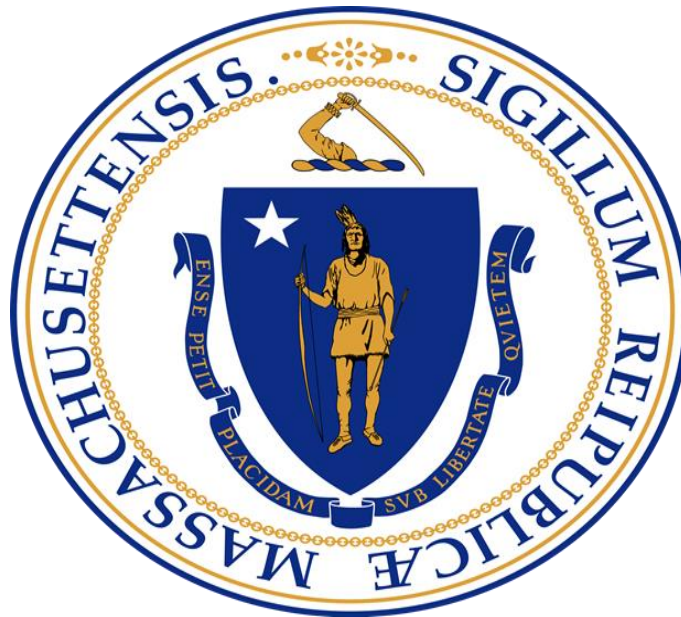


Quarterly Report on the Status of Prison Capacity, First Quarter 2019

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



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2019 First Quarter Report

Section Twenty-one of Chapter 799 of the Acts of 1985 directs the Commissioner of Correction to report quarterly on the status of overcrowding in state and county facilities.

“Such report shall include, by facility, the average daily census for the period of the report and the actual census on the first and last days of the report period. Said report shall also contain such information for the previous twelve months and a comparison to the rated capacity of such facility.”

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Authorized by: Gary Lambert, Assistant Secretary for Operational Services

This report, prepared by Leah Wang of the Research and Planning Division, is based on counts submitted by Massachusetts Sheriffs and the Department of Correction's Inmate Management System.

2019 First Quarter Report

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Technical Notes: 2010 – Present (for previous years, please refer to reports prior to 2nd quarter 2015)

- MCI-Cedar Junction began double-bunking maximum security housing units 2 and 3 on March 17, 2011, and the Orientation Unit on March 29, 2011.
- Average Daily Population for the previous year was calculated by using the last day of each month.
- The ATU (Awaiting Trial Unit) houses both pre-trial and civilly committed females. The facility population count provided includes all pre-trial and civil females, some of whom might be housed elsewhere within MCI-Framingham other than the actual ATU.
- Average Daily Population for county facilities was calculated by using the figures provided during the last week of every month.
- Custody snapshot data is based on an end of the month count. Prior to 4th quarter 2011, custody snapshot data was taken based on the first of the month.
- Western Massachusetts Regional Women’s Correctional Center was opened in Hampden County in November 2011, housing most county sentenced females from the western half of the state.
- On July 1, 2012, the maximum number of days an individual could be civilly committed as a Section 35 at MASAC or MCI-Framingham was increased from 30 days to 90 days.
- On June 24, 2012 six pre-release beds were added to MCI-Plymouth. An additional four pre-release beds were added by the end of 2012.
- Chapter 192 of the Acts of 2012, known as the Crime Bill, was enacted on August 2, 2012 and resulted in an immediate change to sentence structure for dozens of inmates.
- Issues regarding the accuracy of testing at the Hinton Drug Lab resulted in several hundred releases “from court”, most occurring during the months of September through December 2012.
- Effective April 1, 2013, Brooke House has three types of bed categories; DOC Reentry, Parole Transitional and Parole Halfway. Historically, Brooke House beds were only DOC Reentry.
- As of May 2013, 6 medium security beds were added to MCI-Cedar Junction.
- In May 2013, inmates housed at the Cambridge Jail in Middlesex County were temporarily housed elsewhere due to issues with the water system.
- On October 15, 2013, MCI-Plymouth increased its pre-release capacity to 15 beds while decreasing its minimum capacity to 212 beds. The overall operational capacity remained the same.
- On June 28, 2014 the Middlesex County Jail in Cambridge was officially closed.
- Effective June 30, 2014, the DOC terminated their contract with Spectrum Women and Children’s Program which included 15 beds for female inmates.
- Inmates were temporarily moved out of NCCI-Gardner Minimum in October 2014 due to an energy conservation project.
- Throughout 2015, there were various changes reported for design capacity for numerous county facilities. All design capacities and occupancy data for Massachusetts Houses of Correction and jails reported herein is provided by the County, Federal, and Interstate Unit.
- Effective May 28, 2015, the DOC terminated their contract with Brooke House which included 20 beds for male inmates.

