

# OFFICE OF THE STATE AUDITOR

---

# DIANA DIZOGLIO

Official Audit Report – Issued December 24, 2025

---

## Suffolk County Sheriff's Department

For the period July 1, 2022 through June 30, 2024



OFFICE OF THE STATE AUDITOR

---

**DIANA DIZOGLIO**

December 24, 2025

Mark Lawhorne, Special Sheriff  
Suffolk County Sheriff's Department  
20 Bradston Street  
Boston, MA 02118

Dear Sheriff Tompkins,

I am pleased to provide to you the results of the enclosed performance audit of the Suffolk County Sheriff's Department. As is typically the case, this report details the audit objectives, scope, methodology, findings, and recommendations for the audit period, July 1, 2022 through June 30, 2024. As you know, my audit team discussed the contents of this report with agency managers. This report reflects those comments.

I appreciate you and all your efforts at the Suffolk County Sheriff's Department. The cooperation and assistance provided to my staff during the audit went a long way toward a smooth process. Thank you for encouraging and making available your team. I am available to discuss this audit if you or your team has any questions.

Best regards,



Diana DiZoglio  
Auditor of the Commonwealth

---

## TABLE OF CONTENTS

EXECUTIVE SUMMARY .....	1
OVERVIEW OF AUDITED ENTITY .....	4
AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY .....	10
DETAILED AUDIT FINDINGS WITH AUDITEE'S RESPONSE .....	24
1. The Suffolk County Sheriff's Department could not provide evidence that it conducted its annual reviews of the needs of its sentenced inmates as required by its policies and Section 936.03(2) of Title 103 of the Code of Massachusetts Regulations. ....	24
2. The Suffolk County Sheriff's Department did not ensure that it provided all sentenced inmates with an intake orientation or that all orientations were provided on time or at all, as required by its policy. ....	25
3. The Suffolk County Sheriff's Department did not ensure that all vocational instructors met or were working toward required certifications, as required by Section 936.02(3) of Title 103 of the Code of Massachusetts Regulations. ....	26
4. The Suffolk County Sheriff's Department did not provide educational assessments to all sentenced inmates and could not provide signed participation refusal forms for sentenced inmates who chose not to attend recommended programs. ....	28
5. The Suffolk County Sheriff's Department did not ensure that it received all consent to participate forms from sentenced inmates who were enrolled in the Medication Assisted Treatment Program, as required by its policy. ....	30
6. The Suffolk County Sheriff's Department did not implement our prior recommendations to establish and implement policies and procedures over the monitoring of its healthcare vendor. ....	31
7. The Suffolk County Sheriff's Department did not have documented procedures in place to ensure that its educational programs allowed sentenced inmates to start academic or vocational programs and proceed through these programs at their own pace. ....	33
OTHER MATTERS .....	35

---

## LIST OF ABBREVIATIONS

CMR	Code of Massachusetts Regulations
CIW	Commonwealth Information Warehouse
EOTSS	Executive Office of Technology Services and Security
HOC	House of Correction
HSRF	Health Service Request Form
MAT	Medication Assisted Treatment
SCSD	Suffolk County Sheriff's Department

---

## EXECUTIVE SUMMARY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of certain activities of the Suffolk County Sheriff's Department (SCSD) for the period July 1, 2022 through June 30, 2024.

The purpose of our audit was to determine the following:

1. Did SCSD annually review the needs of its sentenced inmates to ensure that its social service programs met its sentenced inmates' needs in accordance with Section V of SCSD's Social Services Policy S470 and Section 936.03(2) of Title 103 of the Code of Massachusetts Regulations (CMR)?
2. Did SCSD ensure that those who administered and supervised its social service programs had at least a bachelor's degree in social or behavioral sciences or a related field in accordance with 103 CMR 936.03(4)?
3. Did SCSD ensure that all sentenced inmates received an orientation within 72 hours of admission, and within seven days of transfer, in accordance with Section IX of SCSD's Social Services Policy S470 and 103 CMR 936.03(5)?
4. Did SCSD ensure that all sentenced inmates and pretrial detainees were assigned a counselor or caseworker in accordance with Section XI of SCSD's Social Services Policy S470 and 103 CMR 936.03(6) and (7)?
5. Did SCSD ensure that all sentenced inmates and pretrial detainees had access to crisis intervention in accordance with Section XII of SCSD's Social Services Policy S470 and 103 CMR 936.03(7)?
6. Did SCSD have written policies and procedures to provide sentenced inmates access to vocational training programs for skills relevant to the demands of the local job market in accordance with 103 CMR 936.02(2)?
7. Did SCSD ensure that all academic and vocational instructors employed by SCSD met or were working toward the certification requirements stipulated by the Commonwealth's Department of Elementary and Secondary Education in accordance with 103 CMR 936.02(3)?
8. Did SCSD ensure that its educational programs allowed sentenced inmates to start academic or vocational programs and proceed through these programs at their own pace and ensure that sentenced inmates were placed in academic and vocational courses based on counseling provided to them in accordance with 103 CMR 936.02(4) and (5)?
9. Did SCSD provide counseling and substance use disorder treatment to sentenced inmates participating in the Medication Assisted Treatment (MAT) Program, as outlined in SCSD's "Medication Assisted Treatment Program Handbook," SCSD's Correctional Psychiatric Services Policy, and 103 CMR 936.03(3)?

10. How and to what extent has SCSD established and implemented policies and procedures over the monitoring of its sick call process to ensure that its healthcare vendor complies with all the requirements of SCSD's healthcare policies?
11. Did sentenced inmates and pretrial detainees at SCSD receive medical care after submission of Health Service Request Forms in accordance with Section VII of SCSD's Inmate Care and Treatment Policy S604 and 103 CMR 932.09?

Below is a summary of our findings, the results of those findings, and our recommendations, with hyperlinks to each page listed.

<b>Finding 1</b> <b>Page <a href="#">24</a></b>	SCSD could not provide evidence that it conducted its annual reviews of the needs of its sentenced inmates as required by its policies and 103 CMR 936.03(2).
<b>Effect</b>	If SCSD does not annually review the needs of its sentenced inmates in relation to the social service programs it offers, SCSD has a higher risk that it may not provide its sentenced inmates with programs essential to their needs in order to set them up for successful reentry.
<b>Recommendation</b> <b>Page <a href="#">24</a></b>	SCSD should ensure that it conducts annual reviews of the needs of its sentenced inmates to ensure that necessary programs and services are available and ensure that these annual reviews are documented.
<b>Finding 2</b> <b>Page <a href="#">25</a></b>	SCSD did not ensure that it provided all sentenced inmates with an intake orientation or that all orientations were provided on time or at all, as required by its policy.
<b>Effect</b>	By not providing intake orientations to its sentenced inmates within the required timeframe, there is a higher risk that SCSD sentenced inmates are not aware of their rights and responsibilities or of the programs and services that may be available to them.
<b>Recommendation</b> <b>Page <a href="#">26</a></b>	SCSD should establish monitoring controls to ensure that it provides all sentenced inmates with intake orientation within the required timeframes.
<b>Finding 3</b> <b>Page <a href="#">26</a></b>	SCSD did not ensure that all vocational instructors met or were working toward required certifications, as required by 103 CMR 936.02(3).
<b>Effect</b>	By not ensuring that its vocational instructors have the required certifications to instruct their respective courses, SCSD may not be in compliance with state regulation. Additionally, this potentially impacts the ability of SCSD's sentenced inmates enrolled in these courses seeking to gain employment and maintain jobs in these fields after their reentry. Additionally, inmates may face a higher risk of accidents or injuries if their instructors are not fully trained in the proper procedures for vocational education.
<b>Recommendation</b> <b>Page <a href="#">27</a></b>	SCSD should establish policies and procedures, including monitoring controls, to ensure that all SCSD educational and vocational instructors have or are working toward certifications required by the Commonwealth's Department of Elementary and Secondary Education for the respective courses that they teach.
<b>Finding 4</b> <b>Page <a href="#">28</a></b>	SCSD did not provide educational assessments to all sentenced inmates and could not provide signed participation refusal forms for sentenced inmates who chose not to attend recommended programs.

