



Massachusetts

Department of Correction

Quarterly Report on the Status of Prison Overcrowding, Second Quarter of 2004

Submitted in Compliance with Chapter 799
Section 21 of the Acts of 1985

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2004 Second Quarter Report

Section Twenty-one of Chapter 799 of the Acts of 1985 directs the Commissioner of Correction to report quarterly on the status of overcrowding in state and county facilities. This statute calls for the following information:

Such report shall include, by facility, the average daily census for the period of the report and the actual census on the first and last days of the report period. Said report shall also contain such information for the previous twelve months and a comparison to the rated capacity of such facility.

This report presents the required statistics for the second quarter of 2004.

This report prepared by Pamela McLaughlin, of the Research and Planning Division, is based on daily count sheets.

2004 Second Quarter Report

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Technical Notes, 1996 to Present¹

- The official capacity or custody level designation for each facility can change for a number of reasons, e.g. expansion of facility beds, decrease of facility beds due to fire, or changes in contracts with vendors. In all tables, the capacity and custody level reflects the status at the end of the reporting period. The design capacity is reported for correctional facilities in Tables 1 through 6.
- Due to changes in the Massachusetts General Law, DOC consolidated one unit at the Bridgewater Treatment Center and back-filled with general population inmates. These design capacity beds were placed on-line November 8, 1996 and first appeared on the November 12, 1996 daily count sheet. Three hundred additional beds were placed on-line during the third quarter of 1997.
- Where relevant, the population figures for all facilities include both male and female inmates except shown at Lancaster.
- State inmates housed in the Hampshire County contract program are included in the county population tables, as are all other state inmates housed in county facilities.
- Beginning with the second quarter of 1998 quarterly report, the following county correctional facilities are presented individually: Bristol Dartmouth, Bristol Ash Street, David R. Nelson Correctional Addiction Center, and Bristol Pre-Release in Bristol County; Essex Middleton and Essex Lawrence Correctional Alternative Center in Essex County; Middlesex Cambridge and Middlesex Billerica in Middlesex County; Norfolk Braintree, Norfolk Dedham and Norfolk Contract in Norfolk County. Beginning with the third quarter of 1998 report, facilities for Suffolk and Hampden Counties are presented individually.
- Nashua Street inmates housed at other facilities are reported in the counts for the facilities in which they are in custody.
- On October 22, 1997, Eastern Massachusetts Correctional Alcohol Center (EMCAC) was renamed the David R. Nelson Correctional Addiction Center (DRNCAC).
- On May 18, 2000, the Braintree Alternative Center was temporarily closed for renovations by the Norfolk County Sheriff's Office. All inmates were transferred to the minimum security Pre-Release Center in Dedham.
- As of September 15, 2000, Longwood Treatment Center, male population, has been moved to the Massachusetts Boot Camp and the women were transferred to facilities housing female populations.
- As of September 22, 2000, Massachusetts Boot Camp no longer holds any medium security inmates.
- Due to DOC policy modification, the security level of Boston State Pre-Release was changed from Security Level 2 to Security Level 3/2 during the third quarter 2001.
- P.P.R.E.P. has been closed effective July 26, 2001
- Charlotte House has been closed effective November 9, 2001
- Effective November 16, 2001, NCCI Gardner added 30 beds to Security Level 3, per policy 101.
- May 20, 2002, NECC changed from a Security Level 3 to Level 3/2. The design capacity for Security Level 3 is 62 and for Security Level 2, the design capacity is 88.

