



# Massachusetts

## Department of Correction

# Quarterly Report on the Status of Prison Overcrowding, Third Quarter of 2004

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

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# 2004 Third Quarter Report

**S**ection 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 third quarter of 2004.

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

## **2004 Third Quarter Report**

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## Technical Notes

- 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.
- 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.
- Nashua Street inmates housed at other facilities are reported in the counts for the facilities in which they are in custody.
- 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.
- 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.
- 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 July 1, 2002, two housing units remain open at MCI-Shirley Minimum with a design capacity of 92.
- Within MASAC, The Longwood Treatment Center Program was terminated on July 1, 2003, 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	NECC	Northeastern Correctional Center
ADP	Average Daily Population	NCCI	North Central Correctional Institution at Gardner
ATU	Awaiting Trial Unit	OCCC	Old Colony Correctional Center
CRS	Contract Residential Services Includes Charlotte House, and Houston House	OUI	Operating Under the Influence
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
MASAC	Massachusetts Alcohol and Substance Abuse Center		

**Table 1 provides the DOC figures for the Third 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 111 inmates, from the first day of the third quarter to the last day of the quarter. At the end of the quarter, the DOC operated with 8,787 inmates in the system, and the average daily population was 8,833 with a design capacity of 6,754. Thus, the DOC operated at 131 percent of design capacity.

**Population in DOC Facilities, July 6, 2004 to September 27, 2004**

<b>Custody Level/Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design Capacity</b>	<b>% ADP Capacity</b>
<b>Custody Level 6</b>					
Cedar Junction	605	624	590	633	96%
SBCC	997	1,014	972	1,024	97%
Framingham –ATU	212	207	219	64	331%
<b>Custody Level 5</b>					
OCCC	738	737	751	480	154%
<b>Custody Level 4</b>					
Bay State	294	296	295	266	110%
Concord	1,113	1,121	1,099	614	181%
Framingham	456	463	441	388	118%
Norfolk	1,428	1,438	1,419	1,084	132%
Shirley-Medium	1,073	1,076	1,078	720	149%
NCCI	964	968	960	568	170%
<b>Sub-Total</b>	<b>7,880</b>	<b>7,944</b>	<b>7,824</b>	<b>5,841</b>	<b>135%</b>
<b>Custody Level 3</b>					
NCCI	30	30	30	30	100%
Plymouth	166	172	151	151	110%
Shirley Minimum	48	50	47	92	52%
OCCC Minimum	105	104	102	100	105%
<b>Custody Level 3/2</b>					
Boston State	95	88	97	150	63%
NECC	220	218	236	150	147%
Pondville	188	186	193	100	188%
SMCC	97	101	103	125	78%
<b>Sub-Total</b>	<b>949</b>	<b>949</b>	<b>959</b>	<b>898</b>	<b>106%</b>
<b>Custody Level 1</b>					
Houston House	4	5	4	15	27%
<b>Sub-Total</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>15</b>	<b>27%</b>
<b>Total</b>	<b>8,833</b>	<b>8,898</b>	<b>8,787</b>	<b>6,754</b>	<b>131%</b>
<b>Custody Level 4</b>					
State Hospital@Bridgewater	340	335	331	227	150%
*Treatment Center	601	596	609	561	107%
<b>Custody Level 3</b>					
MASAC	188	200	204	236	80%
<b>Sub-Total</b>	<b>1,129</b>	<b>1,131</b>	<b>1,144</b>	<b>1,024</b>	<b>110%</b>
<b>Grand Total</b>	<b>9,962</b>	<b>10,029</b>	<b>9,931</b>	<b>7,778</b>	<b>128%</b>
Houses of Correction	330	335	327	n.a.	n.a.
Federal Prisons	5	5	5	n.a.	n.a.
Inter-State Contract	71	71	69	n.a.	n.a.

