result of the criminal justice reform laws passed in April 2018, in 2019, the Parole Board began to also supervise parolees issued a parole permit for mandatory release to supervision, as well as medical releases. A medical release occurs when an inmate's petition for medical parole is granted by the Commissioner of the DOC, pursuant to M.G.L. c. 127, § 119A. A mandatory release to supervision on the other hand is granted when a state inmate completes specific programs as determined by the DOC pursuant to M.G.L. c. 127, § 130B. Completing these programs earns completion credits, which deduct from an inmate's maximum sentence, allowing them to be eligible for mandatory release.

Table 14 breaks down the number of releases in 2020 by release type. In 2020, discretionary releases made up 91% of all releases to parole. The number of mandatory and medical releases went up in 2020 compared to 2019 when they first started, making up 8 and 1 percent of all releases, respectively (compared to only 2 and less than 1 percent of all releases in 2019).

Table 14. 2020 Releases to Supervision by Release Type.

Release Type	Released	Release Rate
Discretionary	2,003	91%
Mandatory	171	8%
Medical	31	1%
Total	**2,205**	**100%**

Table 15 disaggregates releases to parole supervision in 2020 by commitment type. In cases where an inmate serves one commitment type and is transferred to another (i.e., mixed sentence structure), the initial commitment type will be used for classification.

Table 15. 2020 Releases to Supervision by Commitment Type.

Commitment Type	Released	Percentage
House of Correction	1,193	54%
Department of Correction	905	41%
Out of State	105	5%
Reformatory	2	<1%
Total	**2,205**	**100%**

Upon release to parole supervision, most parolees serve the remainder of their sentence (i.e., current commitment) in the community under the supervision of a parole officer assigned to one of the nine regional offices. In some cases, however, an inmate may be granted parole but will not be released directly to the community. Some of these parolees may ultimately end up being supervised in one of the nine regional offices as well. Examples of this include but are not limited to: an inmate who is paroled from their current commitment to begin another consecutive sentence in a HOC, DOC, another state, or federal facility; an inmate who is paroled to a warrant in Massachusetts, another state, or federal jurisdiction; and an inmate who is paroled to ICE custody.

Parole releases are counted based on the initial parole of an inmate's current commitment and re-paroles. Re-paroles or re-releases are a subsequent discretionary parole on an inmate's current commitment (i.e., revoked, re-committed, and re-paroled). Releases from a detainer (i.e., warrant for temporary custody) are not included in the number of re-paroles. Table 16 below, summarizes releases to supervision in 2020.

Table 16. 2020 Releases to Supervision.

Release Type	Released	Re-Released	Total Released	% Total Released
MA Commitments Released to MA Supervision	1,774	158	1,932	88%
Out of State Commitments Released to MA Supervision	96	9	105	5%
MA Commitments Released to Out of State Compact Supervision	68	4	72	3%
MA Commitments Released to ICE Custody	64	0	64	3%
MA Commitments Released to a Federal or Another State's Warrant	29	1	30	1%
MA Commitments Released to MA Department of Correction Facility	1	0	1	<1%
MA Commitments Released to MA House of Correction Facility	1	0	1	<1%
Total	**2,033**	**172**	**2,205**	**100%**

Table 17 provides breakdown of the regional parole offices assigned to commitments that were released to supervision in Massachusetts. The regional office a parolee is assigned to is based on geographical proximity to the parolee's approved home plan.

Table 17. 2020 Releases to MA Supervision by Regional Office.

Location	Total Released	Percentage
Region 1 Dorchester	189	9%
Region 2 Dorchester	146	7%
Region 4 Worcester	230	11%
Region 5 Springfield	331	16%
Region 6 Lawrence/Lynn[7]	469	23%
Region 7 Brockton	217	11%
Region 8 New Bedford	357	18%
Region 9 Framingham	97	5%
Total	**2,036**	**100%**

Region 6 had the highest number of parolees released to MA supervision (at 23%) in 2020 while Region 9 Framingham had the lowest (at 5%).

Figure 8. 2020 Commitments Released to MA Supervision by Regional Office.

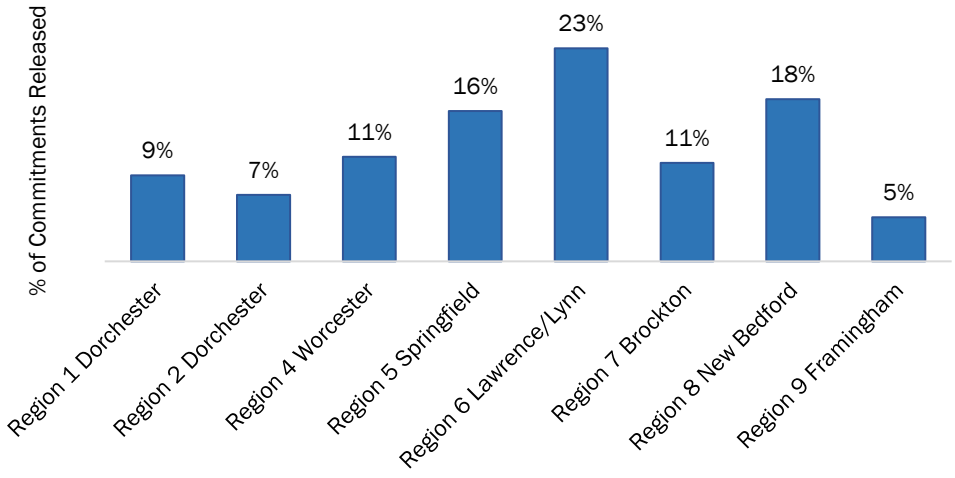


Table 18 provides a demographic breakdown for all parole releases in 2020. Consistent with gender breakdowns for releases historically, males accounted for the majority of releases to supervision (89%) compared to only 11 percent of females.

[7] Region 6 Lawrence includes Region 6A Lynn and Region 3 Lynn (Region 6A Lynn transitioned to Region 3 Lynn in March 2020).

Table 18. 2020 Releases to Supervision by Gender.

Gender	Released	Percentage
Male	1,970	89%
Female	235	11%
Total	**2,205**	**100%**

Table 19 below displays the racial/ethnic breakdown of parole releases to supervision, separately for HOC and DOC releases. Appendix A provides the racial/ethnic breakdown of the HOC and DOC hearing eligible population in 2020.