• **Technical Notes, Continued**

- May 20, 2002, Pondville Correctional Center changed from a Security Level 3 to Level 3/2 with a design capacity of 100.
 - June 10, 2002, South Middlesex Correctional Center changed to a facility for female offenders.
 - June 22, 2002, Old Colony Correctional Center added a Level 3 housing unit. The design capacity for Security Level 5 is 480 and for Security Level 3, the design capacity is 100.
 - On June 30, 2002, the following institutions were closed; SECC (Medium), Hodder Cottage @ Framingham, MCI-Lancaster, The Massachusetts Boot Camp and the Addiction Center @ SECC.
 - As of July 1, 2002, the Massachusetts Boot Camp will now be known as the Massachusetts Alcohol and Substance Abuse Center (MASAC). Within MASAC is the Longwood Treatment Center Program, relocated on September 15, 2000. This program serves individuals incarcerated for operating under the influence of alcohol. Because the inmates are predominantly county sentenced inmates, the inmate count and bed capacity is also included in Tables 3 and 4.
 - The Treatment Center includes both civil and criminal populations.
 - As of April 5, 2002, Norfolk County no longer has any contract beds, all inmates are now held at the Norfolk County House of Correction.
 - As of April 5, 2002, Bristol County closed the Pre-Release facility and moved inmates to Bristol County House of Correction.
 - As of July 1, 2002, two housing units remain open at MCI-Shirley Minimum with a design capacity of 92.
 - The Longwood program was terminated on July 1, 2003 and the last inmate to leave the facility was on September 8, 2003.
 - On past Quarterly Overcrowding Reports, NCCI-Gardner (Minimum) was inadvertently shown under Security Level 3/2 instead of Level 3. This problem has been rectified.
 - Effective February 5, 2004, Boston State Pre-Release Center had a change in design capacity. The new capacity is 150. 100 beds are Pre-Release and 50 beds are Minimum.
-

- On April 18, 1995, new security level designations were established according to 103 DOC 101 Correctional Institutions/Custody Levels policy which states

Custody Levels:

- **Level One.** The least restrictive in the department and is reserved only for those inmates who are at the end of their sentence and have been identified as posing little to no threat to the community. Supervision is minimal and indirect.

- **Level Two.** A custody level in which both design/construction as well as inmate classification reflect the goal of restoring to the inmate maximum responsibility and control of their own behavior and actions prior to their release. Direct supervision of these inmates is not required, but intermittent observation may be appropriate under certain conditions. Inmates within this level may be permitted to access the community unescorted to participate in programming to include, but not limited to, work release, educational release, etc.

- **Level Three.** A custody level in which both the design/construction as well as inmate classification reflect the goal of returning to the inmate a greater sense of personal responsibility and autonomy while still providing for supervision and monitoring of behavior and activity. Inmates within this security level are not considered a serious risk to the safety of staff, inmates or to the public. Program participation is mandated and geared toward their potential reintegration into the community. Access to the community is limited and under constant direct staff supervision.

- **Level Four.** A custody level in which both the design/construction as well as inmate classification reflect the goal of restoring to the inmate some degree of responsibility and control of their own behavior and actions, while still insuring the safety of staff and inmates. Design/construction is generally characterized by high security parameters and limited use of internal physical barriers. Inmates at this level have demonstrated the ability to abide by rules and regulations and require intermittent supervision. However, behavior in the community, i.e., criminal sentence and/or the presence of serious outstanding legal matters, indicate the need for some control and for segregation from the community. Job and program opportunities exist for all inmates within the perimeter of the facility.

- **Level Five.** A custody level in which design/construction as well as inmate classification reflect the need to provide maximum external and internal control and supervision of inmates. Inmates accorded to this status may present an escape risk or pose a threat to other inmates, staff, or the orderly running of the institution, however, at a lesser degree than those at level 6. Supervision remains constant and direct. Through an inmates willingness to comply with institutional rules and regulations, increased job and program opportunities exist.

- **Level Six.** A custody level in which both design/construction as well as inmate classification reflect the need to provide maximum external and internal control and supervision of inmates primarily through the use of high security parameters and extensive use of internal physical barriers and check points. Inmates accorded this status present serious escape risks or pose serious threats to themselves, to other inmates, to staff, or the orderly running of the institution. Supervision of inmates is direct and constant.

