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| Seal2  **CHARLES D. BAKER**  Governor  **KARYN E. POLITO**  Lt. Governor | The Commonwealth of Massachusetts  Executive Office of Public Safety and Security  One Ashburton Place, Room 2133  Boston, Massachusetts 02108  Tel: (617) 727-7775  TTY Tel: (617) 727-6618  Fax: (617) 727-4764  [www.mass.gov/eops](http://www.mass.gov/eops) | **THOMAS A. TURCO, III**  Secretary |

**RESTRICTIVE HOUSING OVERSIGHT COMMITTEE**

**JULY 1, 2021**

**11:00AM-1:00PM**

**Call to Order**

The meeting was called to order at 11:03am. Roll call attendance was taken.

**Present**

Undersecretary Andrew Peck, Chair

Atty. Bob Fleischner

Sean Medeiros

Atty. Bonnie Tenneriello

Deputy Commissioner Chris Fallon

Justice Gerri Hines

Hollie Matthews

Kevin Flanagan

Atty. Tatum Prichard

**Absent:**

Tony Riccitelli

Dr. Brandy Henry

Sheriff Thomas Bowler

**Essex/Franklin/Suffolk Site Visit Feedback**

Sean stated the virtual visits seemed to be working quite well. Atty. Bonnie Tenneriello said she attended the Suffolk visit in person and an ongoing concern for her is that the facility had pre-selected inmates to be interviewed and staff had explained the background of the RHOC rather than the actual Committee members doing so. She noted that Franklin was very interesting and positive in a lot of ways. Bonnie said she continues to be concerned that the 72-hour reporting is being ignored and that inmates are being held 22 hours in what is considered a step-down unit which she considers to still be restrictive housing. Chris said he agrees and found it interesting that the individuals who had been in administrative segregation at Suffolk did their recreation with restraints at first and then not.

**DMH Involvement in RHUs per DMH, G.L. c. 128 sec 39(b)(vi) and Sec. 39(b)(vii)**

This discussion was tabled to the next meeting since Tony Riccitelli was not present.

**Discussion on Outstanding County Data Reporting per CJR**

Chairman Peck gave an update that the MSA will provide anything they can readily pull from OMS for the yearly reports by the end of July and give to the Committee. Staff will go in manually as well and pull anything else outstanding and have that data available by sometime early fall. Bonnie said she was prepared to bring this to concern to the Judiciary Committee and she is happy that the MSA is prepared to give this information as soon as late July but would like to have a date certain from them by the time of the August meeting and would like to keep it on the agenda. She suggested writing to the Judiciary Committee if we do not receive what is adequate from the MSA.

**Falcon Report Discussion**

Deputy Commissioner Fallon presented a series of slides outlining the Falcon Report’s main points and the coinciding implementation timeline. Chris stated that Commissioner Mici wants there to be real change with respect to educational programming and out of cell time being used efficiently. Bonnie said she is pleased to see the DDU is being shut down. She said that there are a lot of people held in RH who could go back to the general population. They do not need to be in any type of RH. She is concerned inmates get classified to specialized units that are more restrictive than GP and the emphasis should be on only using these units for those that could pose harm elsewhere. Anyone in a restrictive unit should only be there if they pose a threat. Real in-depth programming needs to happen in a GP-style unit even if it is a specialized unit. Because these issues can be fine-tuned, she hopes that affected people and their families would be a part of the process. Chairman Peck stated they will look at the structures around the DOC’s practices that may affect behavior and focusing on individual needs. He also stated that all stakeholders should discuss how to improve conditions and work with the RHOC to demonstrate actual change and the timeline. Chris said he believes Falcon will want to speak with incarcerated folks and families. Chairman stated that Falcon will remain involved throughout the implementation process and running the focus groups.

**Public Comment**

Mary Valerio stated that Minnesota’s 9,200 DOC has a program where they award a day of good time for every two days of no bad behavior. She said a rewards program like this would work for the average person in the MA DOC.

Romilda stated that when she was formerly incarcerated, she did not want to lose out on family ties and acknowledged that incarcerated persons are deprived of so much while being in prison that they are going to act out as a result. She spoke about STG concerns and administrative hold and individuals being transferred out of state. She would suggest the RHOC and Falcon speak to people who were leaders while being incarcerated and would de-escalate fights, etc.

Danna Mausch, President of MA Association of Mental Health, thanked the DOC for this announcement and their willingness to address issues relating to mental health watch in prisons. She pledged that her organization remains very supportive of this and is willing to provide assistance to the DOC/EOPSS/RHOC as needed.

Caroline Bays said she was concerned about implementing these changes under the current definition of RH and was wondering what would happen if there was a law passed with a new definition and how would they change their plans.

**Adjourn**

There was a motion to adjourn by Chris Fallon. It was seconded by Sean Medeiros. The meeting adjourned at 12:13PM.