Table 19. 2020 Releases to Supervision by Race/Ethnicity.[8]

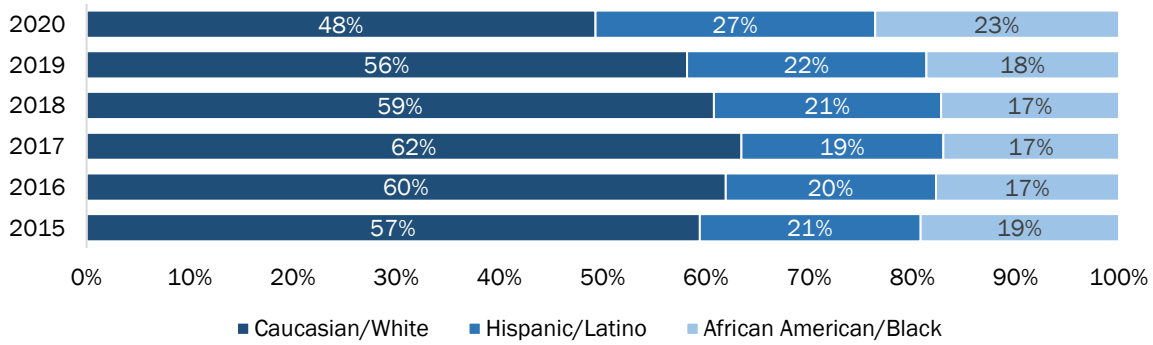
Race/Ethnicity	HOC		DOC		Out of State	All	
	N	%	N	%	N	N	%
Caucasian/White	665	56%	345	38%	58	1068	48%
Hispanic/Latino	284	24%	284	31%	17	585	27%
African American/Black	222	19%	259	29%	28	511*	23%
Asian/Pacific Islander	8	1%	11	1%	2	21	1%
American Indian/Native Alaskan	2	<1%	0	n.a.	0	2	<1%
Not Reported	12	1%	6	1%	0	18	1%
Grand Total	**1193**	**100%**	**905**	**100%**	**105**	**2205**	**100%**

*This number includes 2 releases from Reformatory.

Figure 9 below, displays the racial/ethnic composition among releases to supervision for the three major racial/ethnic groups over the past six years.

[8] Race/ethnicity data is based on information provided by the facility. Offenders reported as having a Hispanic/Latino ethnicity are categorized as such for their race/ethnicity.

Figure 9. Trend in Racial/Ethnic Composition among Releases to Supervision.

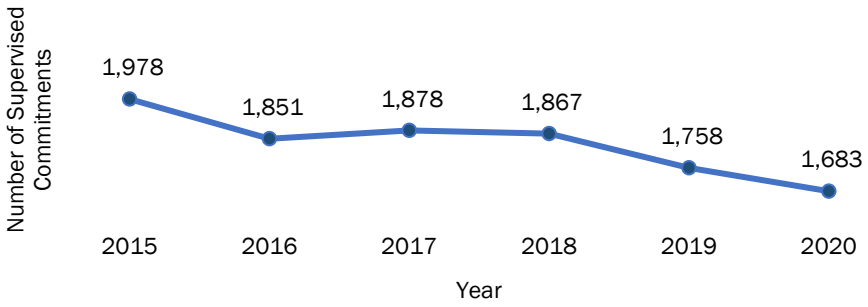


Active Supervision Caseload on 12/31/2020

At the end of 2020, there were **1,683 commitments** under the supervision of the Parole Board. Of these cases:

- **1,336** were being supervised in either one of parole's nine regional offices or under the Warrant and Apprehension Unit of the FSD,
- **211** were Interstate Compact cases, and
- **136** were incarcerated at either a state or county correctional facility (while either awaiting a final revocation hearing or serving a combination of sentences while on parole).

Figure 10. Trend in Total Commitments under MA Parole Board Supervision.



Parolee Monitoring

The Parole Board monitors parolees through the use of tools such as GPS. Monitoring with GPS allows the agency to actively track the whereabouts of parolees at any point in time during the supervision period. GPS also allows the Parole Board to set exclusion zones that the parolee must avoid while in the community. An exclusion zone is the area in or around a particular address that, if entered by the parolee, will immediately alert designated parole staff regarding the parolee's location.

There are four ways by which a parolee can be mandated to GPS supervision as a condition of their parole:

1) By Parole Board vote,
2) By Parole Board policy for a sex offense,

3) By Parole Board policy for a non-sex offense, but required to register with the Sex Offender Registry Board (SORB) for a prior sex offense and classified by SORB as a Level 3 or unclassified sex offender, and/or
4) By a parole supervisor in response to a graduated sanction, as an alternative to incarceration.

At the end of 2020, there were 457 parolees actively on GPS supervision. Throughout the year, there were 1,288 GPS activations as a condition of parole supervision (see Table 20).

Table 20. 2020 Global Positioning System Activations by Regional Office

Regional Office	Count
Region 1 Dorchester	133
Region 2 Dorchester	103
Region 4 Worcester	157
Region 5 Springfield	250
Region 6 Lawrence/Lynn[9]	177
Region 7 Brockton	174
Region 8 New Bedford	241
Region 9 Framingham	53
Total	1,288

Drug and Alcohol Testing

An important part of the Parole Board's community supervision strategy is the ability to conduct drug and alcohol testing. Parole officers use portable drug testing kits and breathalyzers, allowing for immediate access to test results. This type of testing not only provides officers with an effective supervisory tool, but also has a deterrent effect on parolees who know if they violate the conditions of their parole by using alcohol and/or illicit drugs, it will be quickly detected. In addition to parole officers conducting tests, substance use tests are conducted by authorized agencies and treatment programs.

During 2020, 125,902 drug and alcohol tests were conducted on parolees (measured by one test per specimen). Drug tests consisted of the following test types: Cocaine Test, Orallab Test Cup, Teststik, Oxycodone Test, Opiates Test, THC Test, Onsite Test Cup, Benzodiazepines Test, Amphetamines Test, and the iCup (i.e., oxycodone, morphine, benzodiazepines, THC, PCP, methamphetamines, cocaine).