Abbreviations

| | | | |
|--------|---|-------|---|
| AC | Addiction Center | NCCI | North Central Correctional Institution at Gardner |
| ADP | Average Daily Population | OCCC | Old Colony Correctional Center |
| ATU | Awaiting Trial Unit | OUI | Operating Under the Influence |
| CRS | Contract Residential Services Includes Charlotte House, and Houston House | PPREP | Pre-Parole Residential Environmental Phase Program |
| DDU | Departmental Disciplinary Unit | PRC | Pre-Release Center |
| DOC | Department of Correction | SBCC | Souza-Baranowski Correctional Center |
| DRNCAC | David R. Nelson Correctional Addiction Center | SECC | Southeastern Correctional Center |
| DSU | Departmental Segregation Unit | SDPTC | Sexually Dangerous Person Treatment Center |
| HOC | House Of Correction | SMCC | South Middlesex Correctional Center(formerly SMPRC) |
| LCAC | Lawrence Correctional Alternative Center | SH | State Hospital |
| NECC | Northeastern Correctional Center | TC | Treatment Center (Longwood) |

Table 1 provides the DOC figures for the second quarter of 2004. As this table indicates, the DOC population (excluding Bridgewater SH, SDPTC and county inmates at the Massachusetts Alcohol and Substance Abuse Center) decreased by 37 inmates, from the first day of the second quarter to the last day of the quarter. At the end of the quarter, the DOC operated with 8,895 inmates in the system, and the average daily population was 8,889 with a design capacity of 6,754. Thus, the DOC operated at 132 percent of design capacity.

Population in DOC Facilities, April 5, 2004 to June 28, 2004

| Custody Level/Facility | Avg. Daily Population | Beginning Population | Ending Population | Design Capacity | % ADP Capacity |
|-------------------------------|------------------------------|-----------------------------|--------------------------|------------------------|-----------------------|
| Custody Level 6 | | | | | |
| Cedar Junction | 647 | 666 | 622 | 633 | 102% |
| SBCC | 1,001 | 1,014 | 995 | 1,024 | 98% |
| Framingham –ATU | 203 | 186 | 230 | 64 | 317% |
| Custody Level 5 | | | | | |
| OCCC | 756 | 763 | 750 | 480 | 158% |
| Custody Level 4 | | | | | |
| Bay State | 295 | 295 | 292 | 266 | 111% |
| Concord | 1,097 | 1075 | 1,111 | 614 | 179% |
| Framingham | 461 | 469 | 449 | 388 | 119% |
| Norfolk | 1,429 | 1,433 | 1,439 | 1,084 | 132% |
| Shirley-Medium | 1,082 | 1,084 | 1,081 | 720 | 150% |
| NCCI | 966 | 969 | 968 | 568 | 170% |
| Sub-Total | 7,937 | 7,954 | 7,937 | 5,841 | 136% |
| Custody Level 3 | | | | | |
| NCCI | 27 | 30 | 28 | 30 | 90% |
| Plymouth | 182 | 189 | 180 | 151 | 121% |
| Shirley Minimum | 48 | 49 | 49 | 92 | 52% |
| OCCC Minimum | 102 | 102 | 99 | 100 | 102% |
| Custody Level 3/2 | | | | | |
| Boston State | 90 | 97 | 89 | 150 | 60% |
| NECC | 219 | 222 | 216 | 150 | 146% |
| Pondville | 188 | 196 | 188 | 100 | 188% |
| SMCC | 92 | 88 | 106 | 125 | 74% |
| Sub-Total | 948 | 973 | 955 | 898 | 106% |
| Custody Level 1 | | | | | |
| Houston House | 4 | 5 | 3 | 15 | 27% |
| Sub-Total | 4 | 5 | 3 | 15 | 27% |
| Total | 8,889 | 8,932 | 8,895 | 6,754 | 132% |
| Custody Level 4 | | | | | |
| State Hospital@Bridgewater | 339 | 342 | 329 | 227 | 149% |
| *Treatment Center | 591 | 580 | 601 | 561 | 105% |
| Custody Level 3 | | | | | |
| MASAC | 185 | 195 | 191 | 236 | 78% |
| Sub-Total | 1,115 | 1,117 | 1,121 | 1,024 | 109% |
| Grand Total | 10,004 | 10,049 | 10,016 | 7,778 | 129% |
| Houses of Correction | 360 | 385 | 329 | n.a. | n.a. |
| Federal Prisons | 5 | 5 | 5 | n.a. | n.a. |
| Inter-State Contract | 71 | 71 | 71 | n.a. | n.a. |

