INTERIM REPORT ON FURLOUGHS

Massachusetts Department of Correction

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Commissioner

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INTRODUCTION

A basic obligation of the Massachusetts Department of Correction is the protection of society. Part of this duty is to provide for the humane care and custody of those whom the courts have sentenced to a state correctional institution. A more challenging aspect of this obligation is to provide a truly corrective experience for sentenced offenders so that they will be better equipped to lead productive and law-abiding lives. For, if a man is returned to society more embittered, vengeful, demoralized, and incapable of social and economic survival than when he first came to prison, then we certainly will have failed in our obligation to protect society. Our goal is to return a man to society with the knowledge and skills necessary to earn an honest living, with a reasonable sense of social responsibility and self-value, and with an increased capacity for self-control, judgment and realistic optimism. Thus, the reintegration of the offender into community life is a primary concern of the Department of Correction.

The importance of a focus on the reintegration of the offender into community life as a primary goal of corrections is underscored by the fact that 90% of the offenders sentenced to the state correctional system do eventually return to the community, and, perhaps more striking, that 75% of these offenders return to the community within three years of the date of their sentence. Therefore, the question is not <u>whether</u> offenders will return to society since virtually all of them do return, but <u>how</u> offenders will return to society. The challenge in the field of corrections is to develop programs which will prepare offenders to re-enter society in a way that will be most effective for them as individuals, and, at the same time, afford the best protection to society.

Acknowledging this challenge, the President's Commission on Law Enforcement and the Administration of Justice in 1967 presented the following as a major task of corrections:

> The task of corrections therefore includes building or rebuilding solid ties between offender and community, integrating or reintegrating the offender into community life--restoring family ties, obtaining employment and education, securing in the larger sense a place for the offender in the routine functioning of society.[1]

"Building or rebuilding solid ties between offender and community" clearly means that the Department of Correction must develop programs for minimizing the isolating effects of institutionalization and for easing the difficult transition from prison life to community life. The concept of parole originally grew out of a concern for these issues, and, more recently, halfway houses, pre-release centers, work and educational release, and other community correctional programs have been developed in order to help minimize the negative and the isolating effects of institutionalization. It was this same concern for minimizing the isolating effects of institutionalization and for building solid ties between offender and community - especially with respect to family ties - that led to the establishment in Massachusetts of a program which is a vital component of the correctional process - i.e., the furlough program.

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[1] The President's Commission on Law Enforcement and the Administration of Justice, Task Force Report: Corrections, Washington, D.C. : U.S. Government Printing Office, 1967, p. 7.

THE MASSACHUSETTS FURLOUGH PROGRAM

The furlough program was authorized in Massachusetts under the Correction Reform Act, Chapter 777 of the Acts of 1972, which became effective on October 16, 1973. This Act authorized furloughs for the following purposes:

(a) to attend the funeral of a relative;

(b) to visit a critically ill relative;

(c) to obtain medical, psychiatric, psychological or other social services when adequate services are not available at the facility and cannot be obtained by temporary placement in a hospital;

(d) to contact prospective employers;

(e) to secure a suitable residence for use upon release on parole or discharge;

(f) for any other reason consistent with the reintegration of a committed offender into the community.

The Department of Correction policy governing the administration of the furlough program has been formulated and is attached on an addendum to this report.

When the Massachusetts furlough program became authorized in October, 1972, similar furlough programs existed in 27 other states and in the Federal prison system. Of the 22 states that did not have furlough programs at that time, 16 indicated that they intended to implement a furlough program in the near future.

The first furloughs were granted in Massachusetts on November 6, 1972. From that date through March 27, 1973, 2,966 furloughs have been granted. Of the 2,966 furloughs, 38 residents failed to return and were listed as escapes. This represents a success rate of 98.7% and a failure rate of 1.3%. It is also noteworthy that 22 of the 38

residents listed as escapes either returned voluntarily to a correctional facility or were subsequently apprehended.

As the following table indicates, the Massachusetts furlough program compares favorably with that of other representative correctional jurisdictions in terms of its escape rate. The Massachusetts escape rate was as low as, or lower than, the escape rate of four of the six other jurisdictions on which data was available.

COMPARATIVE STATISTICS ON FURLOUGH PROGRAMS

Correctional Jurisdiction	Time Period	Furloughs Granted	Escape Rate
Federal Bureau of Prisons	1971 - 72	6,229	20.8%
California	1971 - 72	13,123	1.7%
Florida	10/71 - 3/73	50,000	0.2%
Massachusetts	11/72 - 3/73	2,966	1.3%
Michigan	4/71 - 3/73	7,313	0.4%
Oregon	4/68 - 12/71	4,655	1.3%
Washington	7/71 - 12/72	4,578	1.3%

In the process of gathering information on furlough programs in other jurisdictions, some interesting data emerged. For example, in 1971 the Federal Bureau of Prisons granted 2,103 furloughs and had 647 escapes, for an escape rate of 30.8%. In 1972, the Federal Bureau increased its number of furloughs to 4,126 and had 648 escapes, for an escape rate of 15.7%. Thus, in the process of doubling the number of furloughs granted, the Federal system cut its escape rate in half.

