



EXECUTIVE OFFICE OF TECHNOLOGY SERVICES & SECURITY

COMMONWEALTH OF MASSACHUSETTS | 1 ASHBURTON PLACE, 8TH FLOOR, BOSTON, MA 02108

CHARLES D. BAKER
Governor

Curtis M. Wood
Secretary

KARYN E. POLITO
Lieutenant Governor

July 1, 2022

Steven T. James
House Clerk
State House Room 145
Boston, MA 02133

Michael D. Hurley
Senate Clerk
State House Room 335
Boston, MA 02133

Dear Clerk James and Clerk Hurley:

Pursuant to Chapter 69 of the Acts of 2018, the Executive Office of Technology Services and Security (EOTSS) is pleased to provide you with the enclosed report on Data Collection and Reporting in the Massachusetts Criminal Justice System produced by the Justice Reinvestment Policy Oversight Board.

I am grateful for your continued partnership with EOTSS. Please feel free to contact Scott Ahern at Scott.m.ahern@mass.gov should you have any questions about this report.

Sincerely,

A handwritten signature in cursive script that reads "Curtis M. Wood".

Curtis M. Wood
Secretary, Executive Office of Technology Services and Security



Data Collection and Reporting in the Massachusetts Criminal Justice System

A Report of the Justice Reinvestment Policy Oversight Board

June 13, 2022

Members of the Board

Member	Affiliation
<i>Secretary Curtis M. Wood, Chair</i>	Executive Office of Technology Services and Security
<i>Division Chief Alicia Rebello-Pradas</i>	Office of the Attorney General
<i>Honorable Paula M. Carey (through 2021)</i> <i>Honorable Jeffrey Locke (beginning 2022)</i>	Executive Office of the Trial Court
<i>General Counsel Susan Terrey</i>	Executive Office of Public Safety and Security
<i>Deputy Commissioner Michael Coelho</i>	Massachusetts Probation Service
<i>James Dixon</i>	Committee for Public Counsel Services
<i>Commissioner Carol A. Mici</i>	Department of Correction
<i>District Attorney Timothy Cruz</i>	Massachusetts District Attorneys Association
<i>Sheriff Peter J. Koutoujian</i>	Massachusetts Sheriffs Association
<i>Senator William N. Brownsberger</i>	Massachusetts State Senate
<i>Representative Carole A. Fiola</i>	Massachusetts House of Representatives
<i>Michael Molloy</i>	Massachusetts Bar Association
<i>Rahsaan D. Hall (through 2021)</i> <i>Ben Forman (appointed May 2022)</i>	American Civil Liberties Union of Massachusetts
<i>Brook Hopkins</i>	Criminal Justice Policy Program, Harvard Law School (appointed expert in addressing racial, ethnic, gender, or age bias)
<i>Dr. Rhiana Kohl</i>	Department of Correction (appointed expert in data collection and analysis)
<i>Gina Papagiorgakis</i>	Executive Office of Public Safety and Security Office of Grants and Research (appointed expert in data collection and analysis)

1. Introduction

The Justice Reinvestment Policy Oversight Board (the “Board”) was created in April 2018 with the passage into law of Chapter 69 of the Acts of 2018, [“An Act Relative to Criminal Justice Reform.”](#) The Board, chaired by the Secretary of the Executive Office of Technology Services and Security (EOTSS) and comprised of a broad spectrum of criminal justice agency heads and stakeholders inside and outside of state government, is charged with monitoring the development and implementation of justice reinvestment policies relative to the collection, standardization, and public availability of data to ensure they achieve anticipated goals.

The legislation requires that the Board file a report with the clerks of the Massachusetts House of Representatives and the Senate annually by July 1 that reviews the compliance of the criminal justice agencies and the Trial Court, including the Probation Service, the Parole Board, the Executive Office of Public Safety and Security (EOPSS), the Department of Correction, houses of correction, and county jails, with:

1. Collecting and submitting to EOPSS data required by section 18 ¾ of chapter 6A of the Massachusetts General Laws in the form of a cross-agency tracking system that uses a unique state identification number assigned to each person who enters the criminal justice system;
2. Making said data available to the public through the use of an application programming interface (API), as required by paragraph 12 of section 18 ¾;
3. Establishing data collection and reporting standards relative to recidivism rates for re-arraignment, reconviction, and reincarceration; and
4. Establishing data collection and reporting standards for reporting race and ethnicity data and policies that ensure accurate data collection across racial, ethnic, and gender classifications.

This is the Board’s fourth annual report and will primarily address the progress made towards compliance with M.G.L. c. 6A, § 18 ¾ since the previous report.

The Board convened six times in FY 2022 and continued its work to research, describe, and identify the current landscape with respect to data collection and reporting across criminal justice agencies, the purpose of which is to aid the agencies and offices subject to M.G.L. c. 6A, § 18 ¾ with furthering their efforts toward statutory compliance.

The following sections present the Board’s findings in each of the four areas listed above. The final section presents recommendations and additional considerations raised by the Board.

2. Cross-Tracking Data Collection System

EOPSS continues to advance the development of a cross-tracking data collection system encompassing executive department agencies and independent constitutional offices. Chapter 69 of the Acts of 2018 requires EOPSS to work together with EOTSS and criminal justice agencies to develop a uniform cross-tracking data collection system. The Act requires the participation of a broad range of agencies and independent offices, including the Trial Court and Massachusetts Probation Service, Massachusetts Parole Board, Department of Correction (DOC), 14 Sheriffs' offices, over 300 municipal police departments, the District Attorneys' offices, and the Office of the Attorney General.