<b>Effect</b>	By not following its policy of retaining refusal forms signed by sentenced inmates who declined to participate in academic programs, SCSD may be unable to demonstrate to the Parole Board that sentenced inmates who declined to enroll in required literacy programs were informed of their obligation to participate.
<b>Recommendations</b> <b>Page 29</b>	<ol style="list-style-type: none"> <li>1. SCSD should establish policies and procedures, including monitoring controls, to ensure the retention of documentation of sentenced inmates' refusal to take educational assessments to determine the academic and/or vocational programs most suited to their needs.</li> <li>2. SCSD should establish monitoring controls to ensure that its policies and procedures are followed so that all sentenced inmates who receive an educational assessment score below an eighth-grade reading level and refuse to enroll in the recommended programs sign participant refusal forms.</li> </ol>
<b>Finding 5</b> <b>Page 30</b>	SCSD did not ensure that it received all consent to participate forms from sentenced inmates who were enrolled in the MAT Program, as required by its policy.
<b>Effect</b>	By not ensuring that all sentenced inmates signed a consent to participate form, there is a higher risk that sentenced inmates may not have been informed of the program requirements to stay within the MAT Program and/or the risks associated with treatment.
<b>Recommendation</b> <b>Page 30</b>	SCSD should ensure that it provides, and receives signatures for, all consent to participate forms from inmates enrolled in the MAT Program.
<b>Finding 6</b> <b>Page 31</b>	SCSD did not implement our prior recommendations to establish and implement policies and procedures over the monitoring of its healthcare vendor.
<b>Effect</b>	Because SCSD did not implement our prior recommendations to establish policies and procedures over the monitoring of its healthcare vendor's administration of sick call visits, SCSD's Inmate Care and Treatment Policy S604 was not properly followed. There is, therefore, a higher risk that sentenced inmates or pretrial detainees have not, and will not, have their healthcare issues properly resolved within the required timeframes or at all. Further, there is a higher risk that SCSD will not notice the failure of its vendor to comply with SCSD policies, and potentially the requirements of its contract with the Commonwealth, resulting in poor vendor performance going unnoticed and unaddressed.
<b>Recommendation</b> <b>Page 32</b>	SCSD should establish sufficient monitoring controls (i.e., policies and procedures) over its sick call process to ensure that its healthcare vendor complies with all the requirements of SCSD's healthcare policies.
<b>Finding 7</b> <b>Page 33</b>	SCSD did not have documented procedures in place to ensure that its educational programs allowed sentenced inmates to start academic or vocational programs and proceed through these programs at their own pace.
<b>Effect</b>	Without having policies to provide instructions to its employees on the structure of educational classes or how sentenced inmates are to be enrolled in SCSD's educational programs, SCSD may not be able to ensure that sentenced inmates can start and proceed through these programs at their own pace.
<b>Recommendation</b> <b>Page 34</b>	SCSD should design and implement procedures to document how sentenced inmates will be able to start academic or vocational programs and proceed through these programs at their own pace.

In addition to the conclusions we reached regarding our audit objectives, we also identified issues not specifically addressed by our objectives. See Other Matters for more information.

## OVERVIEW OF AUDITED ENTITY

The Suffolk County Sheriff's Department (SCSD) was established as an independent state agency on January 1, 2010, pursuant to Section 3 of Chapter 61 of the Acts of 2009. According to Section 4 of Chapter 61 of the Acts of 2009,

*All functions, duties, and responsibilities of the office of a transferred sheriff pursuant to this act including, but not limited to, the operation and management of the county jail and house of correction and any other statutorily authorized functions of that office, are hereby transferred from the county to the commonwealth.*

According to SCSD's internal control plan,

*The primary mission of SCSD . . . is: to enforce the laws of the Commonwealth and to serve and protect the citizens of Suffolk County; to strengthen public safety through corrections and providing specialized support services to all criminal justice agencies; and to maintain the safe and secure custody and control of inmates and detainees while offering extensive rehabilitation opportunities to effectively reduce offender recidivism.*

As of June 30, 2024, SCSD had approximately 900 employees, including almost 700 correctional or jail officers at the Suffolk County Jail or the Suffolk County House of Correction (HOC). In fiscal years 2022, 2023, and 2024, SCSD's annual state appropriations were approximately \$114.5 million, \$123.9 million, and \$125.5 million, respectively. In addition to its state appropriations, SCSD received the federal funding outlined in the table below to support its programs for these fiscal years.

Program	Fiscal Year 2022	Fiscal Year 2023	Fiscal Year 2024	Total
Adult Basic Education	\$ 131,733	\$ 121,624	\$ 119,401	<u>\$ 372,758</u>
Substance Use Disorder Grant	65,607	67,757	—	<u>133,364</u>
Human Immunodeficiency Virus Grant	25,762	5,896	—	<u>31,658</u>
State Opioid Response Grant	—	5,415	—	<u>5,415</u>
Total	<u>\$ 223,102</u>	<u>\$ 200,692</u>	<u>\$ 119,401</u>	<u>\$ 543,195</u>

SCSD operates the Suffolk County HOC at 20 Bradston Street in Boston. The Suffolk County HOC was opened in 1991 and is used for the care of inmates in SCSD's custody<sup>1</sup> for up to two and one-half years.

1. For an inmate to be in SCSD's custody means that SCSD has the authorization from a court to incarcerate that inmate until the court orders their release.



As of June 30, 2024, there were 625 inmates in custody, 141 of whom were female and 484 of whom were male.

SCSD also operates the Suffolk County Jail at 200 Nashua Street in Boston, which was opened in 1990 and houses male pretrial detainees. As of June 30, 2024, there were 627 male pretrial detainees housed at the Suffolk County Jail.

SCSD offers its sentenced inmates and pretrial detainees various programs at both facilities to prepare them for life after incarceration. For example, SCSD offers social service programs, which include yoga, meditation, and parenting classes; religious service programs, which include weekly bible study, worship services, and spiritual support groups; and women's programs. The focus of these programs is to address topics such as reentry and life skills, anger management, and recovery.

## **Social Services Programs**

Section 936.03 of Title 103 of the Code of Massachusetts Regulations (CMR) requires county correctional facilities, such as those managed by SCSD, to provide inmates with social service programs and to have written policies and procedures over these programs. Additionally, according to 103 CMR 936.03(2), SCSD is annually required to assess the needs of its inmates to ensure that its programs and services align with inmates' identified needs. The agency provides a range of programs and services to inmates in its custody to promote the health and development of each individual and provide opportunities, including, but not limited to, counseling, recreation, and educational or vocational services based on this annual assessment.

## **Educational Qualifications of Social Service Administrators**

According to 103 CMR 936.03(4), SCSD must ensure that its social service programs are administered and supervised by personnel with a minimum of a bachelor's degree in social or behavioral sciences or a related field. SCSD reviews the educational credentials of candidates and performs a background check to ensure that these educational requirements are met before the candidates are hired or promoted to administrative/supervisory roles over social service programs.

## **Orientation**

According to 103 CMR 936.03(5), SCSD must ensure that inmates receive an orientation conducted by a social service staff member within one calendar week of admission. SCSD provides orientation to its inmates within 72 hours of admission or within one week for transfers. Upon completion of orientation, each inmate

signs the Inmate Orientation Record to acknowledge that they attended orientation and received an *Inmate Guide* that explains facility policies and procedures.

### **Counselor/Caseworker and Crisis Intervention**

According to 103 CMR 936.03(6), SCSD must ensure that a counselor or caseworker is assigned to every sentenced inmate. During the orientation process, SCSD's Classification Department performs a review and assigns a caseworker to every sentenced inmate within 72 hours, in accordance with SCSD's Social Services Policy S470.

According to 103 CMR 936.03(7), "pretrial detainees may have a counselor or caseworker assigned upon request, or when deemed appropriate by [SCSD]. Crisis intervention shall be available to all individuals held in the county correctional facility." Crisis intervention services from SCSD include emergency access to psychotropic medications, mental health watches, referrals to inpatient psychiatric facilities, and other emergency mental health services.

SCSD's Social Services Policy S470 requires all sentenced inmates and pretrial detainees to have access to crisis intervention services by qualified medical professionals who are onsite at both facilities 24/7.

### **Vocational Program Policies**

According to 103 CMR 936.02, county correctional facilities are required to provide inmates with academic and vocational education programs. According to 103 CMR 936.02(2), SCSD is required to have written policies and procedures outlining inmate access to vocational training programs that are relevant to the local job market. SCSD has policies and procedures related to vocational training programs that SCSD distributes to vocational education staff members.

### **Academic and Vocational Staff Members**

According to 103 CMR 936.02(3), SCSD is required to ensure that all academic and vocational education staff members have met certification requirements or are working toward those certifications, as outlined by the Commonwealth's Department of Elementary and Secondary Education. SCSD reviews candidates' credentials to ensure that candidates meet the certification requirements before they are hired or promoted to instruct academic or vocational educational programs.

---

## Academic and Vocational Course Placement

According to 103 CMR 936.02(4) and (5), SCSD must place sentenced inmates in the phase of educational and vocational programs that align with their needs and abilities. This determination is based on the results of SCSD's academic and vocational counseling and allows sentenced inmates to start academic or vocational programs and proceed through these programs at their own pace. All sentenced inmates in SCSD custody receive an educational assessment and have access to educational programs, as well as vocational counseling and training. SCSD's Classification Department reviews the results of the educational assessment with sentenced inmates during counseling and recommends vocational and/or educational programs. These recommendations are documented as proof of counseling in SCSD's inmate information system.