(\*See technical notes)

**Table 2 provides the DOC figures for the previous twelve months** – i.e., for the period July 7, 2003 to June 28, 2004. These figures indicate that the DOC population decreased by 53 inmates over this twelve month period (excluding AC, Bridgewater SH, SDPTC and inmates at the Massachusetts Alcohol and Substance Abuse Center), from 8,948 to 8,895 in June 2004.

**Population in DOC Facilities, July 7, 2003 to June 28, 2004**

<b>Custody Level/Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design Capacity</b>	<b>% ADP Capacity</b>
<b>Custody Level 6</b>					
Cedar Junction	638	702	622	633	101%
SBCC	918	1,024	995	1,024	90%
Framingham –ATU	182	202	230	64	284%
<b>Custody Level 5</b>					
OCCC	707	758	750	480	147%
<b>Custody Level 4</b>					
Bay State	271	294	292	266	102%
Concord	983	1,131	1,111	614	160%
Framingham	427	505	449	388	110%
Norfolk	1,326	1,443	1,439	1,084	122%
Shirley-Medium	1,000	1,088	1,081	720	139%
NCCI	890	961	968	568	157%
<b>Sub-Total</b>	<b>7,342</b>	<b>8,108</b>	<b>7,937</b>	<b>5,841</b>	<b>126%</b>
<b>Custody Level 3</b>					
NCCI	25	23	28	30	83%
Plymouth	162	157	180	151	107%
Shirley Minimum	43	47	49	92	47%
OCCC Minimum	93	91	99	100	93%
<b>Custody Level 3/2</b>					
Boston State	84	97	89	55	153%
NECC	191	169	216	150	127%
Pondville	167	167	188	100	167%
SMCC	93	86	106	125	74%
<b>Sub-Total</b>	<b>858</b>	<b>837</b>	<b>955</b>	<b>803</b>	<b>107%</b>
<b>Custody Level 1</b>					
Houston House	4	3	3	15	27%
<b>Sub-Total</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>15</b>	<b>27%</b>
<b>Total</b>	<b>8,204</b>	<b>8,948</b>	<b>8,895</b>	<b>6,659</b>	<b>123%</b>
<b>Custody Level 4</b>					
State Hospital@Bridgewater	312	338	329	227	137%
*Treatment Center	532	572	601	561	95%
<b>Custody Level 3</b>					
MASAC	180	223	191	236	76%
<b>Sub-Total</b>	<b>1,024</b>	<b>1,133</b>	<b>1,121</b>	<b>1,024</b>	<b>100%</b>
<b>Grand Total</b>	<b>9,228</b>	<b>10,081</b>	<b>10,016</b>	<b>7,683</b>	<b>120%</b>
Houses of Correction	386	471	329	n.a.	n.a.
Federal Prisons	5	6	5	n.a.	n.a.
Inter-State Contract	66	72	71	n.a.	n.a.

(\*See technical notes)

**Table 3 presents the county figures for the third quarter of 2004.** The county population increased by 164 inmates, or 1%, from the first day of the third quarter to the last day of the quarter. At the end of the quarter, the county system operated with 12,691 inmates, with an average daily population of 12,684 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,  
July 6, 2004 to September 27, 2004**

<b>Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design Capacity</b>	<b>% ADP Capacity</b>
Barnstable	320	315	322	110	291%
Berkshire	353	365	337	116	304%
Bristol	1,238	1,199	1,262	610	203%
Dukes	21	19	21	19	111%
Essex	1,497	1,501	1,439	635	236%
Franklin	175	176	170	63	278%
Hampden	1,853	1,818	1,853	1,303	142%
Hampshire	285	285	288	248	115%
Middlesex	1,165	1,132	1,211	1,035	113%
Norfolk	565	560	563	354	160%
Plymouth	1,522	1,499	1,521	1,140	134%
Suffolk	2,384	2,425	2,419	1,599	149%
Worcester	1,306	1,233	1,285	790	165%
<b>Total</b>	<b>12,684</b>	<b>12,527</b>	<b>12,691</b>	<b>8,022</b>	<b>158%</b>