[9] Region 6 Lawrence includes Region 6A Lynn and Region 3 Lynn (Region 6A Lynn transitioned to Region 3 Lynn in March 2020).

Breathalyzers were used for detecting alcohol use. Additional test types include those conducted by Community Corrections Centers and residential programs.

Table 21. 2020 Drug and Alcohol Tests by Regional Office

Regional Office	Count
Region 1 Dorchester	12,769
Region 2 Dorchester	12,370
Region 4 Worcester	11,211
Region 5 Springfield	20,931
Region 6 Lawrence[1]	29,535
Region 7 Brockton	10,951
Region 8 New Bedford	23,669
Region 9 Framingham	4,466
Total	**125,902**

Compliance Credits

In 2019, pursuant to M.G.L. c. 127, § 130C, the Parole Board established a policy and procedure for issuance of compliance credits to parolees for satisfactory conduct. To be eligible for compliance credits, parolees would have to meet the following criteria:

- An active parolee released on or after January 13, 2019
- Serving a state sentence
- Released on either discretionary or medical parole
- Supervised in one of the Parole regional offices
- Not be serving a life sentence.

Eligible parolees may earn up to fifteen compliance credits each month, leading up to their earliest parole discharge date based on adherence to their special conditions of parole. The accrued number of credits deducts from a parolee's parole discharge date, ultimately granting them an earlier discharge from parole supervision.

Table 22 exhibits the number and proportion of parolees who earned compliance credits out of all parolees who were eligible, by year of release to parole supervision, along with the average credits received by release year. While 56% of eligible parolees released to supervision in 2019 earned compliance credits, a higher proportion (at 64%) of eligible parolees released in 2020 earned compliance credits.

Table 22. Compliance Credits Earned by Year of Release.

Release Year	Eligible for Credits	Earned Credits	% Earned Credits	Avg. Credits Earned
2019	367	206	56%	45
2020	518	334	64%	31
Total	**885**	**540**	**61%**	**36**

The below table presents the number of parolees who were discharged early due to compliance credits, broken out by year of discharge from parole supervision. While only 41 parolees were discharged early due to compliance credits in 2019, in 2020, that number increased to 172 parolees, making up 81% of all early discharges due to compliance credits.

Table 23. Early Discharge from Parole Supervision due to Compliance Credits.

Discharge Year	Count	Percentage
2019	41	19%
2020	172	81%
Total	**213**	**100%**

Programs

Reentry Navigator Program

The Parole Board's Reentry Navigator Program (formerly known as Substance Abuse Coordinator Program) is a collaborative initiative between the Parole Board and the Department of Public Health's (DPH) Bureau of Substance Abuse Services (BSAS). In 2020, there were eight full-time Reentry Navigators, from licensed DPH service vendors, placed and working at each of Parole's regional field offices. Some of the basic duties of the Navigators include parolee intake, triage and referral functions, conducting substance abuse evaluations, providing outreach to service providers and DPH, and tracking and monitoring the progress of clients and treatment providers. The Navigators' services assist parolees in making a successful transition to communities across the state.

Parole Regional Reentry Centers

Parole Regional Reentry Centers (RRC) operate in eight regional areas. Each RRC is housed within the same site as the Parole's regional field offices. This gives the Navigators close proximity to the assigned field officer when a case needs to be supervised, reviewed, or sanctioned. Each center is open Monday through Friday, 9:00 AM to 5:00 PM. Onsite supervision of the Navigators are provided jointly by the RRC parole supervisor and the sub-contractor's Clinical Director. The parole officer provides the correctional supervision of the parole participants.

In 2020, the overall enrollment of all BSAS funded and/or licensed substance addiction services including the Parole Board's Reentry Navigator Program, decreased from previous years due to the pandemic. There were 437 RRC enrollments in 2020. The below table further breaks down 2020 enrollments by regional centers. Region 8 had the highest number of enrollments making up 58% of all enrollments while region 2 and 4 had the lowest enrollments, each region making up 3% of all enrollments.

Table 24. 2020 Enrollments in Reentry Navigator Program by Regional Center.

Regional Center	Count	Percentage
Region 1 Dorchester	35	8%
Region 2 Dorchester	11	3%
Region 4 Worcester	13	3%
Region 5 Springfield	76	17%
Region 6 Lawrence	31	7%
Region 7 Brockton[10]	--	--
Region 8 New Bedford	253	58%
Region 9 Framingham	18	4%
Total	**437**	**100%**

Transitional and Sober Housing Programs

Beginning in 2019, the Parole Board collaborated with the Massachusetts Probation Service (MPS), Community Resources for Justice (CRJ), the Sheriffs' Departments, and the DOC to place parolees at three transitional housing locations: Brooke House in Boston, McGrath House in Boston, and Foundation House in Springfield. In June 2020, a fourth location named There-Is-A-Solution (TIAS) was added in New Bedford. The goal of the transitional housing program is to expand services to other areas within Massachusetts, including Worcester County and Hampden County during Fiscal Years 2021 and 2022.

The transitional housing program is funded by the MPS. The program serves parolees, probationers, and discharged inmates. Parolees receive free housing for up to six months with case management and referral services. The Parole Board has been the largest referral source for this program. In 2020, a total of 135 parolees utilized the program across all four locations, as summarized in Table 25.

Table 25. Utilization of Transitional and Sober Housing Programs.

Date Range	MASH Sober Housing	Transitional Housing				Total
		Brooke House	McGrath House	Foundation House	TIAS	
01/01/2020 - 12/31/2020	--	63	37	21	14	**135**
05/01/2020 - 12/31/2020	212	--	--	--	--	**212**
Total	**212**	**63**	**37**	**21**	**14**	**347**

In order to support the goal of further reducing the prison population, and curtailing the spread of COVID-19, the Parole Board initiated a contract with the Massachusetts Alliance of Sober Housing (MASH) in May 2020. The contract enabled provision of eight weeks of paid sober housing upon release of parolees, probationers, and discharged inmates. MPS was further able to identify emergency funds to sustain the initiative during the first two months of FY 2021, pending the award of grant funding via the Coronavirus Emergency Supplemental Funding (CESF). The Federal grant funds will enable the initiative to continue

[10] Enrollment at the Brockton Regional Center was recorded separately and is not included in the table.

through August 31, 2021. Between its inception in May of 2020 and end of 2020, 212 parolees benefitted from this initiative.