According to SCSD's website, sentenced inmates at the Suffolk County HOC are offered the following programs and services:

- education, which includes career counseling, literacy courses, and English courses (for speakers of other languages);
- vocational education in areas such as auto repair, culinary arts, and computer literacy; and
- community work programs, which allow sentenced inmates to participate in community restitution by providing custodial maintenance, landscaping, and other services through various state agencies, such as the Department of Conservation and Recreation.

## Substance Use Disorder Treatment Programs

According to 103 CMR 936.03, SCSD is required to provide sentenced inmates with social service programs that include substance use disorder treatment and to have written policies and procedures over these programs. SCSD has established policies and procedures related to counseling and program services for substance use. SCSD performs inquiries with sentenced inmates during the classification process that allows them to disclose any substance use and to request substance use disorder treatment and/or enroll in programs.

Sentenced inmates and pretrial detainees at both SCSD facilities are offered substance use disorder and recovery programs, which allow sentenced inmates to receive counseling and treatment for alcohol and narcotic use. SCSD offers a Medication Assisted Treatment (MAT) Program that provides sentenced inmates treatment for opioid and alcohol use disorders. The MAT Program provides sentenced inmates with care upon admission to an SCSD facility until they are discharged. The MAT program includes referrals for care

upon release. Sentenced inmates participating in the MAT Program are required to sign a consent to participate form, participate in individual and group counseling, and attend treatment programs.

## **Inmate Records**

SCSD uses an information system to track and manage information on sentenced inmates and pretrial detainees in its custody. During the process of admitting sentenced inmates and pretrial detainees, one of SCSD's booking officers enters information from a mittimus<sup>2</sup> into the system.

## **Electronic Medical Record Management System**

SCSD uses an electronic medical record management system to manage inmates' medical records. Medical staff members use electronic forms to collect health data from sentenced inmates and pretrial detainees, such as their medical history, ongoing and past treatments, mental health conditions, medications, and scheduled appointments.

During the audit period, SCSD facilities provided healthcare through a contract with a third-party vendor from March 1, 2021 through January 31, 2022, at the Suffolk County Jail and from March 1, 2021 through June 12, 2022 at the Suffolk County HOC. Subsequently, SCSD provided healthcare through a contract with a different third-party vendor from February 1, 2022 through June 30, 2024 at the Suffolk County Jail and June 13, 2022 through June 30, 2024 at the Suffolk County HOC. SCSD's "Request for Responses: Comprehensive Health Services to Suffolk County Sheriff's Department Offenders," dated November 1, 2022, outlines the following responsibilities of its healthcare vendor:

### *5.2.2 Role of the Contractor*

*The Contractor shall provide services to all patients in the custody of SCSD.*

*The Contractor shall be solely responsible for making all decisions with respect to the type, timing and level of services needed by patients'. This includes, without limitation, the determination of whether a patient is in need of clinical care, inpatient hospitalization, and/or referral to an outside specialist or otherwise needs specialized care. Except as herein otherwise provided, the Contractor shall be the sole supplier and/or coordinator of all medical, mental health, and dental services under this Contract, and, as such, shall have the sole authority and responsibility for the implementation, modification and continuation of any and all health care for patients.*

---

2. A mittimus is a written, court-issued document presented to a correctional facility, committing an individual to incarceration. It contains information on the offense and term of imprisonment and follows an inmate throughout their time in the criminal justice system.

---

*The Contractor shall provide all means of addressing the serious medical, dental and mental health needs of the patient population based upon clinical assessments of the individual patient in a manner that is cost effective and consistent with community standards of care.*

## **Sick Call Requests**

According to 103 CMR 932.09(1), "Written policy and procedure shall provide for continuous response to health care requests and that sick call[s], conducted by a physician or other qualified health personnel, is available to each inmate."

According to Section VII(A) of SCSD Policy S604, "All inmates shall have the opportunity, through the daily sick call process, to confidentially request medical assistance or health care services for non-emergent illnesses or injury."

During the audit period, the sick call process was administered by SCSD's healthcare vendor.

To request healthcare services, a sentenced inmate or pretrial detainee completes a sick call form, called the Health Service Request Form (HSRF), and states the type of service requested (medical, dental, or mental health). The sentenced inmate or pretrial detainee fills out the date that they complete HSRF and signs the form before submitting it in a secure lockbox in their housing unit or handing it directly to a healthcare staff member during daily medication passes. Healthcare staff members pick up HSRFs daily and evaluate them for the urgency of the medical request within 24 hours. All requests that are evaluated as emergencies are responded to immediately, and problems beyond the expertise of qualified healthcare professionals<sup>3</sup> (QHPs) are referred to appropriate healthcare providers. For all non-emergency HSRFs, a face-to-face encounter with a QHP is conducted within 48 hours after the receipt of the HSRF during the weekday and within 72 hours of the receipt on weekends. QHPs provide treatment and schedule follow-up appointments, if deemed necessary. The responding QHP documents that sick call visits are made in the sentenced inmates' and pretrial detainees' medical records within SCSD's electronic medical record management system.

---

3. SCSD's "Request for Responses: Comprehensive Health Services to Suffolk County Sheriff's Department Offenders" defines a QHP as "physicians, nurse practitioners, physician assistants, advance practice [registered nurses], nurses, dentists, mental health professionals and others who by virtue of their education, credentials, and experience are permitted by law to evaluate and care for patients."

## AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of certain activities of the Suffolk County Sheriff's Department (SCSD) for the period July 1, 2022 through June 30, 2024.

We conducted this performance audit in accordance with generally accepted government auditing standards,<sup>4</sup> except for Paragraph 8.90 of Chapter 8, which pertains to obtaining sufficient, appropriate evidence to meet audit objectives. During the audit, we encountered instances where sufficient, appropriate evidence was not provided for the full audit period.

Consistent with generally accepted government auditing standards, we have noted this inability to obtain sufficient, appropriate evidence as part of the "Scope Limitations" section below. We believe that, except for areas detailed in the "Scope Limitations" section, the evidence we obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Below is a list of our audit objectives, indicating each question we intended our audit to answer; the conclusion we reached regarding each objective; and, if applicable, where each objective is discussed in the audit findings.

Objective	Conclusion
1. Did SCSD annually review the needs of its sentenced inmates to ensure that its social service programs met its sentenced inmates' needs in accordance with Section V of SCSD's Social Services Policy S470 and Section 936.03(2) of Title 103 of the Code of Massachusetts Regulations (CMR)?	No; see Finding <u>1</u>
2. Did SCSD ensure that those who administered and supervised its social service programs had at least a bachelor's degree in social or behavioral sciences or a related field in accordance with 103 CMR 936.03(4)?	Yes
3. Did SCSD ensure that all sentenced inmates received an orientation within 72 hours of admission, and within seven days of transfer, in accordance with Section IX of SCSD's Social Services Policy S470 and 103 CMR 936.03(5)?	No; see Finding <u>2</u>

---

4. *Government Auditing Standards*, issued by the US Government Accountability Office, provide a framework for conducting high-quality audit work with competence, integrity, objectivity, and independence. These standards state that "such performance provides accountability and helps improve government operations and services. These standards, commonly referred to as generally accepted government auditing standards (GAGAS), provide the foundation for government auditors to lead by example in the areas of independence, transparency, accountability, and quality through the audit process."

Objective	Conclusion
4. Did SCSD ensure that all sentenced inmates and pretrial detainees were assigned a counselor or caseworker in accordance with Section XI of SCSD's Social Services Policy S470 and 103 CMR 936.03(6) and (7)?	Yes
5. Did SCSD ensure that all sentenced inmates and pretrial detainees had access to crisis intervention in accordance with Section XII of SCSD's Social Services Policy S470 and 103 CMR 936.03(7)?	Yes
6. Did SCSD have written policies and procedures to provide sentenced inmates access to vocational training programs for skills relevant to the demands of the local job market in accordance with 103 CMR 936.02(2)?	Yes
7. Did SCSD ensure that all academic and vocational instructors employed by SCSD met or were working toward the certification requirements stipulated by the Commonwealth's Department of Elementary and Secondary Education in accordance with 103 CMR 936.02(3)?	No; see Finding <u>3</u>
8. Did SCSD ensure that its educational programs allowed sentenced inmates to start academic or vocational programs and proceed through these programs and ensure that sentenced inmates were placed in academic and vocational courses based on counseling provided to them in accordance with 103 CMR 936.02(4) and (5)?	No; see Findings <u>4</u> and <u>7</u>
9. Did SCSD provide counseling and substance use disorder treatment to sentenced inmates participating in the Medication Assisted Treatment (MAT) Program, as outlined in SCSD's "Medication Assisted Treatment Program Handbook," SCSD's Correctional Psychiatric Services Policy, and 103 CMR 936.03(3)?	No; see Finding <u>5</u>
10. How and to what extent has SCSD established and implemented policies and procedures over the monitoring of its sick call process to ensure that its healthcare vendor complies with all the requirements of SCSD's healthcare policies?	To an insufficient extent; see Finding <u>6</u>
11. Did sentenced inmates and pretrial detainees at SCSD receive medical care after submission of Health Service Request Forms (HSRFs) in accordance with Section VII of SCSD's Inmate Care and Treatment Policy S604 and 103 CMR 932.09?	No; see Finding <u>6</u>

To accomplish our audit objectives, we gained an understanding of the SCSD internal control environment relevant to our objectives by reviewing SCSD's internal control plan, reviewing applicable policies and procedures, and conducting site visits and interviews with SCSD management. We evaluated the design and implementation of internal controls related to the hiring of administrators and supervisors of social service programs. We also tested the operating effectiveness of internal controls related to the hiring of administrators and supervisors of social service programs. In addition, to obtain sufficient, appropriate evidence to address our audit objectives, we performed the procedures described below.