(*See Technical Notes

Table 2 provides the DOC figures for the previous twelve months – i.e., for the period April 7, 2003 to March 29, 2004. These figures indicate that the DOC population increased by 104 inmates over this twelve month period (excluding AC, Bridgewater SH, SDPTC and inmates at the Massachusetts Alcohol and Substance Abuse Center), from 8,812 to 8,916 in March 2004.

Population in DOC Facilities, April 7, 2003 to March 29, 2004

| Custody Level/Facility | Avg. Daily Population | Beginning Population | Ending Population | Design Capacity | % ADP Capacity |
|-------------------------------|------------------------------|-----------------------------|--------------------------|------------------------|-----------------------|
| Custody Level 6 | | | | | |
| Cedar Junction | 703 | 682 | 671 | 633 | 111% |
| SBCC | 1,000 | 166 | 189 | 1,024 | 98% |
| Framingham –ATU | 191 | 1,029 | 1,007 | 64 | 298% |
| Custody Level 5 | | | | | |
| OCCC | 758 | 686 | 767 | 480 | 158% |
| Custody Level 4 | | | | | |
| Bay State | 294 | 284 | 296 | 266 | 111% |
| Concord | 1,065 | 1,119 | 1,065 | 614 | 173% |
| Framingham | 473 | 483 | 474 | 388 | 122% |
| Norfolk | 1,438 | 1,444 | 1,430 | 1,084 | 133% |
| Shirley-Medium | 1,085 | 1,080 | 1,084 | 720 | 151% |
| NCCI | 964 | 967 | 965 | 568 | 170% |
| Sub-Total | 7,971 | 7,940 | 7,948 | 5,841 | 136% |
| Custody Level 3 | | | | | |
| NCCI | 26 | 27 | 29 | 30 | 87% |
| Plymouth | 169 | 159 | 185 | 151 | 112% |
| Shirley Minimum | 47 | 44 | 49 | 92 | 51% |
| OCCC Minimum | 100 | 87 | 103 | 100 | 100% |
| Custody Level 3/2 | | | | | |
| Boston State | 93 | 94 | 95 | 55 | 169% |
| NECC | 200 | 211 | 220 | 150 | 133% |
| Pondville | 174 | 168 | 196 | 100 | 174% |
| SMCC | 95 | 78 | 86 | 125 | 76% |
| Sub-Total | 904 | 868 | 963 | 803 | 113% |
| Custody Level 1 | | | | | |
| Houston House | 4 | 4 | 5 | 15 | 27% |
| Sub-Total | 4 | 4 | 5 | 15 | 27% |
| Total | 8,879 | 8,812 | 8,916 | 6,659 | 133% |
| Custody Level 4 | | | | | |
| State Hospital@Bridgewater | 339 | 351 | 342 | 227 | 149% |
| *Treatment Center | 570 | 563 | 580 | 561 | 102% |
| Custody Level 3 | | | | | |
| MASAC | 200 | 227 | 188 | 236 | 85% |
| Sub-Total | 1,109 | 1,141 | 1,110 | 1,024 | 108% |
| Grand Total | 9,988 | 9,953 | 10,026 | 7,683 | 130% |
| Houses of Correction | 448 | 457 | 386 | n.a | n.a |
| Federal Prisons | 5 | 6 | 5 | n.a. | n.a. |
| Inter-State Contract | 72 | 74 | 71 | n.a. | n.a. |

(*See technical notes)

Table 3 presents the county figures for the second quarter of 2004. The county population increased by 10 inmates, from the first day of the second quarter to the last day of the quarter. At the end of the quarter, the county system operated with 12,630 inmates, with an average daily population of 12,645 in facilities with a total design capacity of 8,022. Thus, the county system operated at 158 percent of design capacity.