On the other hand, in 1971 California granted 9,380 furloughs to males and had an escape rate of 1.5%. In 1972, the number of furloughs for males was reduced to 3,006, while the escape rate rose slightly to 1.7%.

The furlough experiences of the Federal system and the California system suggest that a furlough program can operate at the optimal level when there is enough flexibility to allow correctional administrators discretion in selecting appropriate candidates for furloughs.

Other Statistics on the Massachusetts Furlough Program

The table on the following page presents some additional statistical data on the Massachusetts furlough program. It includes:

(a) a breakdown of the total resident population by offense (column 1);

(b) a breakdown of the number of individuals who have been granted furloughs by offense category (column 2);

(c) an estimated breakdown of the number of furloughs granted in each offense category (column 3);

(d) a breakdown of the number of escapes by offense category (column 4); and

(e) a breakdown of the escape rate per furlough granted in each offense category (column 5).

The "TOTAL" row in this table indicates that there are presently 1957 residents in the Massachusetts state correctional system (excluding mental patients and alcoholics at Bridgewater). The table also shows that, between November 6, 1972, and March 25, 1973, 968 individuals have been granted furloughs. These 968 individuals had a total of 2966 furloughs, for an average of 3.1 furloughs per individual. The average is at this level primarily due to the relatively large number of furloughs granted to those approaching their parole dates.

This table also indicates that those sentenced for offenses vs. person are underrepresented with respect to the number of furloughs granted by offense category. Although offenders vs. person represent 68.5% of the total resident population, they received only 59.4% of

DEPARTMENT OF CORRECTION FURLOUGH DATA

Nov. 6, 1972 - March-25, 1973

Offense	Total in Institutions N	(%)	Individuals Furloughed N	(%)	Total Furloughs Granted * N	(%)	No. of Escapes	Escap Rate
Offenses vs. Person	1342	(68.5)	604	(62.4)	1761	(59.4)	25	1.4%
Murder, 1st degree	104	(5.3)	38	(3.9)	71	(2.4)	1	1.4%
Murder, 2nd degree	153	(7.8)	67	(6.9)	158	(5.5)	1	0.6%
Manslaughter	151	(7.7)	75	(7.7)	181	(6.1)	0	0.0%
Armed Robbery	472	(24.1)	245	(25.3)	801	(27.0)	15	1.9%
Unarmed Robbery	135	(6.9)	51	(5.3)	122	(4.1)	4	3.3%
Assaults	135	(6.9)	62	(6.4)	126	(4.2)	3	2.4%
Sex Offenses	161	(8.2)	53	(5.5)	129	(4.3)	1	0.8%
Other	31	(1.6)	13	(1.3)	39	(1.3)	0	0.0%
Offenses vs. Property	355	(18.1)	197	(20.4)	635	(21.4)	8	1.3%
Burglary	182	(9.3)	101	(10.4)	306	(10.3)	3	1.0%
Larceny	65	(3.3)	45	(4.6)	148	(5.0)	3	2.0%
Other	108	(5.5)	51	(5.4)	181	(6.1)	2	1.1%
Narcotic Offenses	215	(11.0)	142	(14.6)	496	(16.8)	5	1.0%
Other Offenses	45	(2.3)	25	(2.6)	74	(2.5)	0	0.0%
TOTAL	1957	(100.0)	968	(100.0)	2966	(100.0)	38	1.3%

*Figures in this column were estimated from a sample of those furloughed.

the furloughs granted. This suggests that the screening process for offenders vs. person is more selective than it is for other types of offenders.

On the other hand, narcotic offenders are slightly overrepresented with respect to the number of furloughs granted by offense category. While narcotic offenders represented 11.0% of the population, they received 16.8% of the furloughs granted. One reason for this is the rather liberal use of furloughs at the Shirley Pre-Release Center. Since this is a drug treatment program for drug offenders within three months of parole, furloughs are utilized fairly extensively as a vital part of the reintegration program.

Finally, the escape rates included in this table are consistently low for the offense categories under consideration. Summarizing the data in this table we have the following:

Offense Category	No. of Furloughs	Success Rate	Failure Rate
Offenders vs. Person	1761	98.6%	1.4%
Offenders vs. Property	635	98.7%	1.3%
Narcotic Offenders	496	99.0%	1.0%
Other Offenders	74	100.0%	0.0%
TOTAL	2966	98.7%	1.3%

The highest escape rate for specific offenses was found in the category of those sentenced for Unarmed Robbery where 4 of the 122 furloughs in escapes. This represents a failure rate of 3.3%. Thus, of the 13 specific offense categories, the lowest success rate was an impressive 96.7%.

In conclusion, the furlough program is most consistent with the philosophy of the Department of Correction with its emphasis on the protection of society by successfully reintegrating offenders into community life, minimizing the isolating effects of institutionalization, and maintaining or rebuilding family and other community ties during incarceration. During the first five months of its operation the Massachusetts furlough program has had an escape rate that compares favorable with that of other representative correctional jurisdictions across the nation. Our experience with the furlough program thus far is that it has been an effective correctional tool which provides an incentive for offenders while incarcerated, helps to maintain family and community ties during incarceration, and helps to ease the difficult transition from prison life to community life.