The availability of both transitional housing and MASH sober housing grants in 2020 enabled the agency to provide additional home plan options to parolees, thus helping ensure timely release of inmates. Data supports that 16% of releases in 2020 were attributable to provision of transitional housing and MASH sober housing programs (347 out of 2205 releases utilized housing beds through transitional and MASH sober housing grants).

Behavioral Health for Justice Involved Individuals (BH-JI)

In September 2019, the Parole Board collaborated with the Executive Office of Health and Human Services (EOHHS), the MPS, the DOC, Middlesex County Sheriff's Office (MSO), and Worcester County Sheriff's Office (WCSO), along with Open Sky Community Services,[11] and Advocates[12] to refer high-risk individuals with acute behavioral health needs to an enhanced navigator program. EOHHS provided funding for this initiative. Navigators assist this specialized population by providing them with access to community-based behavioral health services. The project was piloted in Middlesex and Worcester counties, with the goal of expanding it statewide in FY2021 and FY2022. Since the program's implementation until the end of CY 2020, there were 1,053 referrals to the program across all agencies, and 681 participants had enrolled in the program. Out of these referrals and enrollees, there were 56 and 37 referrals and enrollees respectively from the Parole Board. It should be noted that while the majority of referrals and enrollees are not parolees, those referred and enrolled at the DOC and HOC will be eligible for continued services upon release from parole.

Field Services Risk/Needs Assessments

In addition to conducting LS/CMI risk/needs assessments at the institutions in preparation for parole hearings, field parole officers conduct reassessments using the same LS/CMI assessment after release of parolee in the community to apply effective supervision strategies. Outcomes of reassessments in the field can be used to ensure that parolees are receiving appropriate services in response to their case management needs.

Consistent with the previous year, in 2020, most field assessments conducted scored medium risk (48%), followed by low risk (37%), and only 8% and 6% scored high and very low risk, respectively (see Table 26). This is a stark difference compared to the risk level distribution seen at the institutional level earlier in this report with a majority scoring at high risk. This speaks to the lower risk level associated with the population that is deemed suitable for parole supervision based on the legal standard.

[11] Open Sky Community Services is a behavioral health service provider, headquartered in Worcester, Massachusetts.
[12] Advocates is a behavioral health service provider in multiple counties in Massachusetts.

Table 26. 2020 LS/CMI Field Assessments.

Risk Level	Count	Percentage
Very Low	49	6%
Low	292	37%
Medium	373	48%
High	62	8%
Very High	5	1%
Total	781	100%

Prison Rape Elimination Act ("PREA")

The Parole Board is committed to zero tolerance of any form of sexual abuse and sexual harassment. The agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control. In 2020, there was one PREA-related allegation of sexual abuse reported, which was investigated, found not substantiated, and closed without further action.

Graduated Sanctions

The Parole Board's policy for graduated sanctions is intended to provide consistency, transparency, fairness, and efficiency throughout the parole violation process. The installation of graduated sanctions as a case management tool denotes a controlled delegation of authority by the Parole Board to the officers in the FSD.

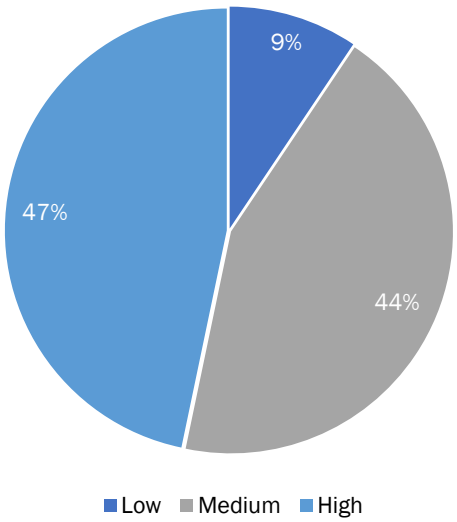
The guidelines for imposing graduated sanctions match the severity of the violation with the parolee's risk level to determine the appropriate treatment, intervention, and/or sanction. For example, if a low to medium risk offender has failed to attend substance abuse classes, yet continues to be employed and maintains a healthy lifestyle, then the parole officer has the discretion to sanction this violation of parole conditions by issuing a warning ticket, requiring the parolee to attend a meeting with the parole officer, or stage an intervention with a substance abuse counselor at one of the regional field offices. The parole officer has the discretion to engage these various graduated sanctions as an alternative to returning the parolee to custody for a parole revocation hearing and possible re-commitment to the original terms of their sentence. Administered at the discretion of the parole officer and/or parole supervisor, the Parole Board is notified of the graduated sanction, and it will be noted in the parolee's file.

If a parolee is willing to work with his or her parole officer, then the Parole Board will work toward that parolee's continued success. The Parole Board believes success is not achieved through the parolee's automatic return to custody in the event of a parole violation. The agency's primary mission, however, has been and will remain to ensure public safety. Therefore, if a parolee intentionally and willfully evades his or her parole officer, fails to participate in appropriate counseling, and has been deemed high risk, then a positive screen for drugs may result in that parolee's return to custody. In this instance, the Parole Board must balance its responsibility for public safety with its prevalence for keeping parolees in the community, under the supervision of parole officers.

In 2020, there were a total of 2,128 graduated sanctions issued based on 3,224 reported violations. A single graduated sanction can be issued for multiple violations. The risk distribution of parolees receiving these sanctions can be seen in the chart below. A graduated sanctions grid accounts for the parolee's risk level (i.e., risk to reoffend) as determined by the risk/needs assessment (LS/CMI), and the severity of the violation

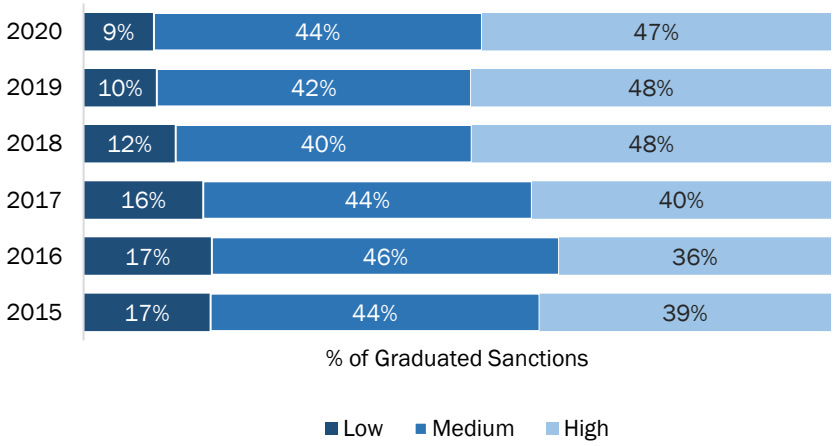
to make a decision as to the appropriate action in response to a violation. As in 2019, almost half of the graduated sanctions issued in 2020 were for parolees with a high risk level (47%), followed by those with medium risk level (44%).