During the past fiscal year, EOPSS, in consultation with EOTSS, engaged the consulting firm Gartner to facilitate the development and implementation of the cross-tracking data collection system and procured the services of Google and SpringML to carry out the technical development. To ensure coordination and track progress of the data collection system implementation, EOPSS also created and leads a cross-tracking Executive Steering Committee (ESC) and working groups, all composed of key stakeholders and subject matter experts. The ESC comprises executives from EOPSS, EOTSS, DOC, the Department of Criminal Justice Information Services (DCJIS), the Trial Courts and Probation Services, and the Sheriffs' offices, and is charged with providing guidance, resources, and authorization to execute tasks essential for implementation of the cross-tracking system.

The project achieved the following milestones this fiscal year:

1. EOPSS and the Trial Court executed a Memorandum of Understanding (MOU) to facilitate the necessary access to, and transmission of, data elements between the cross-tracking system and the Trial Court.
2. The agencies participating in the cross-tracking system executed a Data Use License Agreement (DULA) to establish the standards and conditions for the transmission, receipt, protection, and use of the data submitted to the cross-tracking system. The DULA establishes the authority and obligations of agencies as contributors to the system and for EOPSS as the agency maintaining the system. Signatories to the agreement include EOPSS, DOC, DCJIS, the Massachusetts State Police, the Parole Board, the Trial Court and Probation Services, and the 14 Sheriffs' offices.
3. EOPSS has established and documented a standardized process for custodial agencies to follow when booking offenders. The standardized booking practice includes processes for collecting the required data elements required under M.G.L. c. 6A, s. 18 ¾ consistently across custodial agencies and in a uniform format.
4. As of the writing of this report, EOPSS is in the process of finalizing a standard operating procedure for law enforcement agencies governing standardized data collection.
5. EOPSS, with assistance from EOTSS, has engaged Google and SpringML, which have developed the foundational architecture for the cross-tracking system and support data ingestion and transformation work. The system will ingest the data from the upgraded record management systems, link individuals' records across systems, anonymize the data, and display the data to the public.
6. At the time of writing this report, the system has received initial data feeds from the Trial Court, including the Massachusetts Probation Service, the Department of Correction, the Massachusetts State Police, and the fourteen Sheriffs' Offices.

EOPSS and Gartner continue to provide updates¹ to the Board on the project's progress and challenges encountered.

3. Public Accessibility of Data

The cross-tracking system in development by Google and SpringML will display de-identified data as required by paragraph 12 of M.G.L. c. 6A, s. 18 ¾. In the first phase of implementation, information will be publicly available in a dashboard format. Based on current project timelines, data collected by both the DOC and Sheriffs' Offices will be publicly available in the summer of 2022.

¹ Slides from these presentations to the Board can be found on the Board's web page: <https://www.mass.gov/orgs/justice-reinvestment-policy-oversight-board>.

The required data extraction for the first phase has begun, pulling data retrospectively from the Sheriffs' Offices, the DOC, and the Trial Court, dating back to January 1, 2017. Over 2.9 million records have been extracted, including 6.5 million event records.

For the populations of custodial agencies, the publicly available dashboards for phase one will reflect race, ethnicity, and the singular offense charged which governs an individual's custody. The dashboards will connect and display anonymized population data from the Sheriffs' Offices and the DOC, enable filtering of population data by offense categories, and incorporate data from the Trial Court (including Probation) to offer additional insight.

4. Data Collection and Reporting Standards

EOPSS promulgated 501 CMR 18 (Appendix A) on December 24, 2021, establishing common definitions of the data required to effectively implement the cross-tracking data collection system. While these regulations were being reviewed and drafted, board members received regular updates on their status and their offices had the opportunity to provide feedback before the regulations were finalized.

EOPSS also created and implemented a standard operating procedure for custodial agencies and is finalizing a similar document for law enforcement agencies (mentioned above) in order to facilitate standardized data collection consistent with the statutory requirements. DOC employees received training in January 2022 and subsequently have been collecting data in accordance with the standard operating procedure. Employees of the Sheriffs' Offices have received training as well and will be collecting data in accordance with the standard operating procedure as their respective record management systems are upgraded. These upgrades are scheduled to be completed by the end of summer 2022.

5. Recommendations and Considerations of the Board

Significant progress has been made over the course of the last year towards compliance with M.G.L. c. 6A, § 18 ¾. The Board remains invested in monitoring the continued progress and supports the overarching goal of improving the criminal justice system by enhancing the integrity, accuracy, consistency, and transparency of information. To that end, the Board recommends particular attention to the following items in FY 2023:

1. Continued support of EOPSS as it works toward the implementation of the cross-tracking data collection system.
2. A substantial challenge is that the criminal justice agencies, such as municipal police departments and District Attorneys' Offices, have legacy data systems that do not currently collect the information required by M.G.L. c. 6A, § 18 ¾. These older data systems, which are geared toward supporting agency tasks and not public-facing data collection, are not readily upgraded to collect the required data and operate the required data systems. Further examination will be conducted into the challenges presented by these legacy data systems to determine what investments, if any, are necessary to said agency's ability to seamlessly share data with the cross-tracking data collection system.
3. Following the release of the initial phase of the cross-tracking data collection system, conduct analysis on the prevalence of a unique identifier, and provide the Board with an understanding of its impact on the ability to join the disparate data sets maintained by each contributing agency, and whether expanded and uniform fingerprinting can improve the quality of the data included in the cross-tracking data collection system.