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

**Population in County Correctional Facilities by Facility,  
July 6, 2004 to September 27, 2004**

<b>Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design Capacity</b>	<b>% ADP Capacity</b>
<b>Bristol County</b>					
Bristol Ash Street	191	176	194	206	93%
Bristol Dartmouth	1,047	1,023	1,068	304	344%
Bristol DRNCAC	-	-	-	100	0%
<b>Essex County</b>					
Essex Middleton	1,145	1,136	1,120	500	229%
Essex LCAC	352	365	319	135	261%
<b>Hampden County</b>					
Hampden	1,683	1,644	1,690	1,178	143%
Hampden OUI	170	174	163	125	136%
<b>Middlesex County</b>					
Middlesex Cambridge	314	281	345	161	195%
Middlesex Billerica	851	851	866	874	97%
<b>Norfolk County</b>					
Norfolk Dedham	565	560	563	302	187%
Norfolk Braintree	-	-	-	52	0%
<b>Suffolk County</b>					
Suffolk Nashua Street	674	638	685	453	149%
Suffolk South Bay	1,710	1,787	1,734	1,146	149%



**Table 5 presents the county figures for the previous twelve months.** These figures indicate that the county population increased by 419 inmates, or 3%, over this twelve month period, from 12,211 in July, to 12,630 in June 2004.

**Population in County Correctional Facilities by County,  
July 7, 2003 to June 28, 2004**

<b>Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design Capacity</b>	<b>% ADP Capacity</b>
Barnstable	282	280	313	110	256%
Berkshire	306	276	360	116	264%
Bristol	1,092	1,198	1,216	610	179%
Dukes	27	34	20	19	142%
Essex	1,323	1,387	1,490	635	208%
Franklin	167	161	170	63	265%
Hampden	1,701	1,774	1,867	1,303	131%
Hampshire	242	231	271	248	98%
Middlesex	1,058	1,138	1,152	1,035	102%
Norfolk	514	545	547	354	145%
Plymouth	1,472	1,612	1,488	1,140	129%
Suffolk	2,237	2,204	2,485	1,599	140%
Worcester	1,232	1,324	1,251	790	156%
*MASAC	3	47	-	125	2%
<b>Total</b>	<b>11,656</b>	<b>12,211</b>	<b>12,630</b>	<b>8,147</b>	<b>143%</b>

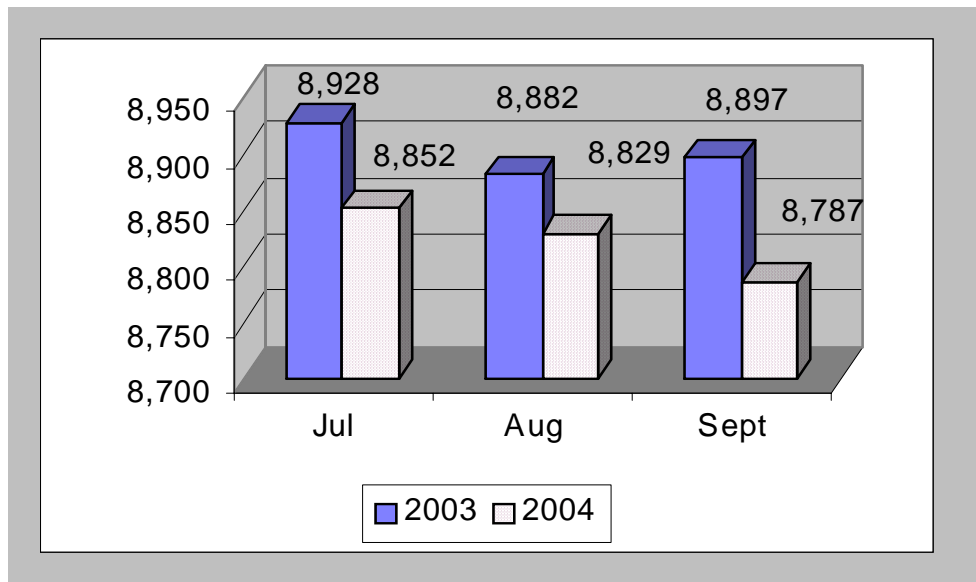
\*Within MASAC, The Longwood Treatment Center Program was terminated on July 1, 2003, the last inmate to leave the facility was on September 8, 2003.