Figure 11. 2020 Graduated Sanctions by Risk Level.



As presented in the chart below, the proportion of graduated sanctions imposed on high-risk parolees has increased over the past six years (from 39% in 2015 to 47% in 2020), while the proportion of sanctions imposed on low risk parolees has steadily decreased (from 17% in 2015 to 9% in 2020).

Figure 12. Trend in Graduated Sanctions by Risk Level.



Revocations

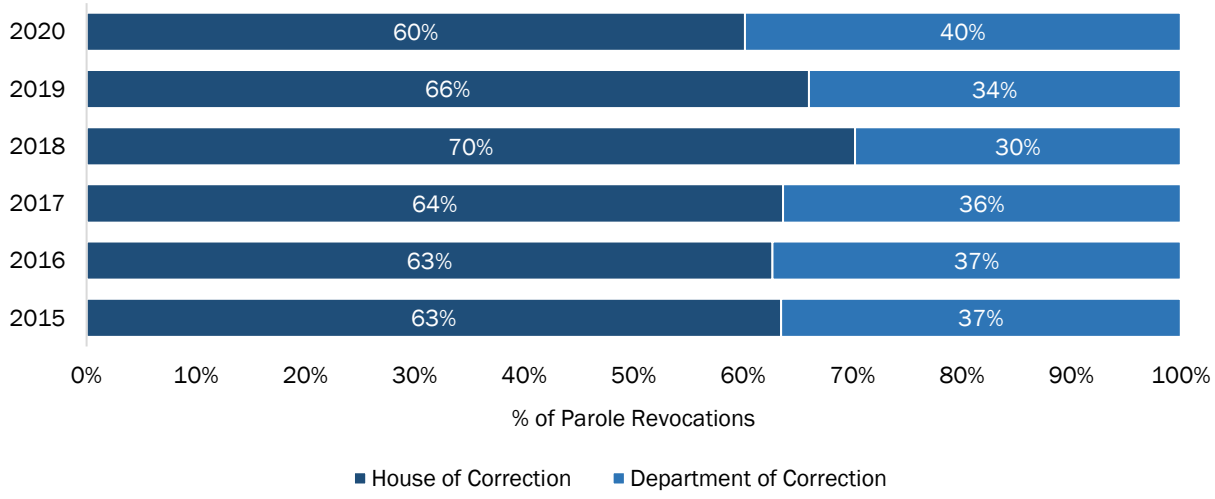
A revocation occurs when a parolee who violates a condition of their parole is re-committed to the terms of their original sentence, following a final revocation hearing. It should be noted that upon revocation of a discretionary parole, parolees do not necessarily serve the remainder of their commitment in a correctional facility. The Parole Board reassesses their suitability for re-parole. Table 27 presents revocations by commitment type, where the final revocation hearing resulted in a "revocation affirmed" vote. This includes all dispositions including reserves, denied, waivers, postponements, action pending, and PONAL. In 2020, 60% of the revocations comprised of HOC commitments while the remaining 40% were DOC commitments.

Table 27. 2020 Revocations by Commitment Type.

Commitment Type	Count	Percentage
House of Correction	272	60%
Department of Correction	180	40%
Reformatory	2	<1%
Total	**454**	**100%**

Parole revocations in Massachusetts have historically originated primarily from those serving an HOC sentence, which is also a reflection of the Massachusetts parole population that is heavily concentrated in county releases. Figure 13 below, captures the trend in parole revocations for the past six years.

Figure 13. Trend in Parole Revocations by Commitment Type.



The tables below provide demographic breakdown for all parole revocations in 2020.

Table 28. 2020 Revocations by Gender.

Gender	Count	Percentage
Male	402	89%
Female	52	11%
Total	**454**	**100%**

Table 29 details the racial and ethnic breakdown for revocations.

Table 29. 2020 Revocations by Race/Ethnicity.

Race/Ethnicity	Count	Percentage
Caucasian/White	244	54%
Hispanic/Latino	92	20%
African American/Black	113	25%
Asian/Pacific Islander	3	1%
American Indian/Native Alaskan	0	n.a.
Not Reported	2	<1%
Total	**454**	**100%**

Parole violations, which precede revocations, can be of two types: new arrest and non-arrest. Revocations that result from a new criminal charge (i.e., "new arrest") are typically initiated by law enforcement, and not the parolee's field parole officer. Non-arrest violations are violations of general and special conditions of parole, excluding those that involve new arrests or new criminal charges. However, non-arrest violations may include acts that involve criminal behavior that did not lead to new charges. Some revocations may result from both new arrest and non-arrest violations. For example, a parolee who is arrested for assault and battery, drug trafficking, or breaking and entering may be revoked for violations of parole conditions (i.e. non-arrest or technical violation), in addition to incurring new criminal charges (i.e. new arrest violation). Table 30 below, represents the revocations by parole violation type.