## Scope Limitations

SCSD could not provide the data that would have allowed us to perform certain aspects of our audit testing as outlined below.

For Objective 5, we requested the timesheets for all qualified healthcare professionals (QHPs) on duty for both the Suffolk County Jail and the Suffolk County House of Correction (HOC) for each date within our sample of 50 dates. After we made our request, we were informed that the healthcare vendor responsible for maintaining the timesheets reported to SCSD no longer had access to timesheets before November 2022. Due to these limitations, we selected an additional 9 dates from the period November 1, 2022 through June 30, 2024 and performed substantive testing on the 50 dates in our sample within this timeframe. See the "[Crisis Intervention](#)" section of this report for more information. Although we did not find any issues regarding the 50 dates reviewed between November 1, 2022 through June 30, 2024, this period does not cover the entire audit period. If we had been provided with all 50 dates from our initial sample selection, then our audit conclusion for this objective may have been different.

For Objective 9, we were unable to determine the population of sentenced inmates who were diagnosed with substance use disorder because we could not query SCSD's previous healthcare vendor's electronic medical record management system because of how the healthcare records were stored. Additionally, SCSD did not have the ability to provide a report with the required fields and could not obtain the necessary data from its third-party healthcare vendor. Due to the inability to identify this population, we were unable to test our original objective to determine whether sentenced inmates who were diagnosed with substance use disorder received counseling and program services in accordance with 103 CMR 936.03(3).

As a result, we adjusted Objective 9 to determine whether the smaller, but identifiable, population of sentenced inmates who were designated in SCSD's inmate information system as having been enrolled in the MAT Program received appropriate counseling and treatment as outlined in SCSD's "Medication Assisted Treatment Program Handbook," SCSD's Correctional Psychiatric Services Policy, and 103 CMR 936.03(3). However, during our testing, we discovered that SCSD's inmate information system did not have the capability to distinguish whether a sentenced inmate was enrolled in the MAT Program at an SCSD facility before, during, or after the audit period or whether they were previously enrolled in another program in a different county. These limitations created uncertainty in the accuracy of the number of sentenced inmates enrolled in the MAT Program at SCSD facilities during the audit period; therefore, we were unable to determine the true size of the population. We performed substantive testing on the 56



sentenced inmates in our sample who were enrolled in the MAT Program at SCSD during the audit period. See the "[Substance Use Disorder Treatment Programs](#)" in the Objectives, Scope, and Methodology section of this report for more information. As outlined in [Finding 5](#), we found certain issues regarding this matter. Had we been able to review the full sample size selected, this may have increased the number of audit findings reported in [Finding 5](#).

## **Review of Inmate Needs**

To determine whether SCSD annually reviewed the needs of its sentenced inmates to ensure that its social service programs met its sentenced inmates' needs in accordance with Section V of SCSD's Social Services Policy S470 and 103 CMR 936.03(2), we interviewed SCSD management and requested documentation to support that annual needs assessments were conducted to ensure that the necessary programs and services were available.

For this objective, we found certain issues during our testing; namely, that SCSD was unable to provide evidence that it completed annual reviews of the needs of its sentenced inmates to ensure that its social service programs met the needs of its sentenced inmates, as required by Section V of SCSD's Social Services Policy S470 and 103 CMR 936.03(2). See [Finding 1](#) for more information.

## **Review of Social Service Program Administrators' and Supervisors' Education Qualifications**

To determine whether SCSD ensured that those who administered and supervised its social service programs had at least a bachelor's degree in social or behavioral sciences or a related field in accordance with 103 CMR 936.03(4), we reviewed the personnel files for all six of the administrators and supervisors. We reviewed these six staff members' work histories, certifications, education, and inspected copies of their diplomas to determine whether they held at least a bachelor's degree in social or behavioral sciences or a related field.

For this objective, we found no significant issues during our testing. Therefore, we concluded that, based on our testing, SCSD ensured that those who administered and supervised its social service programs had at least a bachelor's degree in social or behavioral sciences or a related field in accordance with 103 CMR 936.03(4).

## **Inmate Orientation**

To determine whether SCSD ensured that all sentenced inmates received an orientation within 72 hours of admission, and within seven days of transfer, in accordance with Section IX of SCSD's Social Services Policy S470 and 103 CMR 936.03(5), we selected a statistical<sup>5</sup> sample of 60 sentenced inmates out of the population of 1,478 sentenced inmates booked during the audit period, using a 95% confidence level,<sup>6</sup> a 0% expected error rate,<sup>7</sup> and a 5% tolerable error rate.<sup>8</sup> For the 60 sentenced inmates in our sample, we reviewed the data for sentenced inmates from SCSD's inmate information system to identify each time the sentenced inmate was booked during the audit period. We identified 69 unique bookings<sup>9</sup> for the 60 sentenced inmates in our sample. For each of the 69 unique bookings we identified, we reviewed the corresponding Inmate Orientation Forms on file for each sentenced inmate in our sample to determine the dates the forms were signed. These dates were then compared to every booking date for those sentenced inmates in our sample to determine whether they received their orientation within 72 hours of admission or 7 days of transfer.

For this objective, we found certain issues during our testing; namely, that SCSD did not provide all sentenced inmates with intake orientation within the required timeframes. See [Finding 2](#) for more information.

## **Counselor/Caseworker**

To determine whether SCSD ensured that all sentenced inmates and pretrial detainees were assigned a counselor or caseworker in accordance with Section XI of SCSD's Social Services Policy S470 and 103 CMR 936.03(6) and (7), we selected a statistical sample of 60 sentenced inmates and pretrial detainees out of the population of 8,033 sentenced inmates and pretrial detainees who were booked during the audit period, using a 95% confidence level, a 0% expected error rate, and a 5% tolerable error rate. For the 60 sentenced inmates and pretrial detainees in our sample, we reviewed the data for sentenced inmates and

- 
5. Auditors use statistical sampling to select items for audit testing when a population is large (usually over 1,000) and contains similar items. Auditors generally use a statistics software program to choose a sample when statistical sampling is used. The results of testing using statistical sampling, unlike those from judgmental sampling, can usually be used to make conclusions or projections about entire populations.
  6. Confidence level is a mathematically based measure of the auditor's assurance that the sample results (statistic) are representative of the population (parameter), expressed as a percentage.
  7. Expected error rate is the number of errors that are expected in the population, expressed as a percentage. It is based on the auditor's knowledge of factors such as prior year results, the understanding of controls gained in planning, or a probe sample.
  8. Tolerable error rate is the maximum error in the population that auditors would be willing to accept and still conclude that the result from the sample has achieved the audit objective.
  9. Some sentenced inmates were booked and/or released multiple times during the audit period.

pretrial detainees from SCSD's inmate information system to identify each time that they were booked during the audit period. We identified 154 unique bookings for the 60 sentenced inmates and pretrial detainees in our sample. We then performed the following procedures:

- To determine whether a counselor or caseworker was assigned to each sentenced inmate and pretrial detainee in our sample, we inspected the section of SCSD's inmate information system that contains time-stamped assignments of caseworkers.
- We used the date the counselor or caseworker was assigned to calculate the number of days between when the sentenced inmates were booked and when the counselor or caseworker was assigned to determine whether they were assigned within 72 hours of intake.

Based on the results of our testing, we determined that, during the audit period, SCSD assigned a counselor or caseworker to sentenced inmates and pretrial detainees within the timeframes outlined in Section XI of SCSD's Social Services Policy S470 and 103 CMR 936.03(6) and (7).

