|  |  |  |
| --- | --- | --- |
| 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/eopss | **THOMAS A. TURCO, III**  Secretary |

Restrictive Housing Oversight Committee Meeting

October 16, 2019

Charles River Conference Room

1 Ashburton Place

Boston, MA

The meeting was called to order at 11:21am.

**1. Review/Approval of September Meeting Minutes**

Hollie M. noted that her name was spelled incorrectly in the minutes. Bonnie T. noted that #5 on Data Collection in the second paragraph, it should mention that Marlene volunteered to be the chair of the subcommittee. Marlene’s name was also missing from the members in attendance. The location of the meeting was in the Department of Correction Cafetorium not the McCormack Building. Chair Peck made a motion to amend the minutes, seconded by Sean Medeiros. All voted in favor with none opposed. The motion carried.

**2. Sheriff Thomas Bowler Presentation**

Sheriff Bowler presented on restrictive housing in Berkshire County. Bob F. asked about establishing privacy and about certain staff. There was some discussion on the limitations on the formulary for medical.

**3. Finalize Inmate Consent Waivers**

Brandy H. asked what will happen to the form once it is signed and asked where it will be physically housed. Chair Peck said the form will be kept at each facility. Brandy asked if the inmate will receive a copy of the consent form and about what protections we would put on the form. She said she would like to be as transparent as possible with the individuals and if an inmate asks what we are going to do with the form, Committee members should have an answer. John M. said it would be held at a secure location but if the Committee would like to give the inmate a copy, that is also an option. Brandy H. said it was her understanding that the Committee would retain the form. John M. clarified that the institution would also keep the form. Chair Peck spoke about the logistics of conducting the interviews. Bonnie T. asked about how to deal with witnessing on the CORI form. Brandy H. mentioned that the medical records form has a section about the cost associated with requesting these records because usually the person is requesting them for their own use so perhaps we should add something about how we are going to waive the cost. John M. said he will make that update to the form. Bonnie T. asked about the forms being different at all counties. Bonnie T. said it is a very cumbersome form and that she is unsure how much of that is actually required by law (social security number, etc.). Sheriff Bowler said he is hesitant about putting social security numbers on these forms. Bonnie noted it was interesting that it is not on the form. Chris F. mentioned it is on the medical form. Bonnie T. also had concerns about requesting mother’s maiden name. John M. said he will check with the Department of Correction’s legal department on social security and mother’s maiden name and have copies forwarded to the Committee prior to October 28th site visit for review. Bonnie T. asked if inmates would be allowed to have paper to show the Committee members in case they would like to (grievances, disciplinary reports, etc.). There was some discussion about whether or not that would be an issue but that we could address it as we conduct the visits.