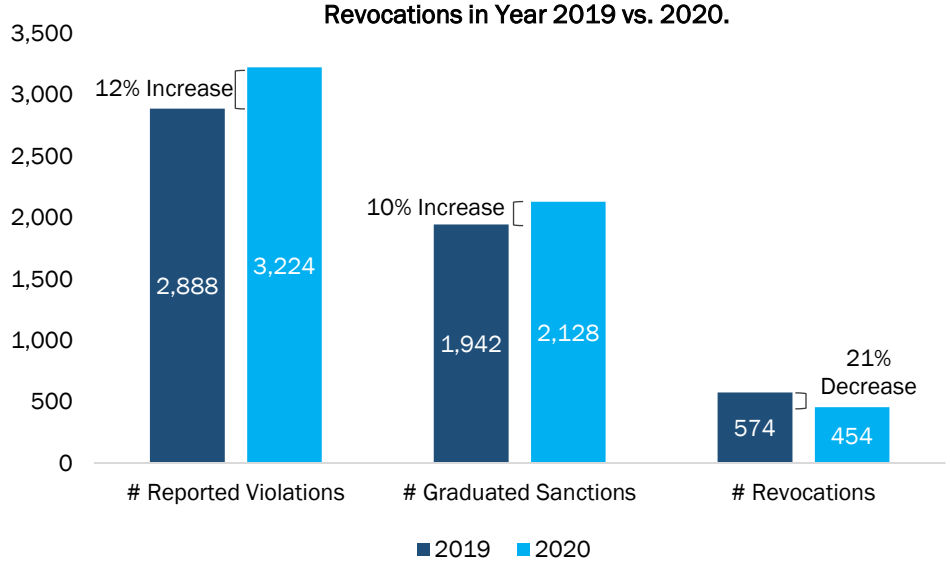
Table 30. 2020 Revocations by Parole Violation Type.

Type	Count	Percentage
Non-Arrest or Technical	368	81%
Both New-Arrest and Non-Arrest	70	15%
New Arrest	16	4%
Total	**454**	**100%**

Parole Violations, Graduated Sanctions, and Revocations

Figure 14 captures the increased use of more intervention-focused, community-based sanctions as an alternative to re-incarceration or revocation of parole.

Figure 14. Use of Graduated Sanctions as an Alternative to Revocations in Year 2019 vs. 2020.



Discharges from Supervision

As with releases to parole, discharges from parole supervision are also based on commitments. The counts in the table below are drawn from the point in time when the commitment was closed. A commitment can close for a variety of reasons, the most common of which is at the parole discharge date. However, parolees may be discharged for other reasons (e.g., Interstate Compact Case closed interest, Good Conduct Discharge after sentence completion from correctional facility, vacated/court release). In addition, parolees can discharge while under supervision by another authority. For example, a parolee may end a period of supervision while under the custody of ICE or another state's warrant. In a majority of cases however, discharge occurs while the parolee is under parole supervision in Massachusetts. Table 31 below, displays the discharges from supervision by commitment type.

Table 31. 2020 Discharges from Supervision by Commitment Type.

Commitment Type	Count	Percentage
House of Correction	1,123	62%
Department of Correction	590	33%
Out of State	96	5%
Total	**1,809**	**100%**

Table 32 and 33 provide a demographic breakdown for all parole discharges from supervision in 2020.

Table 32. 2020 Discharges from Supervision by Gender.

Gender	Count	Percentage
Male	1,601	89%
Female	208	11%
Total	**1,809**	**100%**

Table 33. 2020 Discharges from Supervision by Race/Ethnicity.

Race/Ethnicity	Count	Percentage
Caucasian/White	928	51%
African American/Black	491	27%
Hispanic/Latino	347	19%
Asian/Pacific Islander	17	1%
Not Reported	2	<1%
American Indian/Native Alaskan	24	1%
Total	**1,809**	**100%**

Table 34 below, represents discharges from supervision by type.

Table 34. 2020 Discharges from Supervision by Discharge Type.

Discharge Type	Count	Percentage
MA Commitments Closed from MA Supervision	1,430	79%
MA Commitments Closed from MA House of Correction Facility	119	7%
Out of State Commitments Closed from MA Supervision	92	5%
MA Commitments Closed from Out of State Compact Supervision	65	4%
MA Commitments Closed from ICE Custody	36	2%
MA Commitments Closed from Deported Custody	31	2%
MA Commitments Closed from MA Department of Correction Facility	19	1%
MA Commitments Closed from Federal or Out of State Warrant	17	1%
Total	**1,809**	**100%**

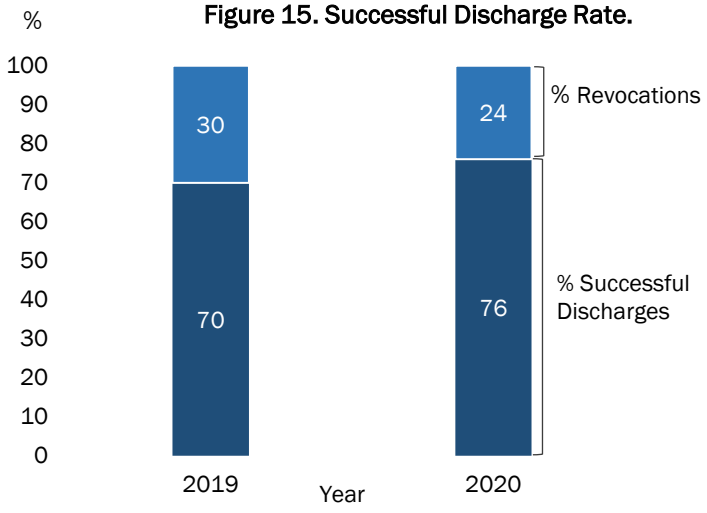
Among all commitments closed from Massachusetts parole supervision, a majority were successful discharges after first parole. Successful discharge rate can be derived by dividing the number of successful discharges by the sum of successful discharges and revocations; this can be used as an indicator of parolees' performance upon release to parole supervision. Table 35 captures successful discharges by commitment type. It should however be noted that parolees whose parole is revoked may be re-paroled, in which case, revocations will only capture a setback or failure for a short period of time. In fact, among the 452 parolees revoked in 2020, 133 (i.e. 29% of those revoked) were re-paroled, and 66 of them (i.e. 50% of those re-paroled) were successfully discharged from supervision by March 25, 2021.

Table 35. 2020 Successful Discharges by Commitment Type.

Commitment Type	Successful Discharges	Revocations	Successful Discharges + Revocations	% Successful Discharges
House of Correction	933	272	1,205	77%
Department of Correction	462	180	642	72%
Total	**1,395**	**452**	**1,847**	**76%**

Figure 15 compares the successful discharge rate in 2020 to that in 2019.