## **Crisis Intervention**

To determine whether SCSD ensured that all sentenced inmates and pretrial detainees had access to crisis intervention in accordance with Section XII of SCSD's Social Services Policy S470 and 103 CMR 936.03(7), we selected a nonstatistical<sup>10</sup> sample of 50 dates between November 1, 2022 through June 30, 2024 and requested QHP timesheets for each date in our sample. We inspected the available timesheets to determine whether a QHP was onsite at both the Suffolk County Jail and Suffolk County HOC to provide crisis intervention during the entire 24 hours of each date. We were unable to select our sample from the audit period, July 1, 2022 through June 30, 2024, for the reasons mentioned in the "Scope Limitations" section. We noted no exceptions in our testing of the 50 dates within our sample for this shortened timeframe.

## **Vocational Program Policies**

To determine whether SCSD had written policies and procedures to provide sentenced inmates access to vocational training programs for skills relevant to the demands of the local job market, such as automobile repair or carpentry, in accordance with 103 CMR 936.02(2), we inspected SCSD's internal policies to determine whether it had written policies and procedures to provide sentenced inmates access to vocational training programs for skills that were in demand in the local job market.

---

10. Auditors use nonstatistical sampling to select items for audit testing when a population is very small, the population items are not similar enough, or there are specific items in the population that the auditors determine warrant review.

Based on the results of our testing, we determined that SCSD's internal policies include SCSD's Academic and Vocational Arts Programs Policy S460, which was in compliance with the requirements of 103 CMR 936.02(2).

### **Academic and Vocational Staff Member Certification Requirements**

To determine whether SCSD ensured that the 10 vocational instructors (whom we could identify) and all 4 academic instructors employed by SCSD met or were working toward the certification requirements stipulated by the Commonwealth's Department of Elementary and Secondary Education in accordance with 103 CMR 936.02(3), we performed the following procedures:

- For each instructor, we determined the certification requirements for the classes they instructed.
- For each instructor, we reviewed their personnel file to determine whether they had documentation that they had received any required certifications or course progress toward the required certifications.

Based on the results of our testing, we determined that, during the audit period, SCSD did not consistently ensure that vocational instructors had received or were working toward the certification requirements stipulated by the Commonwealth's Department of Elementary and Secondary Education in accordance with 103 CMR 936.02(3). See [Finding 3](#) for more information.

### **Academic and Vocational Course Placement**

To determine whether SCSD ensured that its educational programs allowed sentenced inmates to start academic or vocational programs and proceed through these programs at their own pace in accordance with 103 CMR 936.02(4), we requested policies and procedures related to the enrollment and structure of SCSD's educational and vocational programs. Additionally, we interviewed the superintendent who oversees the vocational programs and the director of education about the structure of the academic and vocational programs offered by SCSD. We inquired how sentenced inmates were enrolled in the programs and whether the programs had a start or end date that would prohibit sentenced inmates from starting academic or vocational programs and proceeding through these programs at their own pace. SCSD officials informed us that, with the exception of certain vocational programs that build off of skills learned within the first section of the programs, each of the programs offered is set up to run on an ongoing basis. These ongoing classes do not have a start or end date, and each sentenced inmate enrolled in the program

would begin with the coursework that corresponds to their level of education and continue until they completed all remaining coursework.

We noted that the policy states that SCSD would allow sentenced inmates to start academic or vocational programs and proceed through these programs at their own pace; however, the policy does not provide instructions to SCSD employees on how to accomplish this task in the event of agency turnover. For example, inmates who test at different grade levels can be placed in the same class but receive individualized teaching from the instructor at their grade level. However, there is no SCSD policy outlining the specifics on the structure of educational classes or how sentenced inmates are to be enrolled in SCSD's educational programs so that they may proceed through these programs at their own pace. We determined that SCSD did not have documented procedures in place to ensure that its educational programs allowed sentenced inmates to start academic or vocational programs and proceed through these programs at their own pace in accordance with 103 CMR 936.02(4). See [Finding 7](#) for more information.

To determine whether SCSD ensured that sentenced inmates were placed in academic and vocational courses based on counseling provided to them in accordance with 103 CMR 936.02(5), we selected a statistical sample of 60 sentenced inmates out of the population of 1,478 sentenced inmates who were booked during the audit period, using a 95% confidence level, a 0% expected error rate, and a 5% tolerable error rate. For the 60 sentenced inmates in our sample, we reviewed data for the sentenced inmates from SCSD's inmate information system to identify each time the sentenced inmate was booked during the audit period. We identified 69 unique bookings for the 60 sentenced inmates in our sample. For each of the 69 unique bookings identified, we performed the following procedures:

- We verified that each sentenced inmate in our sample received an educational assessment, which was used to determine their educational needs and abilities.
- For each sentenced inmate in our sample, we inspected the section of SCSD's inmate information system that contains time-stamped evidence of counseling on program recommendations based on the results of their educational assessments. For each sentenced inmate in our sample who did not have a high school diploma or equivalency and who received an educational assessment test result below an eighth-grade reading level, we determined the following:
  - whether they were assigned to participate in a functional literacy program for at least 90 days, in accordance with SCSD's Academic and Vocational Arts Programs Policy S460;
  - whether they attended the assigned programs; or

- whether they had a signed participation refusal form on file, if they did not attend the assigned programs.

For this objective, we found certain issues during our testing; namely, that SCSD did not provide educational assessments to all inmates and could not provide evidence that it obtained signed participation refusal forms for sentenced inmates who chose to not attend recommended programs. See [Finding 4](#) for more information.

## **Substance Use Disorder Treatment Programs**

To determine whether SCSD provided counseling and substance use disorder treatment to sentenced inmates participating in the MAT Program, as outlined in SCSD's "Medication Assisted Treatment Program Handbook," SCSD's Correctional Psychiatric Services Policy, and 103 CMR 936.03(3), we selected a nonstatistical sample of 60 sentenced inmates from the population of 545 sentenced inmates designated as participating in the MAT Program. Due to the issues mentioned in the "[Scope Limitations](#)" section of this report, we were only able to test 56 of the 60 sentenced inmates in our sample. For these 56 sentenced inmates, we performed the following procedures:

- We reviewed the MAT Program participation form on file for each sentenced inmate in our sample to determine whether they were counseled about the program requirements.
- We inspected the section of SCSD's inmate information system that contains time-stamped evidence for each sentenced inmate in our sample to determine whether:
  - they were orally counseled on the program requirements;
  - they had received a health assessment before initiating MAT; and
  - they received medication prescribed as part of their treatment plan.

For this objective, we found certain issues during our testing; namely, that SCSD did not receive consent to participate forms for all sentenced inmates enrolled in the MAT Program. See [Finding 5](#) for more information.

## **Implementation of Policies and Procedures Over the Monitoring of Sick Calls**

To determine how and to what extent SCSD has established and implemented policies and procedures over the monitoring of its sick call process to ensure that its healthcare vendor complied with all the requirements of SCSD's healthcare policies, as recommended in our prior audit (Audit No. 2022-1449-3J), we inquired with SCSD management regarding any current policies in place.

Based on our discussions with management, we determined that SCSD did not establish and implement policies and procedures over the monitoring of its sick call process to ensure that its healthcare vendor complied with all the requirements of SCSD's healthcare policies, as recommended in our prior audit. See [Finding 6](#) for more information.

## **Sick Calls**

To determine whether sentenced inmates and pretrial detainees at SCSD received medical care after submission of HSRFs in accordance with Section VII of SCSD's Inmate Care and Treatment Policy S604 and 103 CMR 932.09, we selected a statistical sample of 83 sick call requests from the 20,320 healthcare records associated with sick call requests (records that contained the keywords "sick slip," "sick call," or "s/s," along with records that quoted the statement on the sick call request form) using a 90% confidence level, a 50% expected error rate, and a 19% tolerable error rate.

Further, we selected a nonstatistical sample of 60 healthcare records from the population of 14,377 healthcare records that did not contain the key identifiers of "sick slip," "sick call," or "s/s," and records that did not quote the statement on the sick call request form, to determine whether these healthcare records were related to sick calls but were not labeled as such in SCSD's electronic medical record management system. Specifically, we reviewed the medical records for the sentenced inmates and pretrial detainees associated with the healthcare records in our sample for any sick call request forms that were scanned into their medical files but were not labeled as sick call requests. We identified 18 healthcare records out of our sample of 60 that included a scanned sick call request form but were not labeled with the key identifiers. We added these 18 healthcare records to our sample of 83 and determined whether the following steps were performed:

1. the sick call was reviewed and logged into the Medical Record Management System within 24 hours after it was received by the medical staff members;
2. the sick call form was reviewed for the immediacy of need and required intervention;
3. a face-to-face encounter occurred within 48 hours during weekdays or 72 hours during weekends when a sick call form described clinical symptoms; and
4. the sick call was reviewed and treatment was provided or referred to the appropriate provider if the medical issue was beyond the expertise of the QHP.