- Inmates are no longer housed at Bay State Correctional Center as of June 30, 2015. The transfer of inmates housed at BSCC to other facilities began in April 2015.
- Effective June 30, 2015, a unit of 48 beds was reallocated at Pondville Correctional Center to house those who have been granted parole and are currently in the Transitional Treatment Program (TTP). They are not considered part of the DOC's custody or jurisdiction populations.
- Due to the closing of facilities, the design capacity for the DOC decreased from 8,029 to 7,728 (301 beds). This change is reflected beginning in the third quarter 2015.
- During the fourth quarter of 2015, numerous units were inactivated within MCI-Concord resulting in the transferring of inmates to other facilities (including all 52A pre-trial inmates at this facility). The closing of units reduced the operational capacity of the facility.
- Effective October 2016, four housing units designated for criminally sentenced inmates at MCI-Framingham were disabled. As a result, these inmates were moved to other housing units within the facility, including units previously designated for pre-trial inmates.
- Effective December 5, 2016, the Transitional Treatment Program was relocated from Pondville Correctional Center to Boston Pre-Release Center. The transfer of parolees affected the number of beds allotted for inmates as well as the capacity figures at both facilities.
- Effective December 22, 2016, MCI-Plymouth was shuttered and remaining inmates were transferred to other DOC facilities.
- During the 1st quarter 2017, the design capacity was reduced by 151 inmates due to the shuttering of MCI-Plymouth.
- Effective May 1, 2017, Massachusetts Alcohol and Substance Abuse Center @ Plymouth opened at the former site of MCI-Plymouth, with a design capacity of 151.
- Massachusetts Alcohol and Substance Abuse Center was mothballed on May 6, 2017, resulting in a reduction of 236 from the design capacity.
- In March 2018, NCCI-Gardner temporarily closed its minimum security unit.

Definitions:

Custody Population: Custody population refers to all inmates incarcerated in a Massachusetts DOC facility.

Jurisdiction Population: Jurisdiction population refers to all inmates considered to be under Massachusetts DOC jurisdiction when the Commonwealth has legal authority over the inmate regardless of where the inmate is being held. DOC jurisdiction includes those incarcerated in Massachusetts DOC facilities and those housed in correctional facilities outside of the Massachusetts DOC (i.e. Massachusetts Houses of Correction, other states' correctional facilities, and the Federal Bureau of Prisons).

Design/Rated Capacity: The number of inmates that planners or architects intended for the institution [as defined by the U.S. Department of Justice, Bureau of Justice Statistics (BJS)]. Rated capacity is the number of beds or inmates assigned by a rating official to institutions within the jurisdiction, essentially formally updated from the original design capacity.

Security Levels:

Security levels are designated according to **103 DOC 101, *Correctional Institutions/Security Levels:***

Pre-Release/Contracted Residential Placement – The perimeter is marked by non-secure boundaries. Physical barriers to inmate movement and interaction are either non-secure or non-existent. Inmate movements and interactions are controlled by rules and regulations only. Inmates may leave the institution daily for work and/or education in the community. Supervision while on the grounds of the facility is intermittent. While in the community, supervision is occasional, although indirect supervision (e.g. contact with employer) may be more frequent. Inmates must be within eighteen (18) months of parole eligibility or release and not barred by sentencing restrictions for either placement in a pre-release facility or participation in work, education or program related activities (PRA) release programs.