Figure 15. Successful Discharge Rate.



Interstate Compact Unit

The ICU, which lies within the FSD, coordinates the interstate transfer of parolees entering or leaving the state and oversees an active caseload of Massachusetts parolees residing out of state under the Interstate Compact. The ICU also supervises all Massachusetts inmates paroled to Immigration and Customs Enforcement (ICE) detainers and deportation warrants.

At the end of 2020, there were 211 commitments under supervision through the ICU. Parolee status through the ICU encompasses a variety of circumstances including supervision by another state's paroling authority and ICE custody through detainers or deportation warrants.

Throughout 2020, there were 136 commitments from Massachusetts released to the Interstate Compact to be supervised by other states or transferred to other types of custody. Of these cases:

- 72 Parolees were released to be supervised by another state's parole agency, and
- 64 parolees were released to ICE custody.

In addition, during 2020, there were 105 commitments from other states released to Massachusetts for parole supervision.

Warrant and Apprehension Unit

The Warrant and Apprehension Unit (WAU), which lies within the FSD, assists staff in the regional parole offices in locating and apprehending parolees who have violated their parole conditions and absconded from supervision. The unit also arranges for the apprehension of parolees who have fled the Commonwealth and monitors the Criminal Justice Information System (CJIS) for criminal activity among parole violators. The unit is also responsible for entering, updating, and removing parole violation warrants from the agency's database, as well as coordinating all required extraditions.

The primary function of the WAU is to assist regional parole offices in locating and arresting parole violators and returning them to custody. In addition to conducting these fugitive investigations, the WAU performs numerous other duties as listed below:

- Provides and coordinates security for all life sentence and VAH hearings at the central office in Natick, Massachusetts.[13]
- Enters, modifies, and cancels all Parole Board Warrants for Temporary Custody (WTC) and Warrants for Permanent Custody (WPC).
- Enters, modifies, and cancels information regarding lost or stolen agency equipment.
- Enters broadcasts regarding fugitives and completing extraditions.
- Monitors Criminal Justice Information Services databases.
- Processes all paroles from Massachusetts state and county facilities to out-of-state warrants and/or commitments, and supervises this caseload until release from out-of-state custody.
- Supervises a caseload of warrant cases held in custody out-of-state, ensuring extradition at the appropriate time.
- Maintains a caseload of whereabouts unknown cases, including Interstate Compact cases.
- Maintains the Parole Board's 'Most Wanted' list.
- Serves as the Parole Board's 'After-Hour Duty Station'.

Warrants

A warrant for detainer purposes (i.e., 15-day warrant) and an Interstate Compact warrant for detainer purposes (i.e., 60-day warrant) are referred to as Warrants for Temporary Custody (WTC). A WTC is issued when a parole officer has reasonable belief that a parolee has lapsed into criminal ways, has associated with criminal company, or has violated the conditions of his or her parole. The parole officer may then, with the consent of a parole supervisor or other superior officer, issue a WTC of the parolee. A WTC authorizes the detention of the parolee for a maximum time period of 15 days in the case of a parolee being supervised within the boundaries of Massachusetts, or 60 days in the case of a parolee being supervised by the authorities of another state pursuant to the terms of the Interstate Compact. The issuance of a WTC does not interrupt the parolee's sentence.

[13] In 2020, due to COVID-19 concerns, the WAU provided security on a limited basis for VAH and life sentence hearings. On occasions when it provided security during hearings at the central office, it ensured COVID-19 protocols were followed.

A Warrant for Permanent Custody (WPC) is an order of imprisonment of the parolee, which may be issued upon a finding that there exists probable cause to believe that the parolee has violated one or more conditions of parole. The parolee's supervision status upon issuance of a WPC, and the underlying sentence, resumes again upon service of the warrant. With an Interstate Compact warrant for detainer purposes and an Interstate Compact warrant for permanent custody, the Parole Board is authorized to issue and serve a warrant to detain parolees whom the Parole Board is supervising under the Interstate Compact.

As in 2019, the majority of warrants issued in 2020 were warrants for 15-day detainer purposes (51%). The second most common were warrants for permanent custody (45%), followed by the warrant for detainer purposes (60-Days) for ICU (4%).

Table 36. 2020 Warrants Issued by Type.

Warrant Type	Count	Percentage
Warrant for Detainer Purposes (15-Days)	644	51%
Warrant for Permanent Custody	575	45%
Warrant for Detainer Purposes (60-Days) - Interstate Compact Warrant	50	4%
Warrant for Permanent Custody - Interstate Compact Warrant	2	<1%
Total	1,271	100%

Arrests and Transportations to Custody

Parole officers have the authority to make arrests and transport offenders to custody. In 2020, WAU parole officers participated in the arrests of **585 offenders**. Those arrests included **240 parole violators (126** of them were whereabouts unknown at the time of arrest) and **345 non-parolees** through their inter-agency task forces and partnerships. The unit was also responsible for **254 prisoner transports**. Both the number of arrests and prisoner transports went up in 2020 compared to 2019 by 109 and 85 respectively, resulting in 23% and 50% increase in arrests and prisoner transports between the two years.

Extraditions

The WAU is also responsible for handling the extradition of parole violators being returned to Massachusetts from other states. The WAU works closely with law enforcement and correctional facilities across the nation in order to fulfill extraditions. In 2020, the WAU supervised the **extradition of 20 parole violators** from around the United States. This involves collaborating with the arresting states and ensuring that all legal extradition procedures are being followed.

Paroles to Out-of-State Warrants

The WAU processes all paroles from Massachusetts correctional facilities to out-of-state warrants and/or out-of-state commitments. This includes supervising parolees until their release from out-of-state custody. Approximately **60 parolees** were released to out of state warrants in 2020.

Warrant Cases In Custody Out-of-State

The WAU oversees all warrant cases held in custody out-of-state. The WAU supervises this caseload; it monitors inmate/parolee progress with the out-of-state correctional facility, and arranges extradition when the parolee is made available. The average caseload of warrant cases in custody out-of-state in 2020 was approximately **25 parolees**.