Based on the results of our testing, we determined that, during the audit period, SCSD did not consistently ensure that sentenced inmates and pretrial detainees received medical care after submission of HSRFs in

accordance with Section VII of SCSD's Inmate Care and Treatment Policy S604 and 103 CMR 932.09. See [Finding 6](#) for more information.

We used a combination of statistical and nonstatistical sampling methods for testing. We could not identify the number of unique bookings for sentenced inmates or pretrial detainees because of the way SCSD's inmate information system records transferred sentenced inmates and pretrial detainees between SCSD facilities. Because of this, we examined every booking for those sentenced inmates in our samples for Objectives 3, 4, and 8. However, we did not project the results of our testing to the corresponding populations.

## **Data Reliability Assessment**

### **Social Service Administrators/Supervisors**

To assess the reliability of the list of seven social service program administrators and supervisors employed during the audit period provided by SCSD superintendents, we queried the Commonwealth Information Warehouse (CIW)<sup>11</sup> to obtain a list of all SCSD employees during the audit period and determined whether any employees had identical job titles. We also compared the list of social service program administrators and supervisors to the CIW list for agreement of employee names to ensure that they held the position during the audit period and to determine their job titles within the CIW. We identified two additional social service supervisors from the provided list of social service program administrators and supervisors through the CIW list review. In addition, we found that one employee provided by SCSD as a social service supervisor was not promoted to a supervisor position until after the audit period.

### **Inmate Information System**

To assess the reliability of the data that we obtained from SCSD's inmate information system related to sentenced inmates and pretrial detainees, we interviewed the information technology employees who were knowledgeable about the system.

We tested information system general controls, including security management, access controls, segregation of duties, and contingency planning. We selected a sample of 20 sentenced inmates and

---

11. The CIW contains budget, human resource, and payroll information as well as financial transaction data from the Massachusetts Management Accounting and Reporting System.



pretrial detainees from the list of sentenced inmates and pretrial detainees in SCSD's inmate information system and compared for agreement the sentenced inmates' and pretrial detainees' information (i.e., first name, last name, birth date, booking date, and race) from the list to the information in the original source document (i.e., the mittimuses or booking records). We also selected a sample of 20 hardcopy mittimuses or booking records and compared the sentenced inmates' and pretrial detainees' information (i.e., first name, last name, birth date, booking date, and race) from that documentation to the information on the list of sentenced inmates and pretrial detainees from SCSD's inmate information system for agreement.

In addition, we analyzed all 20,138 lines of data for sentenced inmate and pretrial detainee data to ensure that it did not contain certain dataset issues (i.e., duplicate records, missing values in necessary data fields, and data corresponding to dates outside the audit period).

For this aspect of our data reliability assessment, we found certain issues during our testing related to general information system controls for SCSD's inmate information system. See [Other Matters](#) for details regarding record retention issues.

### **Academic and Vocational Instructors**

To assess the reliability of the list of academic and vocational instructors we obtained from SCSD officials, we queried CIW to obtain a list of all SCSD employees during the audit period. We compared the list of academic and vocational instructors to the CIW list for agreement of employee names to ensure that they held the positions during the audit period and to determine their job titles within the CIW list. Further, we reviewed the CIW list to determine whether any employees had identical job titles to individuals on the list of academic and vocational instructors. For individuals we identified as having the same job title as the academic instructors, we determined whether they taught academic programs during the audit period. For individuals we identified as having the same job title as vocational instructors, but who were not identified as vocational instructors by SCSD, we were unable to determine whether they were actually vocational instructors.

Further, SCSD did not have the ability to provide a chronology of vocational instructors who were employed during the audit period. Because of this, we could not validate that the available population of vocational instructors was complete.

The list of vocational instructors that we obtained from SCSD officials was the only source of data available to answer our audit objective.

## **Electronic Medical Record Management System**

To assess the reliability of the list of sick call requests that originated from SCSD's electronic medical record management system, we interviewed the assistant superintendent of SCSD's Medical Department. During the completion of our audit work, SCSD had read-only access to the electronic medical record management system because it changed healthcare providers. This limited our ability to test information system general controls, such as security management, access controls, configuration management, segregation of duties, and contingency planning.

We observed one of SCSD's employees extract data for the 34,784 healthcare records from the audit period from SCSD's electronic medical record management system using specific parameters under treatment and service type (medical and mental health sick calls). We removed duplicate records and mock data<sup>12</sup> records from this population and identified 34,697 unique records and identified that the provided data included healthcare records that were not related to sick call visits. Through discussions with SCSD officials, we determined that the healthcare records related to sick call requests contained the keywords "sick slip," "sick call," or "s/s" or quoted the statement on the sick call request form. Using these key identifiers, we identified 20,320 healthcare records associated with sick call requests.

In addition, we selected a sample of 20 sick calls from the list of sick calls in the electronic medical record management system and compared the information (i.e., first name, last name, birth date, date of sick call request, and date of entry of sick call into the electronic medical record management system) from this list to the information in the original HSRFs for agreement. We also selected a sample of 50 copies of submitted HSRFs and compared the information (i.e., first name, last name, birth date, date of sick call request, and date of entry of sick call into the electronic medical record management system) on the HSRFs to the information on the list of sick calls in the system.

In addition, we tested the list to ensure that it did not contain certain dataset issues (i.e., duplicate records and data corresponding to dates outside the audit period). The sick call request data that

---

12. Mock data is used to stand in for real data. This allows data users to simulate scenarios without the risks associated with testing live data.

originated from the medical record management system was the only source available to answer our audit objective.

Based on the results of the data reliability assessment procedures described above, we determined that the information we obtained during the course of our audit was sufficiently reliable for the purposes of our audit.

## DETAILED AUDIT FINDINGS WITH AUDITEE'S RESPONSE

### **1. The Suffolk County Sheriff's Department could not provide evidence that it conducted its annual reviews of the needs of its sentenced inmates as required by its policies and Section 936.03(2) of Title 103 of the Code of Massachusetts Regulations.**

The Suffolk County Sheriff's Department (SCSD) was unable to provide evidence that it completed annual reviews of the needs of its sentenced inmates to ensure that its social service programs met these needs.

If SCSD does not annually review the needs of its sentenced inmates in relation to the social service programs it offers, SCSD has a higher risk that it may not provide its sentenced inmates with programs essential to their needs in order to set them up for successful reentry.

### **Authoritative Guidance**

Section 936.03(2) of Title 103 of the Code of Massachusetts Regulations (CMR) states,

*Written policy and procedure shall provide that the county correctional facility staff identify at least annually the needs of the inmate population to ensure that the necessary programs and services are available.*

Section V of SCSD's Social Services Policy S470 states,

*An annual needs assessment . . . shall be conducted to ensure that the necessary programs and services are available, including those designed to meet the needs of inmates with special types of problems.*

### **Reasons for Issue**

SCSD officials stated that, due to the informal nature of the reviews being conducted, they did not have evidence (such as documented notes) of their annual review of the needs of their sentenced inmates to ensure that the necessary social service programs were available.

### **Recommendation**

SCSD should ensure that it conducts annual reviews of the needs of its sentenced inmates to ensure that necessary programs and services are available and ensure that these annual reviews are documented.

## Auditee's Response

*SCSD program administrators review all programs provided to the incarcerated population on a regular basis. Additionally, at the end of each calendar year in accordance with the legislative mandate, SCSD submits the Program Services Inventory (PSI) Matrix. This report includes all programs provided to the incarcerated individuals during that year. This allows SCSD to review all current programs, population(s) served, number of individuals served, etc. Moving forward SCSD will be requesting curricula from all internal and external partners to more formally review the programs provided and needs of the population. The review will be done by program and administrative staff in a committee format.*

## Auditor's Reply

We encourage SCSD to document the annual reviews it performs to ensure that it is in compliance. As part of our post-audit review process, we will follow up on this matter in approximately six months.

### **2. The Suffolk County Sheriff's Department did not ensure that it provided all sentenced inmates with an intake orientation or that all orientations were provided on time or at all, as required by its policy.**

SCSD did not ensure that it provided all sentenced inmates with an intake orientation or that all orientations were provided on time or at all. During the audit period, there were 1,478 sentenced inmates admitted to the Suffolk County Jail or the Suffolk County House of Correction (HOC) who were required to receive an intake orientation within 72 hours after their intake or within one week of being transferred for every time they were booked as a sentenced inmate. We found that for the inmates associated with 43 (62%) out of the 69 bookings in our sample, SCSD either did not provide all sentenced inmates with an intake orientation on time or at all. Specifically, we found:

- SCSD could not provide evidence of an orientation form signed by the sentenced inmates associated with 15 (22%) out of the 69 bookings in our sample.
- We found that the sentenced inmates associated with 22 (32%) out of the 69 bookings in our sample should have received an intake orientation within 72 hours but did not receive their orientation until 4 to 36 days after admission.
- We found that the sentenced inmates associated with 6 (9%) out of the 69 bookings in our sample should have received an intake orientation within one week of transfer but did not receive their orientation until 8 to 16 days after transfer.