**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,  
July 7, 2003 to June 28, 2004**

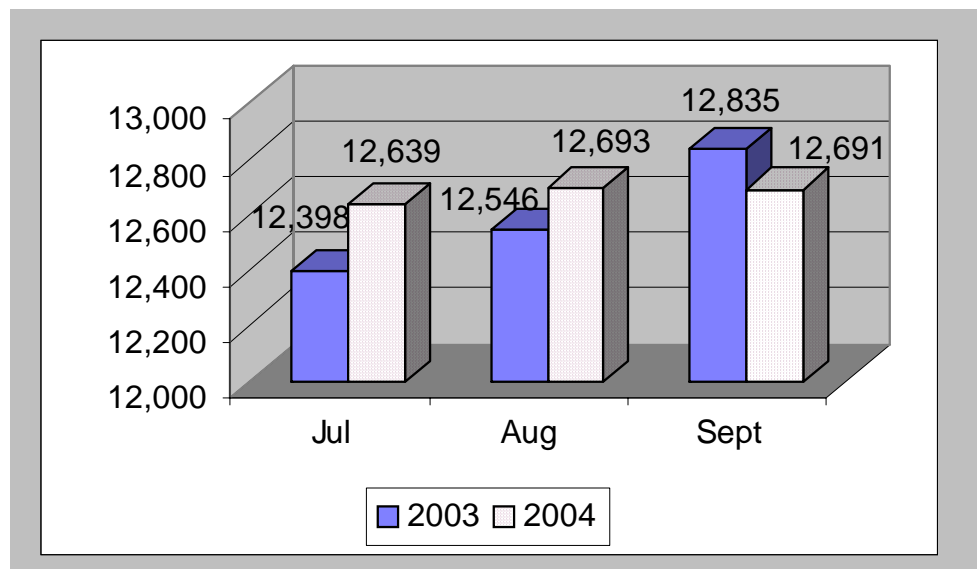
<b>Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design Capacity</b>	<b>% ADP Capacity</b>
<b>Bristol County</b>					
Bristol Ash Street	179	194	178	206	87%
Bristol Dartmouth	913	1,004	1,038	304	300%
Bristol DRNCAC	-	-	-	100	0%
<b>Essex County</b>					
Essex Middleton	994	1,018	1,127	500	199%
Essex LCAC	329	369	363	135	244%
<b>Hampden County</b>					
Hampden	1,544	1,601	1,698	1,178	131%
Hampden-OUI	157	173	169	125	126%
<b>Middlesex County</b>					
Middlesex Cambridge	279	303	298	161	173%
Middlesex Billerica	779	835	854	874	89%
<b>Norfolk County</b>					
Norfolk Dedham	514	545	547	302	170%
Norfolk Braintree	-	-	-	52	0%
<b>Suffolk County</b>					
Suffolk Nashua Street	611	684	673	453	135%
Suffolk South Bay	1,626	1,520	1,812	1,146	142%

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



The graph above compares the DOC sentenced population for the third quarter in 2003 to that in 2004, by month. For July, 2004, the DOC population decreased by 76 inmates, or (-1%), compared with the same month of 2003; for August, the population decreased by 53 inmates, or (-1%); and for September the population decreased by 110 inmates, or (-1%).