**Population in County Correctional Facilities by County,
April 5, 2004 to June 28, 2004**

| Facility | Avg. Daily Population | Beginning Population | Ending Population | Design Capacity | % ADP Capacity |
|-----------------|------------------------------|-----------------------------|--------------------------|------------------------|-----------------------|
| Barnstable | 305 | 312 | 313 | 110 | 277% |
| Berkshire | 352 | 316 | 360 | 116 | 303% |
| Bristol | 1,206 | 1,171 | 1,216 | 610 | 198% |
| Dukes | 25 | 28 | 20 | 19 | 132% |
| Essex | 1,477 | 1,437 | 1,490 | 635 | 233% |
| Franklin | 179 | 172 | 170 | 63 | 284% |
| Hampden | 1,870 | 1,841 | 1,867 | 1,303 | 144% |
| Hampshire | 271 | 269 | 271 | 248 | 109% |
| Middlesex | 1,163 | 1,176 | 1,152 | 1,035 | 112% |
| Norfolk | 542 | 575 | 547 | 354 | 153% |
| Plymouth | 1,514 | 1,561 | 1,488 | 1,140 | 133% |
| Suffolk | 2,460 | 2,442 | 2,485 | 1,599 | 154% |
| Worcester | 1,281 | 1,320 | 1,251 | 790 | 162% |
| Total | 12,645 | 12,620 | 12,630 | 8,022 | 158% |

Table 4 presents the county figures for the second quarter of 2004. The following table presents a breakdown of multi-facility counties, by facility.

**Population in County Correctional Facilities by Facility,
April 5, 2004 to June 28, 2004**

| Facility | Avg. Daily Population | Beginning Population | Ending Population | Design Capacity | % ADP Capacity |
|-------------------------|------------------------------|-----------------------------|--------------------------|------------------------|-----------------------|
| Bristol County | | | | | |
| Bristol Ash Street | 194 | 208 | 178 | 206 | 94% |
| Bristol Dartmouth | 1,012 | 963 | 1,038 | 304 | 333% |
| Bristol DRNCAC | - | - | - | 100 | 0% |
| Essex County | | | | | |
| Essex Middleton | 1,131 | 1,087 | 1,127 | 500 | 226% |
| Essex LCAC | 346 | 350 | 363 | 135 | 256% |
| Hampden County | | | | | |
| Hampden | 1,699 | 1,667 | 1,698 | 1,178 | 144% |
| Hampden OUI | 171 | 174 | 169 | 125 | 137% |
| Middlesex County | | | | | |
| Middlesex Cambridge | 297 | 299 | 298 | 161 | 184% |
| Middlesex Billerica | 866 | 877 | 854 | 874 | 99% |
| Norfolk County | | | | | |
| Norfolk Dedham | 542 | 575 | 547 | 305 | 178% |
| Norfolk Braintree | - | - | - | 52 | 0% |
| Suffolk County | | | | | |
| Suffolk Nashua Street | 660 | 646 | 673 | 453 | 146% |
| Suffolk South Bay | 1,800 | 1,796 | 1,812 | 1,146 | 157% |

Table 5 presents the county figures for the previous twelve months. These figures indicate that the county population increased by 389 inmates over this twelve month period, from 12,147 in April, to 12,655 in March 2004.