By not providing intake orientations to its sentenced inmates within the required timeframe, there is a higher risk that SCSD sentenced inmates are not aware of their rights and responsibilities or of the programs and services that may be available to them.

## Authoritative Guidance

According to Section IX of SCSD's Social Services Policy S470, "[Program Services Division] staff shall conduct orientation for inmates within seventy-two (72) hours of admission to the facility and within one (1) week for transfers."

## Reasons for Issue

SCSD management stated that Section IX of its Social Services Policy S470 mistakenly included the 72-hour timeline for orientation of sentenced inmates. According to SCSD management's review, the policy manual should have indicated that all sentenced inmates should receive orientation within seven days of admission, which is the same as outlined in 103 CMR 936.

## Recommendation

SCSD should establish monitoring controls to ensure that it provides all sentenced inmates with intake orientation within the required timeframes.

## Auditee's Response

*All SCSD inmates receive orientation within 1 week of admission. This discrepancy is a clerical error and has been updated in compliance with the standard and practice by the Department.*

## Auditor's Reply

As part of its response, SCSD provided us with a copy of the updated policy. Based on its response and the updated policy, SCSD is taking measures to address our concerns regarding this matter. As part of our post-audit review process, we will follow up on this matter in approximately six months.

### **3. The Suffolk County Sheriff's Department did not ensure that all vocational instructors met or were working toward required certifications, as required by Section 936.02(3) of Title 103 of the Code of Massachusetts Regulations.**

SCSD did not ensure that all vocational instructors met or were working toward the certifications required by the Commonwealth's Department of Elementary and Secondary Education. Specifically, 6 (60%) out of the 10 vocational program instructors employed by SCSD did not have or were not working toward the required Voc Tech Teacher license required for courses they instructed.

By not ensuring that its vocational instructors have the required certifications to instruct their respective courses, SCSD may not be in compliance with state regulation. Additionally, this potentially impacts the

ability of SCSD's sentenced inmates enrolled in these courses seeking to gain employment and maintain jobs in these fields after their reentry. Additionally, inmates may face a higher risk of accidents or injuries if their instructors are not fully trained in the proper procedures for vocational education.

### **Authoritative Guidance**

According to 103 CMR 936.02(3),

*The county correctional facility shall ensure that all academic and vocational education personnel meet certification requirements as stipulated by the Commonwealth's [Department of Elementary and Secondary Education] or are working toward said certification.*

### **Reasons for Issue**

SCSD officials stated that they consider work experience the most important qualifying measures for vocational instructors. We note that these certifications are required by state regulation, which SCSD is required to follow.

### **Recommendation**

SCSD should establish policies and procedures, including monitoring controls, to ensure that all SCSD educational and vocational instructors have or are working toward certifications required by the Commonwealth's Department of Elementary and Secondary Education for the respective courses that they teach.

### **Auditee's Response**

*In an effort to cultivate a diverse workforce the department is in agreement with the governor's executive order that a skills based hiring process is appropriate at this time. The department focuses primarily on an applicant's skills, knowledge, and abilities rather than educational credentials alone.*

*The department's vocational programing is set up as a pre apprenticeship type program and as such the department finds that applicants/employees with the appropriate work history and skills would be able to instruct such programs. However, the department ensures that a properly trained and certified person is instructing any course or course section where a student may receive a state or federally recognized certification such ServeSafe, OSHA [which stands for Occupational Safety and Health Administration] 10, and [the Occupational Safety and Health Administration's OSHA] 30 certifications.*

## **Auditor's Reply**

SCSD cites the Governor's Executive Order 627, which focuses on the skills and abilities of applicants. However, we are auditing to the standards set forth in 103 CMR 936.02(3), which requires "all academic and vocational education personnel [to] meet certification requirements as stipulated by the Commonwealth's [Department of Elementary and Secondary Education]."

While ensuring that the skills and abilities of applicants are prioritized is a noble goal, and makes absolute sense, it does not nullify the existing state regulation that stipulates certain requirements must still be met in order to provide education and training in these instances. If SCSD believes the current regulation conflicts with its ability to prioritize factors put forth in Executive Order 627, SCSD should contact the Governor and the Legislature to address its concerns and highlight its stated challenges.

### **4. The Suffolk County Sheriff's Department did not provide educational assessments to all sentenced inmates and could not provide signed participation refusal forms for sentenced inmates who chose not to attend recommended programs.**

SCSD did not provide educational assessments to all sentenced inmates and could not provide signed participation refusal forms for sentenced inmates who chose not to attend recommended programs. We found issues with the educational assessments for the inmates associated with 43 (62%) out of the 69 bookings in our sample. Specifically, we found the following issues:

- The sentenced inmates associated with 33 (48%) out of the 69 bookings in our sample did not receive an educational assessment. Of these 33 bookings, we found SCSD could not provide a reason that the sentenced inmates associated with 14 (42%) of these 33 bookings in our sample did not receive educational assessments.
- We found that SCSD could not provide signed participation refusal forms from the sentenced inmates associated with 10 (14%) out of the 69 bookings in our sample, where the sentenced inmates did not have a high school diploma or equivalency and received an educational assessment with a test result below an eighth-grade reading level and they chose not to attend recommended programs.

By not following its policy of retaining refusal forms signed by sentenced inmates who declined to participate in academic programs, SCSD may be unable to demonstrate to the Parole Board that sentenced inmates who declined to enroll in required literacy programs were informed of their obligation to participate.



## Authoritative Guidance

Section II of SCSD's Academic and Vocational Arts Programs Policy S460 states,

*Every person sentenced to the HOC shall be administered a standardized test of adults basic education (TABE) or other standardized test approved by the Department of Education (DOE) to assess the reading equivalency level of the individual. . . .*

- 2. Sentenced inmates with a high school diploma or high school equivalency diploma who test below the eighth (8th) grade reading level are required, on a space available basis, to participate in the functional literacy program for at least ninety (90) days.*
- 3. Inmates may refuse to participate in educational programs, except programs required by statute. Such refusals must be documented in writing (Form 460-1) by division staff and placed in the inmates' institutional folder.*

## Reasons for Issue

SCSD officials stated the staff members overseeing the educational assessments failed to document sentenced inmates' refusals or failures to appear for their educational assessment appointments. Regarding the lack of signed refusal forms, SCSD officials stated that, during the audit period, they did not follow agency procedures that required sentenced inmates to sign participation refusal forms when they refused to attend the recommended programs.

## Recommendations

1. SCSD should establish policies and procedures, including monitoring controls, to ensure the retention of documentation of sentenced inmates' refusal to take educational assessments to determine the academic and/or vocational programs most suited to their needs.
2. SCSD should establish monitoring controls to ensure that its policies and procedures are followed so that all sentenced inmates who receive an educational assessment score below an eighth-grade reading level and refuse to enroll in the recommended programs sign participant refusal forms.

## Auditee's Response

*Since notification by the State Auditor's office of this non-compliance, we have implemented a new process. Any individual who refuses educational assessments and/or programs will need to sign the required documentation. In the event that individual refuses to sign the form, SCSD will have a staff member note and document said refusal.*

## Auditor's Reply

Based on its response, SCSD is taking measures to address our concerns regarding this matter. As part of our post-audit review process, we will follow up on this matter in approximately six months.

## **5. The Suffolk County Sheriff's Department did not ensure that it received all consent to participate forms from sentenced inmates who were enrolled in the Medication Assisted Treatment Program, as required by its policy.**

SCSD did not ensure that it received all consent to participate forms from sentenced inmates enrolled in the Medication Assisted Treatment (MAT) Program. Specifically, we found that SCSD did not have a signed consent to participate form on file for 1 (2%) out of 60 sampled sentenced inmates designated as participating in the MAT Program.

By not ensuring that all sentenced inmates signed a consent to participate form, there is a higher risk that sentenced inmates may not have been informed of the program requirements to stay within the MAT Program and/or the risks associated with treatment.

### **Authoritative Guidance**

Procedure 1 of SCSD's Substance Use Disorder Services Policy S473H states,

*5. Substance use disorder intake procedures will include, at a minimum, the following elements:*

- a. an individualized assessment depending on the inmate's self-reported history of substance use; and*
- b. an individualized plan of treatment which includes:*
  - 1) referral to the appropriate treatment programs; and*
  - 2) an informed and voluntary written agreement to actively participate in the treatment plan.*

### **Reasons for Issue**

SCSD management stated the consent to participate form was missing because the sentenced inmate was enrolled in the MAT Program at another facility. When the sentenced inmate was readmitted to the Suffolk County HOC after a parole violation, the medical staff members continued MAT without obtaining a new consent to participate form.