Minimum – The perimeter is marked by non-secure boundaries. Physical barriers to movement and interaction are either non-secure or non-existent. Inmates may be housed in single, double or multiple occupancy areas. Inmate movements and interactions are controlled by rules and regulations only. Supervision is intermittent. Inmates may leave the perimeter under supervision. Contact visits and personal clothing are allowed.

Medium – The perimeter and physical barriers to control inmate movement and interaction are present. Inmates may be housed in single, double or multiple occupancy areas. Inmate movement and interaction are generally controlled by rules and regulations, as well as with physical barriers. Inmates are subject to direct supervision by staff. Work and program opportunities are available. Contact visits and personal clothing may be allowed. Inmates assigned to medium custody designation at MCI-Cedar Junction will receive contact visits.

Maximum – The perimeter is designed and staffed to prevent escapes and the introduction of contraband. Inmate movement and interaction are controlled by physical barriers. Inmates are housed in single and double cells. The design of the facility offers an ability to house some offenders separate from others without a limitation of work and/or program opportunities. Inmates are subject to direct supervision by staff. At the superintendent's discretion, contact visits may be allowed at Souza Baranowski Correctional Center and MCI Cedar Junction's reception beds (which are considered maximum security). Personal clothing is generally not allowed.

Abbreviations

ADP	Average Daily Population
BSCC	Bay State Correctional Center
BOS	Boston Pre-Release
BSH	Bridgewater State Hospital
CFI	County, Federal and Interstate
CJ	MCI-Cedar Junction
CON	MCI-Concord
DOC	Department of Correction
DYS	Department of Youth Services
FRA	MCI-Framingham
HOC	House of Correction
LEM	Lemuel Shattuck Hospital
MASAC	Massachusetts Alcohol and Substance Abuse Center
MASPLY	Massachusetts Alcohol and Substance Abuse Center @ Plymouth
MTC	Massachusetts Treatment Center
NCCI	NCCI-Gardner
NECC	Northeastern Correctional Center
NOR	MCI-Norfolk
OCCC	Old Colony Correctional Center
PCC	Pondville Correctional Center
SBCC	Souza Baranowski Correctional Center
SHI	MCI-Shirley
SMCC	South Middlesex Correctional Center

Table 1 provides the DOC figures for the first quarter of 2019. The DOC custody population increased slightly over the quarter, by 22 inmates, or less than one percent. However, the average daily custody population of 8,458 is down one percent from fourth quarter 2018. Based on average daily population for the quarter, the DOC is operating at 113% of the 7,492 design capacity, down one percent from the previous quarter.

DOC inmates housed in non-DOC facilities averaged 339 inmates per day, up four percent from the previous quarter. Increases occurred in county Houses of Correction, federal prisons, and other states via the Inter-State Compact.

Overall, the average daily total DOC jurisdiction population for the first quarter 2019 was 8,797. There was no significant change in the size of the jurisdiction population (increase of eight inmates) despite slight decreases of this population over the previous four quarters.

Table 1

First Quarter 2019					
Population in DOC Facilities, January 31, 2019 to March 31, 2019					
Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
<u>Maximum</u>					
MCI-Cedar Junction	589	572	615	555	106%
SBCC	845	847	841	1,024	83%
Sub-Total, Maximum	1,434	1,419	1,456	1,579	91%
<u>Medium</u>					
Massachusetts Treatment Center	574	568	578	561	102%
MCI-Cedar Junction	69	69	67	78	88%
MCI-Concord	590	569	614	614	96%
MCI-Framingham (Female)	446	438	457	452	99%
MCI-Norfolk	1,306	1,315	1,297	1,084	120%
MCI-Shirley	1,133	1,145	1,131	720	157%
NCCI-Gardner	952	955	955	568	168%
OCCC	646	641	650	480	135%
Shattuck Correctional Unit	27	29	26	24	113%
State Hospital @ Bridgewater	220	223	224	227	97%
Sub-Total, Medium	5,963	5,952	5,999	4,808	124%
<u>Minimum</u>					
MASPLY	123	137	114	151	81%
MCI-Shirley	295	299	299	299	99%
NCCI-Gardner	14	20	0	30	47%
OCCC	90	94	86	100	90%
<u>Minimum/Pre-Release</u>					
Boston Pre-Release Center	112	102	113	150	75%
NECC	194	200	186	150	129%
Pondville Correctional Center	155	157	149	100	155%
SMCC (Female)	78	77	77	125	62%
Sub-Total, Minimum/Pre-Release	1,061	1,086	1,024	1,105	96%
Total Custody	8,458	8,457	8,479	7,492	113%
<u>DOC Inmates in Non-DOC Facilities</u>					
Houses of Correction	239	247	233	n.a.	n.a.
Department of Youth Services	1	1	1	n.a.	n.a.
Federal Prisons	13	12	13	n.a.	n.a.
Inter-State Compact	86	85	84	n.a.	n.a.
Sub-Total, Non-DOC Facilities	339	345	331	n.a.	n.a.
Total Jurisdiction	8,797	8,802	8,810	7,492	118%