**Figure 2.**  
**HOC Population, Third Quarters of 2003 and 2004**



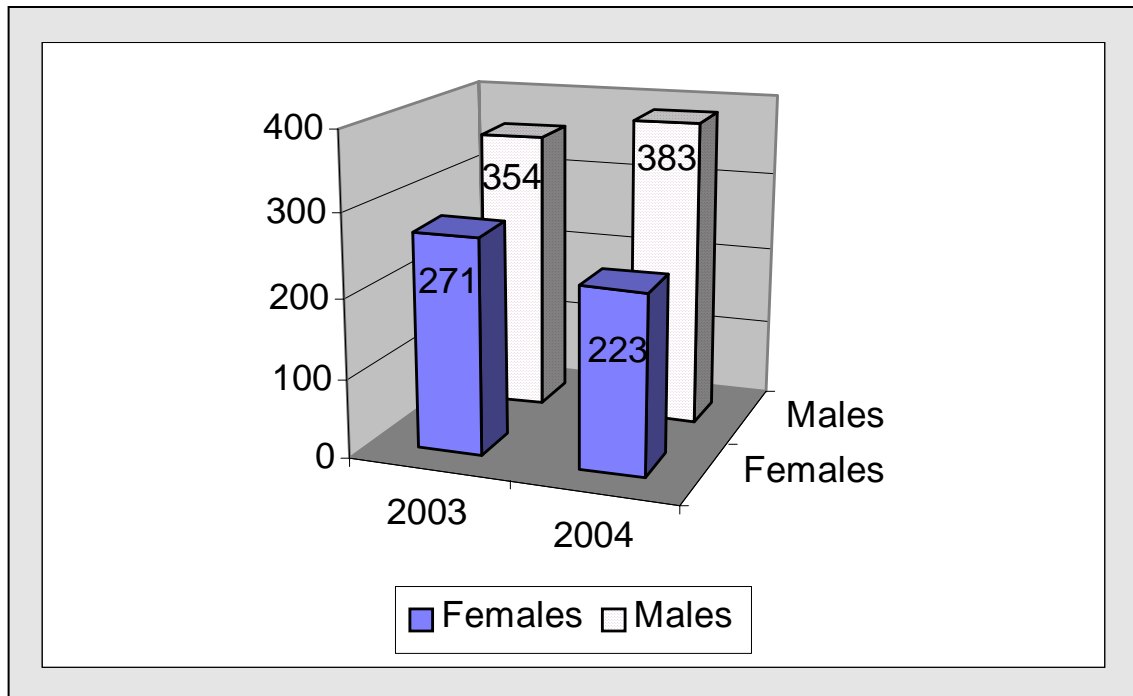
The graph above compares the HOC population for the third quarter in 2003 to that in 2004, by month. For July 2004, the HOC population increased by 241 inmates, or 2%, compared with the same month of 2003; for August, the population increased by 147 inmates, or 1%, and for September, the population decreased by 144 inmates or -1%.

*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 third quarters of 2003 and 2004, by sex.** Overall, there was a decrease of 19 new court commitments for the third quarter of 2004, in comparison with the number of new court commitments in 2003, from 625 to 606. Male commitments for the third quarter of 2004 increased by 29, or 8 percent from 2003. Female commitments for the third quarter of 2004 decreased by 48, or -18 percent from 2003.

<b>Quarterly DOC New Court Commitment by Sex</b>			
	2003	2004	Difference
<b>Males</b>			
First Quarter	433	453	5%
Second Quarter	473	477	1%
Third Quarter	354	383	8%
<b>Sub-Total</b>	<b>1,260</b>	<b>1,313</b>	<b>4%</b>
<b>Females</b>			
First Quarter	252	251	0%
Second Quarter	278	241	-13%
Third Quarter	271	223	-18%
<b>Sub-total</b>	<b>801</b>	<b>715</b>	<b>-11%</b>
<b>Total</b>	<b>2,061</b>	<b>2,028</b>	<b>-2%</b>

**Figure 3 provides a graphical representation** of the number of new, criminally sentenced court commitments to the DOC during the third 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