**Population in County Correctional Facilities by County,
April 7, 2003 to March 29, 2004**

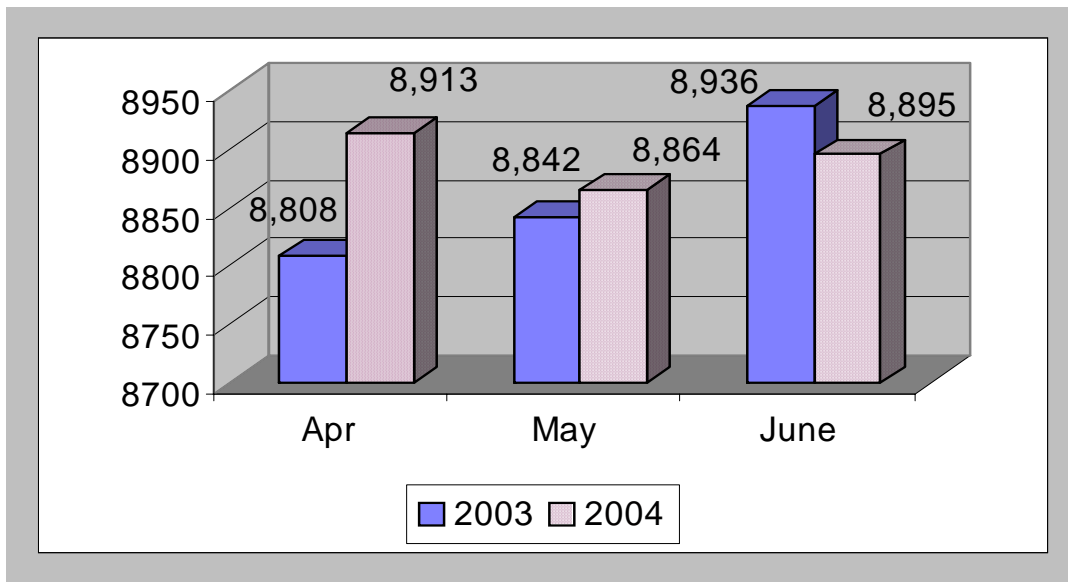
| Facility | Avg. Daily Population | Beginning Population | Ending Population | Design Capacity | % ADP Capacity |
|-----------------|------------------------------|-----------------------------|--------------------------|------------------------|-----------------------|
| Barnstable | 297 | 271 | 314 | 110 | 270% |
| Berkshire | 314 | 298 | 315 | 116 | 271% |
| Bristol | 1,163 | 1,168 | 1,157 | 610 | 191% |
| Dukes | 31 | 31 | 28 | 19 | 163% |
| Essex | 1,420 | 1,445 | 1,454 | 635 | 224% |
| Franklin | 179 | 173 | 165 | 63 | 284% |
| Hampden | 1,808 | 1,701 | 1,847 | 1,303 | 139% |
| Hampshire | 254 | 240 | 269 | 248 | 102% |
| Middlesex | 1,133 | 1,143 | 1,161 | 1,035 | 109% |
| Norfolk | 562 | 544 | 563 | 354 | 159% |
| Plymouth | 1,619 | 1,580 | 1,573 | 1,140 | 142% |
| Suffolk | 2,363 | 2,183 | 2,452 | 1,599 | 148% |
| Worcester | 1,345 | 1,310 | 1,357 | 790 | 170% |
| MASAC | 17 | 60 | - | 125 | 14% |
| Total | 12,505 | 12,147 | 12,655 | 8,147 | 153% |

Table 6 presents the county figures for the previous twelve months. The following table presents a breakdown of multi-facility counties, by facility.