See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Table 2 provides the DOC figures for the previous twelve months (January 31, 2018 to December 31, 2018). The figures below indicate that the DOC custody population continues to decrease. Over 2018, the custody population decreased by 402 inmates, or 4.5 percent, from 8,856 in January 2018 to 8,454 in December 2018.

DOC inmates housed in non-DOC facilities had an average daily population of 337 inmates, another area of steady decrease. Of these inmates, 249 were in county Houses of Correction, 80 inmates were in a facility outside of Massachusetts through the Interstate Compact, 7 inmates were in a Federal Prison and 1 inmate was in a Department of Youth Services facility.

The DOC jurisdiction population decreased from 9,192 to 8,784 over the twelve month period, a decrease of 408 inmates, or 4.4 percent. The average daily jurisdiction population during this time period was 9,053 inmates.

Table 2

**Previous Twelve Months
Population in DOC Facilities, January 31, 2018 to December 31, 2018**

Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
<u>Maximum</u>					
MCI-Cedar Junction	661	697	617	555	119%
SBCC	956	1,030	843	1,024	93%
Sub-Total, Maximum	1,617	1,727	1,460	1,579	102%
<u>Medium</u>					
Massachusetts Treatment Center	580	580	565	561	103%
MCI-Cedar Junction	71	70	69	78	90%
MCI-Concord	631	646	591	614	103%
MCI-Framingham (Female)	445	435	429	452	98%
MCI-Norfolk	1,326	1,340	1,309	1,084	122%
MCI-Shirley	1,133	1,138	1,159	720	157%
NCCI-Gardner	943	940	954	568	166%
OCCC	620	620	612	480	129%
Shattuck Correctional Unit	23	21	29	24	98%
State Hospital @ Bridgewater	219	210	223	227	97%
Sub-Total, Medium	5,991	6,000	5,940	4,808	125%
<u>Minimum</u>					
MASAC/MASPLY	170	182	113	151	112%
MCI-Shirley	289	281	295	299	97%
NCCI-Gardner	13	10	14	30	43%
OCCC	101	112	96	100	101%
<u>Minimum/Pre-Release</u>					
Boston Pre-Release Center	102	121	102	150	68%
NECC	189	188	190	150	126%
Pondville Correctional Center	160	152	162	100	160%
SMCC (Female)	84	83	82	125	67%
Sub-Total, Minimum/Pre-Release	1,108	1,129	1,054	1,105	100%
Total Custody	8,716	8,856	8,454	7,492	116%
<u>DOC Inmates in Non-DOC Facilities</u>					
Houses of Correction	249	249	235	n.a.	n.a.
Department of Youth Services	1	1	1	n.a.	n.a.
Federal Prisons	7	6	12	n.a.	n.a.
Inter-State Compact	80	80	82	n.a.	n.a.
Sub-Total, Non-DOC Facilities	337	336	330	n.a.	n.a.
Total Jurisdiction	9,053	9,192	8,784	7,492	121%

See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Table 3 presents the county figures for the first quarter of 2019. During the first quarter, the county population increased by 95 inmates, or one percent, beginning the quarter with 9,162 inmates and ending with 9,257. The average daily population was 9,191, or 82% of total county design capacity of 11,226. On average, the county facilities operated at 82% of design capacity, down one percent from the previous quarter.