**4. Further Discussion on Site Visits (Review Visit Agenda and Inmate Questionnaire)**

Chair Peck moved to discuss the agenda and asked if there were any modifications from Committee members. Brandy H. asked if the Committee could make the agenda more specific, noting whether or not the staff focus groups were with correctional, medical, or mental health staff. Bonnie T. mentioned some logistical concerns and challenges with respect to focus groups that came out of the last meeting. Chris F. said they may need to modify the agenda based on what is happening that day so anything we plan for focus groups should be done in advance to make sure there is staff available. Bonnie T. said she believes it is extremely important to meet with staff and that the focus groups are invaluable. Bonnie asked if we have time to do focus groups if they also plan to interview inmates on the same day. Brandy H. said there are two dates for each facility so we do not need to do the same focus groups on both days. Chair Peck offered the idea of having inmates being interviewed on Day 1 and holding staff focus groups on Day 2. Bonnie T. said she thinks the inmate interviews should occur both days but that the focus groups should be spread over the two days (mental health staff, medical staff, and former RH inmates). Marlene S. said that was her recollection from the last meeting. Chris F. said they can get a roster of inmates that were previously in restrictive housing within the last six months for the focus group. In the interest of being fair and transparent, Chris F. said the Committee should select the inmates they would like to speak to so the DOC is not choosing the inmates. Bob F. asked if there could be inmate interviews both days and if Day 1 could be medical and mental health staff and correctional staff and inmate focus groups on the second day so as to only interrupt staff on one day. Bob suggested having a team leader being in charge each day and be the liaison to the Superintendent and the staff. Chair Peck asked if someone from the institution could be the team leader. Bob F. answered it should be someone from the Committee but it could be an EOPSS or DOC employee. Marlene S. said the team leader should be the point of contact leading up to the site visit as well. This person would be the communication liaison but not influencing what happens during the visit. It was decided that at minimum, there would be six inmates interviewed each day by the Committee. Medical, mental health, and corrections would be on one day and the inmate focus group would be on another day. Michaela will add a tour of the unit to the agenda (after brief meeting with superintendent in the morning). Chair Peck asked if the Committee would like to wrap up the day with the Superintendent. Bonnie T. said she believes that is a very good idea. Bonnie T. said that for the tour, she did not want to see the entire facility. Sean M. suggested just touring restrictive housing and general population to compare. Bonnie T. clarified restrictive housing will include STP and SAU, etc. Chris F. said he was not sure how helpful seeing general population would be to Committee members but that it can certainly be toured. Marlene said that to check ADA compliance in bathrooms and units, she would be particularly interested in seeing those. Bonnie T. suggested the Committee move the tour to later in the day to make sure the inmate interviews are prioritized and to get the heavy lifting out of the way. Chair Peck said he will keep the tour as the second item but that it will be facility specific. Brandy H. asked about the quorum of subcommittees being an issue. John M. says that does apply so we need to be cognizant of that. John M. said having everyone randomly sign up is fine, and EOPSS can go in and adjust date assignments if necessary. Hollie M. asked about the focus groups and if there will be set questions used during them, similar to the inmate interviews. Bob F. said his experience has been that people are very talkative in staff interviews and that it does not need to be as structured. There was some discussion about the start time of the site visit. Hollie M. asked if we are planning to do any record review on that day. Sean M. suggested handling record review on a case-by-case basis. Brandy H. said the way the forms are set up, it may not be possible to even get records that day. There was some discussion around records and requesting copies if needed, perhaps after the day of the site visit.

The Committee reviewed the site visit questions. Marlene S. stated she believes there should be a note to say that their information will remain confidential. Brandy H. wanted to know how she should respond if asked how the inmate can get access to the report once finalized. Sean M. answered that inmates can request reports through the librarian or Superintendent. Marlene S. suggested we provide the report to each of the institutions the Committee visits.

**5. Member Comment**

Bob F. gave an update as chair of his subcommittee and what data they are looking to collect. Bonnie T. gave an update as chair of her subcommittee and said that it plans to hold its first meeting on November 1. Bonnie T. stressed the importance of having a public website. Other Committee members emphasized the importance of having such a website for the public. Marlene S. said her subcommittee plans to meet this afternoon.

**6. Public Comment**

Chair Peck said that during the public comment period, he wanted to first recognize Senator Eldridge. Senator Eldridge gave some comments on the legislation and mentioned his staff can be a resource to the Committee if needed. Chair Peck opened the discussion to public members. Mary Valerio asked about programming while in restrictive housing and if that is happening for all inmates. Chris F. answered that it depends on the inmate and what their needs are. Michael Cox said that LGBTQI people are very vulnerable in prisons and are disproportionally affected by restrictive housing. He mentioned a DOC regulation that he believes is used to hurt LGBTQI folks and suggested the Committee look at this issue. He also wanted the commission to look at allowing consensual sex and said that subjecting people to solitary confinement for engaging in consensual sex is wrong. Cassandra of Massachusetts Against Solitary Confinement asked if there are inmates locked into cells for twenty-three hours and not allowed recreation for three days and Chris Fallon answered no, that does not occur in any DOC facility. Cassandra said she is very concerned that inmates need to give their names in order to be interviewed. Mallory Hanora said we need to keep in mind having a human experience and that talking through a wall can be difficult. She said she would appreciate the shift in focus to specific facility compliance with the legislation. She asked since MCI-Framingham is the first visit, if anyone on the Committee can please share why the female inmates are moving. DOC answered that it is only county non-sentenced inmates being moved out of the facility. Cassandra asked if we are going to do a tour of South Bay. The Chair answered that yes, the Committee will be touring South Bay. There was a motion to adjourn at 1:08pm and Kevin Flanagan seconded the motion. The meeting adjourned at 1:08pm. Jesse White echoed the importance of the public website and asked that the Committee be as transparent as possible.