**Population in County Correctional Facilities by Facility,
April 7, 2003 to March 29, 2004**

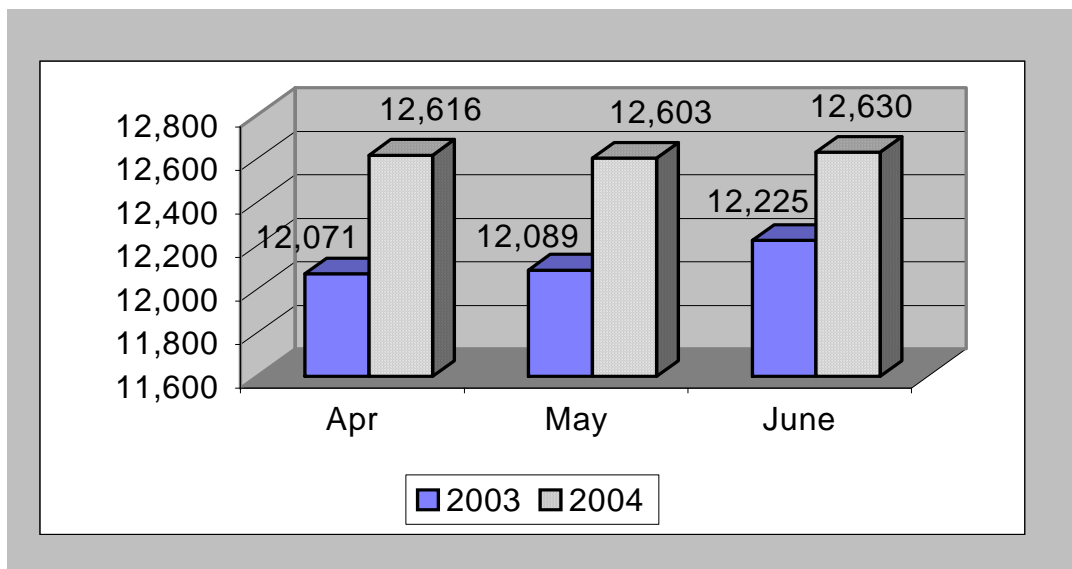
| Facility | Avg. Daily Population | Beginning Population | Ending Population | Design Capacity | % ADP Capacity |
|-------------------------|------------------------------|-----------------------------|--------------------------|------------------------|-----------------------|
| Bristol County | | | | | |
| Bristol Ash Street | 194 | 197 | 193 | 206 | 94% |
| Bristol Dartmouth | 969 | 971 | 964 | 304 | 319% |
| Bristol DRNCAC | - | - | - | 100 | 0% |
| Essex County | | | | | |
| Essex Middleton | 1,055 | 1,057 | 1,107 | 500 | 211% |
| Essex LCAC | 365 | 388 | 347 | 135 | 270% |
| Hampden County | | | | | |
| Hampden | 1,638 | 1,528 | 1,673 | 1,178 | 139% |
| Hampden-OUI | 170 | 173 | 174 | 125 | 136% |
| Middlesex County | | | | | |
| Middlesex Cambridge | 295 | 277 | 279 | 161 | 183% |
| Middlesex Billerica | 838 | 866 | 882 | 874 | 96% |
| Norfolk County | | | | | |
| Norfolk Dedham | 562 | 544 | 563 | 302 | 186% |
| Norfolk Braintree | - | - | - | 52 | 0% |
| Suffolk County | | | | | |
| Suffolk Nashua Street | 661 | 654 | 661 | 453 | 146% |
| Suffolk South Bay | 1,702 | 1,529 | 1,791 | 1,146 | 149% |

Figure 1.
DOC Sentenced Population, Second Quarters of 2003 and 2004



The graph above compares the DOC sentenced population for the second quarter in 2003 to that in 2004, by month. For April, 2004, the DOC population increased by 105 inmates, or (1%), compared with the same month of 2003; for May, the population increased by 22 inmates; and for June the population decreased by 41 inmates.