Table 3

First Quarter 2019					
Population in County Correctional Facilities by County, January 28, 2019 to March 25, 2019					
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity*	% ADP Capacity
Barnstable	348	355	337	300	116%
Berkshire	178	184	179	292	61%
Bristol	1,071	1,091	1,069	566	189%
Dukes	18	15	19	19	95%
Essex	1,398	1,398	1,414	1,654	85%
Franklin	222	223	225	144	154%
Hampden	1,131	1,151	1,099	1,632	69%
Hampshire	206	219	199	287	72%
Middlesex	783	769	784	1,501	52%
Norfolk	497	472	527	620	80%
Plymouth	1,026	964	1,108	1,140	90%
Suffolk	1,404	1,394	1,397	2,249	62%
Worcester	909	927	900	822	111%
Total	9,191	9,162	9,257	11,226	82%

*Design capacity is provided by the County, Federal, and Interstate Unit.

Table 4 presents the county figures for the first quarter of 2019. The following table presents a breakdown of facility population and capacity for counties that operate more than one facility.

Table 4

First Quarter 2019					
Population in County Correctional Facilities by Facility, January 28, 2019 to March 25, 2019					
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	156	158	150	206	76%
Bristol Dartmouth	834	851	837	304	274%
Bristol Women's Center	81	82	82	56	145%
Essex County					
Essex Middleton	1150	1165	1146	1291	89%
Essex W.I.T.	32	32	32	23	139%
Essex LCAC	217	201	236	340	64%
Hampden County					
Hampden HOC	860	889	824	1178	73%
Hampden WMCAC	90	84	94	148	61%
Hampden Women's Center	180	178	181	306	59%
Suffolk County					
Suffolk Nashua Street	564	570	552	453	125%
Suffolk South Bay	840	824	845	1796	47%

See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Due to rounding, the average population by county may not equal the average county population by facility total.

Table 5 presents the county figures for the previous twelve months (January 29, 2018 to December 31, 2018). The figures below show that the county population continues to decrease, this time by 339 inmates, or 3.6 percent, from 9,445 in January 2018 to 9,106 in December 2018. This decline in the county inmate population has slowed compared to previous reports.

Table 5

Previous Twelve Months Population in County Correctional Facilities by County, January 29, 2018 to December 31, 2018					
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Barnstable	345	302	376	300	115%
Berkshire	191	178	175	292	65%
Bristol	1,115	1,161	1,048	566	197%
Dukes	18	19	13	19	95%
Essex	1,464	1,441	1,397	1,654	89%
Franklin	221	188	214	144	153%
Hampden	1,165	1,145	1,178	1,632	71%
Hampshire	230	241	221	287	80%
Middlesex	809	839	791	1,501	54%
Norfolk	446	432	455	620	72%
Plymouth	998	1,049	952	1,140	88%
Suffolk	1,499	1,536	1,357	2,249	67%
Worcester	952	914	929	822	116%
Total	9,453	9,445	9,106	11,226	84%

Table 6 presents the county figures for the previous twelve months. The following table presents a breakdown of facility population and capacity for counties that operate more than one facility.

Table 6

Previous Twelve Months Population in County Correctional Facilities by Facility, January 29, 2018 to December 31, 2018					
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	161	169	162	206	78%
Bristol Dartmouth	879	908	807	304	289%
Women's Center	75	84	79	56	134%
Essex County					
Essex Middleton	1,204	1,207	1,156	1,291	93%
Essex W.I.T.	34	29	34	23	148%
Essex LCAC	225	205	207	340	66%
Hampden County					
Hampden HOC	859	801	889	1,178	73%
Hampden WMCAC	95	113	83	148	64%
Hampden Women's Center	212	231	206	306	69%
Suffolk County					
Suffolk Nashua Street	600	592	537	453	132%
Suffolk South Bay	899	944	820	1,796	50%

See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Due to rounding, the average population by county may not equal the average county population by facility total.