### **Recommendation**

SCSD should ensure that it provides, and receives signatures for, all consent to participate forms from inmates enrolled in the MAT Program.

## Auditee's Response

*SCSD will continue to work with our medical vendor to ensure consent to treat forms are complete prior to the administration of medication.*

## Auditor's Reply

Based on its response, SCSD is taking measures to address our concerns regarding this matter. As part of our post-audit review process, we will follow up on this matter in approximately six months.

### **6. The Suffolk County Sheriff's Department did not implement our prior recommendations to establish and implement policies and procedures over the monitoring of its healthcare vendor.**

SCSD did not implement our prior recommendations to establish policies and procedures over the monitoring of its healthcare vendor to ensure that the vendor complied with SCSD's internal healthcare policies related to sick calls (SCSD's Inmate Care and Treatment Policy S604).

We found that, for 10 (12%) out of 83 sampled records that indicated a sentenced inmate or a pretrial detainee requested a sick call visit, SCSD's healthcare vendor did not comply with SCSD's policy. Specifically, we found the following:

- One sick call request was not reviewed within 24 hours.
- Three sick call requests did not result in a face-to-face encounter with a qualified healthcare professional (QHP) within the required timeframe.
- Three sick call requests were not reviewed within 24 hours and did not result in a face-to-face encounter with a QHP within the required timeframe.
- Three sick call requests were not reviewed within 24 hours, did not result in a face-to-face encounter with a QHP within the required timeframe, and did not have notes from the QHP on the form.

Further, for the 18 sampled records that were not properly labeled as sick call requests but did have a sick call request form on file, we found that SCSD's healthcare vendor did not comply with SCSD's policy for two of the records. Specifically, we found that one sick call request was not reviewed within 24 hours, and one sick call request was not reviewed within 24 hours and did not result in a face-to-face encounter with a QHP within the required timeframe.

Because SCSD did not implement our prior recommendations to establish policies and procedures over the monitoring of its healthcare vendor's administration of sick call visits, SCSD's Inmate Care and Treatment Policy S604 was not properly followed. There is, therefore, a higher risk that sentenced inmates or pretrial detainees have not, and will not, have their healthcare issues properly resolved within the required timeframes or at all. Further, there is a higher risk that SCSD will not notice the failure of its vendor to comply with SCSD policies, and potentially the requirements of its contract with the Commonwealth, resulting in poor vendor performance going unnoticed and unaddressed.

### **Authoritative Guidance**

Our prior audit report (Audit No. 2022-1449-3J) recommended, "SCSD should establish monitoring controls (i.e., policies and procedures) over its sick call process to ensure that its healthcare vendor complies with all the requirements of SCSD's healthcare policies."

Section 8.2.3 of SCSD's internal control plan states,

*If a deficiency in compliance or internal controls lead to a formal audit finding, then corrective action is taken to remediate the finding in a timely manner. The audit resolution process begins when an audit or other review results are reported to management and is completed only after action has been taken that does one of the following: corrects identified deficiencies, produces improvements, or demonstrates that the findings and recommendations do not warrant management activity.*

### **Reasons for Issue**

SCSD management stated that the controls in place were adequate for the supervision of the healthcare vendor at the time and that the lack of adequate care was the result of inadequate staffing by the healthcare vendor. SCSD management stated that they terminated their contract with the healthcare vendor, in part because of the inadequate staffing.

### **Recommendation**

SCSD should establish sufficient monitoring controls (i.e., policies and procedures) over its sick call process to ensure that its healthcare vendor complies with all the requirements of SCSD's healthcare policies.

### **Auditee's Response**

*Since the previous State Auditor's review, SCSD has contracted with a new medical vendor. Additionally, SCSD has hired two medical and mental health licensed staff to assist in the oversight and monitoring of the contract and required services. The current vendor has increased staff and*

*compliance of the sick call process. Issues that arise are discussed and resolved with vendor management. Additionally, SCSD Contract Management staff and Administration meet with the vendor weekly.*

### **Auditor's Reply**

We are encouraged by the steps SCSD has taken regarding this matter, but we encourage it to establish sufficient monitoring controls over the sick call process as recommended. As part of our post-audit review process, we will follow up on this matter in approximately six months.

### **7. The Suffolk County Sheriff's Department did not have documented procedures in place to ensure that its educational programs allowed sentenced inmates to start academic or vocational programs and proceed through these programs at their own pace.**

SCSD did not have documented procedures within its Academic and Vocational Arts Programs Policy S460 to provide instructions to its employees on the structure of educational classes or how sentenced inmates are to be enrolled in SCSD's educational programs so that inmates may proceed through these programs at their own pace.

Because there were no procedures to review, we could not test to determine whether inmates were allowed to start academic or vocational programs and proceed through these programs at their own pace.

Without having policies to provide instructions to its employees on the structure of educational classes or how sentenced inmates are to be enrolled in SCSD's educational programs, SCSD may not be able to ensure that sentenced inmates can start and proceed through these programs at their own pace.

### **Authoritative Guidance**

According to 103 CMR 936.02(4), "The county correctional facility's educational program shall allow for flexible scheduling that permits inmates to enter and to proceed at their own learning pace."

### **Reasons for Issue**

SCSD officials could not provide an explanation for why their policy does not contain documented procedures to allow sentenced inmates to proceed at their own learning pace.

## Recommendation

SCSD should design and implement procedures to document how sentenced inmates will be able to start academic or vocational programs and proceed through these programs at their own pace.

## Auditee's Response

*In practice the department does [ensure] that sentenced inmates are able [to] start academic or vocational programs and are able to proceed through these programs at their own pace. For example, All Adult Basic Education (ABE) classes have rolling admissions, meaning that students are added throughout the calendar year. Sentenced inmates are all given the [Test of Adult Basic Education, or TABE] locator test which gives us a baseline level to start the student at the appropriate class level and as students progress they can be moved as needed from Pre-[High School Equivalency Test, or HiSET] to HiSET Classes. Each student is able to progress at his or her [own] pace.*

*In an effort to comply with the auditor's recommendations the department is currently reviewing and will update policy S460 to better reflect current practices.*

## Auditor's Reply

Based on its response, SCSD is taking measures to address our concerns regarding this matter. As part of our post-audit review process, we will follow up on this matter in approximately six months.

---

## OTHER MATTERS

**The Suffolk County Sheriff's Department did not have documented internal policies or procedures for retention of mittimus records, resulting in noncompliance with its policy and Section 918.05 of Title 103 of the Code of Massachusetts Regulations.**

While the Suffolk County Sheriff's Department's (SCSD) Admission Process Policy S401 related to mittimus records contains section Procedure III(A), which states, "The booking room supervisor will convey by hand a copy of the booking sheet, the mittimus and all other documents that arrived with the inmate, to the Records Office," it does not have internal policies or procedures for retention of mittimus records.

Section 918.05 of Title 103 of the Code of Massachusetts Regulations states,

*The county correctional facility shall maintain a file of attested copies of all warrants, mittimuses, processes and other official papers by which an inmate is committed or released. Each such document shall be properly secured, preserved and protected with respect to privacy rights.*

According to the *Massachusetts Statewide Records Retention Schedule*,

*J10-19: Mittimus File*

*Retain 10 years after release or termination of parole.*

*This series is used to record and process the admission, transfer and release of an inmate.*

SCSD's superintendents told us that the Records Office does not have a procedure to retain all mittimus records that it receives and processes. Rather, the assistant deputy superintendent of custody assessment or the records supervisor ensured that copies of the mittimuses were included in the discharge packet before a sentenced inmate is released to another institution. When a mittimus had been superseded by a subsequent court docket, the Records Office does not retain prior mittimus records. By not retaining sentenced inmates' and pretrial detainees' mittimuses, SCSD lacked supporting documentation to verify that the information in the inmate information system contained accurate booking information for these individuals. Inadequate policies and procedures over the retention of records make information in SCSD's inmate information system vulnerable to mistakes in the identification and incarceration terms of sentenced inmates and pretrial detainees, which could result in financial and/or reputational losses.

SCSD should establish policies and procedures (including monitoring controls) over its mittimus records to ensure proper record retention.

### **Auditee's Response**

*SCSD is establishing a working group that is going to meet at the beginning of the upcoming calendar year to discuss the standardization of mittimus retention across both sites. We will look to formalize a written procedure and review the policy together in order to identify areas that may need to have language updated.*

### **Auditor's Reply**

Based on its response, SCSD is taking measures to address our concerns regarding this matter. As part of our post-audit review process, we will follow up on this matter in approximately six months.