Figure 2.
HOC Population, Second Quarters of 2003 and 2004



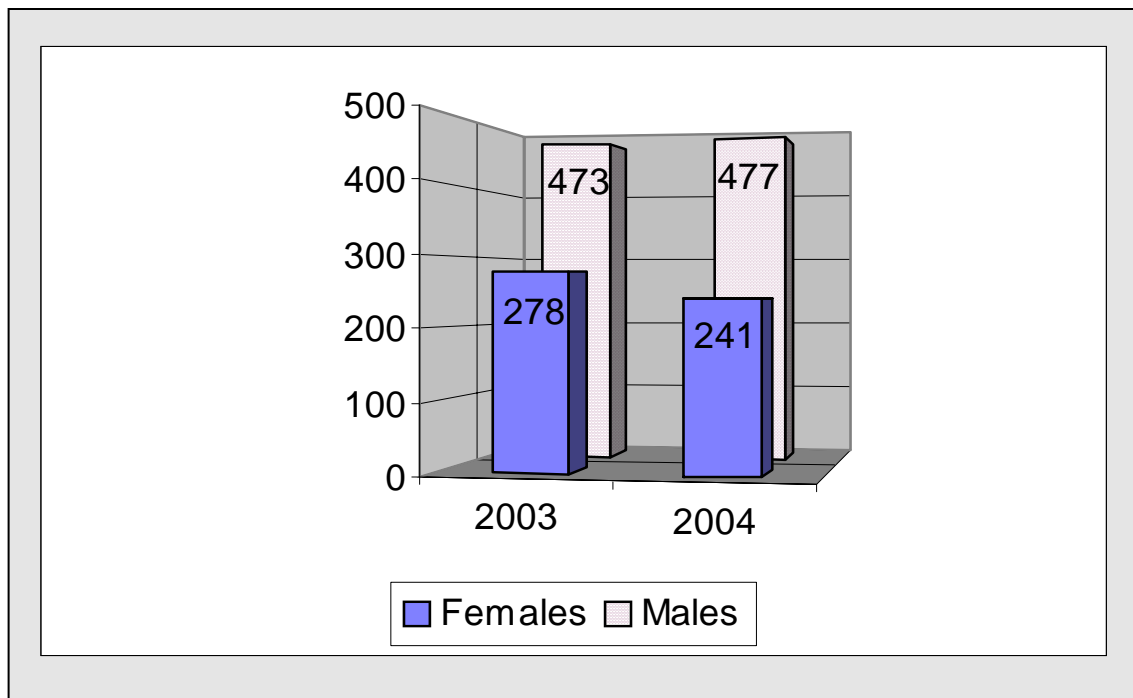
The graph above compares the HOC population for the second quarter in 2003 to that in 2004, by month. For April 2004, the HOC population increased by 545 inmates, or 5%, compared with the same month of 2003; for May, the population increased by 514 inmates, or 4%, and for June, the population increased by 405 inmates or 3%.

Note: Data for Figure 2 was taken from the end of the month daily count sheet compiled by the Classification Division

Table 7 provides quarterly statistics on new, criminally sentenced, court commitments to the DOC for the second quarters of 2003 and 2004, by sex. Overall, there was a decrease of 33 new court commitments, or –4 percent, for the second quarter of 2004 in comparison with the number of new court commitments in the second quarter of 2003, from 751 to 718. Male commitments for the second quarter of 2004 increased by 4, or 1 percent from 2003. Female commitments for the second quarter of 2004 decreased by 37, or –13 percent from 2003.

| Quarterly DOC New Court Commitment by Sex | | | |
|---|-------|-------|------------|
| | 2003 | 2004 | Difference |
| Males | | | |
| First Quarter | 433 | 453 | 5% |
| Second Quarter | 473 | 477 | 1% |
| Sub-Total | 906 | 930 | 3% |
| Females | | | |
| First Quarter | 252 | 251 | 0% |
| Second Quarter | 278 | 241 | -13% |
| Sub-total | 530 | 492 | -7% |
| Total | 1,436 | 1,422 | -1% |

Figure 3 provides a graphical representation of the number of new, criminally sentenced court commitments to the DOC during the second quarters of 2003 and 2004, by sex.



Note: Data for Table 7 and Figure 3 were obtained from the DOC's Inmate Tracking Database and the IMS Database