Warrant Cases – Whereabouts Unknown

The WAU has responsibility for whereabouts unknown parolees who abscond from supervision and are transferred to the WAU from a regional parole office, all sex offender parolees who abscond from supervision, and all Massachusetts parolees who abscond from Interstate Compact Supervision. Many of these cases involve parolees whose whereabouts have been unknown for decades. The caseload of warrant cases with status of whereabouts unknown at the end of 2020 was **68,** down by 10 from 2019, a 13% decline.

The Parole Board's Most Wanted List

The WAU maintains the 'Most Wanted' list. This list consists of parole violators who are considered to be high priority for apprehension and are deemed mandatory for extradition. The WAU responds to all law enforcement inquiries and follows up on civilian tips to assist in locating these offenders.

Twenty-Four Hour Duty Station

The WAU serves as the agency's 'Twenty-Four Hour Duty' station, responding to all emergency inquiries made after 5:00 pm and on weekends and holidays. All after-hour calls are received by the Massachusetts State Police Central Dispatch, who then contacts a member of the WAU for further handling. The WAU contacts the appropriate officer to ensure that each case has been addressed. If the assigned officer is unavailable, then the case is referred to the after-hour duty supervisor from a rotating list. The WAU processes more than 100 after-hour calls annually.

Partnerships

The WAU has become an integral part of the Massachusetts law enforcement community. This is a direct result of partnerships with local, state, and federal law enforcement agencies. The WAU has developed particularly strong ties with the Boston Police Fugitive Unit, Massachusetts State Police Violent Fugitive Apprehension Section, Federal Bureau of Investigation Southeast Major Gang Task Force, United States Marshals Service, Massachusetts DOC, MPS, Massachusetts Department of Youth Services, as well as county-level correctional facilities and local police departments across the state.

Training Office

The Training Office within the FSD is run by a field supervisor, who coordinates all relevant case management and law enforcement trainings, including recruit field parole officers' training and all required

annual in-service trainings for officers throughout the division. The Training Office also oversees the agency's Naloxone and AED (Automated External Defibrillator) programs.

In 2020, no recruit field parole officer class was held. Due to the pandemic, whenever possible, in-person learning was converted and delivered over remote learning platforms. Field parole officers are trained annually in areas such as LS/CMI assessments, case management, report writing, defensive tactics, first aid/CPR, naloxone administration, firearms qualification, and arrest and transportation techniques. In 2020, field officers were re-certified in LS/CMI assessments, and received training in MPTC CPR/First Responder, MPTC Firearms, and MPTC Defensive Tactics. In addition, 89 special state police officers received training. Interagency cross training was provided to the TSU. In partnership with BH-JI, trainings including crisis intervention techniques, decreasing stigma among sex offenders, and reentry communications and collaborations were conducted. Via SAMHSA's GAINS Center for Behavioral Health and Justice Transformation, specialized trainings on topics including safety and wellness, de-escalation techniques, mental health awareness, interpersonal communication and anger management skills were added for all field staff. The Deputy Chief of the FSD and the Training Unit head are now certified to teach fair and impartial policing training to anyone within the agency.

In response to the pandemic, the Training Unit together with the Fiscal Unit collaborated with MEMA, EOPSS, DOC, and outside vendors to supply Personal Protective Equipment (PPE) to all agency staff. Staff further received training and updates on COVID-19 protocols, and communicable disease police.

AGENCY GOALS

The following constitute the Massachusetts Parole Board's goals:

- Finalize the agency strategic plan.
- Continue collaborative efforts with different stakeholders to expand transitional housing opportunities for the reentry population.
- Collaborate with Massachusetts Probation Service to ensure continued annual funding for sober house beds.
- Identify opportunities to expand community interventions in lieu of re-incarceration of parolees.
- Expand collaboration with Executive Office of Health and Human Services along with other stakeholders to ensure statewide behavioral health services for justice involved individuals (BHJI).
- Maintain American Correctional Association standards pursuant to 2021 re-accreditation.
- Enhance efforts to digitize parole records and files.
- Ensure continued collaboration with the Department of Correction regarding Release to Supervision and Medical Release opportunities established by Council on State Governments legislation.

APPENDIX A

2020 All Eligible for Institutional Hearings by Race/Ethnicity						
Race/Ethnicity	HOC Hearings	%	DOC Hearings	%	All Eligible Hearings	%
Caucasian/White	2,397	53%	855	44%	3,252	50%
Hispanic/Latino	1,079	24%	527	27%	1,606	25%
African American/Black	868	19%	526	27%	1,394	22%
Asian/Pacific Islander	23	1%	12	1%	35	1%
American Indian/Native Alaskan	6	<1%	0	n.a.	6	<1%
Not Reported	143	3%	34	2%	177	3%
Total	**4,516**	**100%**	**1,954**	**100%**	**6,470**	**100%**

ADDENDUM

The information provided in this addendum is based on data collected as of December 2021. At the time of initial publication in September 2021, records of decisions for life sentence hearings held in 2020 had not yet been completed.

Table 37 shows life sentence hearings with either a positive or denied vote for both initial and review hearings.

Table 37. 2020 Life Sentence Hearings.

Hearing Type	Positive Votes	Denied Votes	Total Votes	Paroling Rate
Initial	4	31	35	11%
Review	58	34	92	63%
Total	**62**	**65**	**127**	**49%**

Table 38 displays the racial/ethnic breakdown of the 127 life sentence hearings.

Table 38. 2020 Life Sentence Hearings by Race/Ethnicity.

Race/Ethnicity	Positive Votes	Denied Votes	Total Votes	Paroling Rate	% Denied
Caucasian/White	22	26	48	46%	54%
Hispanic/Latino	15	12	27	56%	44%
African American/Black	22	26	48	46%	54%
Asian/Pacific Islander	2	0	2	100%	0%
American Indian/Native Alaskan	1	0	1	100%	0%
Not Reported	0	1	1	0%	100%
Total	**62**	**65**	**127**	**49%**	**51%**

The above life sentence hearings comprised of five 1st degree murder juvenile offenders as summarized in Table 39 below.

Table 39. 2020 Life Sentence Hearings: 1st Degree Murder Juvenile Offenders.

Hearing Type	Positive Votes	Denied Votes	Total Votes	Paroling Rate
Initial	1	1	2	50%
Review	3	0	3	100%
Total	**4**	**1**	**5**	**80%**

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