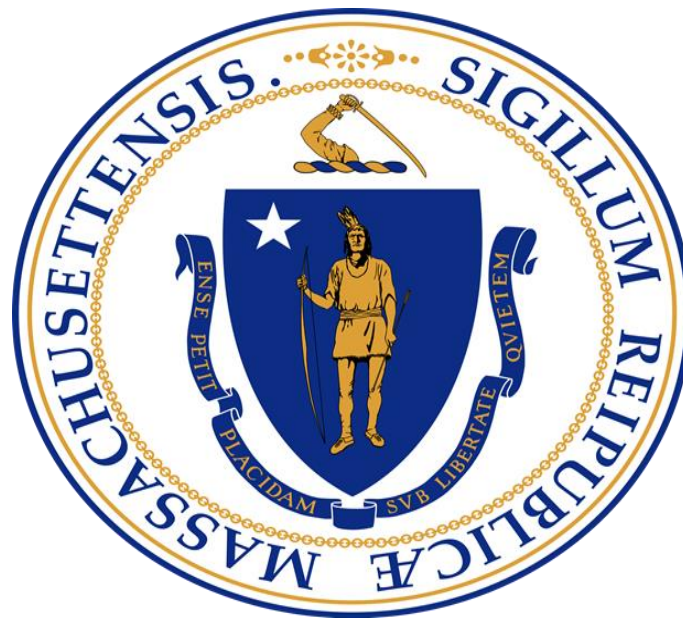


Quarterly Report on the Status of Prison Capacity, First Quarter 2023

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



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Governor

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Of Public Safety and Security

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January 2023

2023 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.”

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

2023 First Quarter Report

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Table 1 provides the DOC figures for the first quarter of 2023. The DOC custody population increased over the quarter, by 20 incarcerated people, or less than one (1) percent. By the end of the quarter, the DOC was operating with 5,903 incarcerated people in the system. During the first quarter, the DOC had an average daily custody population of 5,886, operating at 79 percent of the design capacity of 7,494.

DOC inmates housed in non-DOC facilities averaged 131 incarcerated people, the majority housed in county Houses of Correction, and an average of 68 inmates housed in other states. The Electronic Monitoring program (ELMO) established by the DOC in February 2021 showed an average of three (3) inmates during the first quarter of 2023.

Overall, the average daily total DOC jurisdiction population for the first quarter of 2023 was 6,018. There was a increase of 21 incarcerated people, or less than one (1) percent increase from the beginning to the end of the quarter.

Table 1

First Quarter 2023					
Population in DOC Facilities, January 30, 2023 to March 31, 2023					
Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
<u>Maximum</u>					
MCI-Cedar Junction	68	75	58	555	12%
SBCC	910	912	931	1,024	89%
Sub-Total, Maximum	978	987	989	1,579	62%
<u>Medium</u>					
Massachusetts Treatment Center	520	520	523	563	92%
MCI-Cedar Junction	15	25	0	78	19%
MCI-Concord	392	386	396	614	64%
MCI-Framingham (Female)	197	196	202	452	44%
MCI-Norfolk	1,157	1,156	1,157	1,084	107%
MCI-Shirley	801	804	804	720	111%
NCCI-Gardner	691	687	693	568	122%
OSCC	443	437	446	480	92%
Shattuck Correctional Unit	17	16	13	24	71%
State Hospital @ Bridgewater	232	231	245	227	102%
Sub-Total, Medium	4,465	4,458	4,479	4,810	93%
<u>Minimum</u>					
MASPLY	57	61	50	151	38%
MCI-Shirley	n.a	n.a	n.a	299	n.a
NCCI-Gardner	n.a	n.a	n.a	30	n.a
OSCC	72	71	71	100	72%
<u>Minimum/Pre-Release</u>					
Boston Pre-Release Center	38	37	40	150	25%
NECC	184	180	182	150	123%
Pondville Correctional Center	91	89	92	100	91%
SMCC (Female)	0	0	0	125	0%
Sub-Total, Minimum/Pre-Release	441	438	435	1,105	40%
Total Custody	5,884	5,883	5,903	7,494	79%
<u>DOC Inmates in Non-DOC Facilities</u>					
Houses of Correction	50	49	51	n.a.	n.a.
Department of Youth Services	0	0	0	n.a.	n.a.
Federal Prisons	9	9	9	n.a.	n.a.
Inter-State Compact	68	69	68	n.a.	n.a.
DOC Electronic Monitoring Program	3	3	3	n.a.	n.a.
Sub-Total, Non-DOC Facilities	131	130	131	n.a.	n.a.
Total Jurisdiction	6,018	6,013	6,034	7,494	80%

See Technical Notes, p. 8, for information on 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. The DOC custody population continued to experience a decrease; over the 12-month period, the custody population decreased by 109 inmates, or 1.8 percent.

DOC incarcerated person housed in non-DOC facilities had an average daily population of 240 inmates over this period. In county facilities, the population fluctuated with a high of 175 in July 2022 and a low of 128 in December 2022, ending the trend period at a 27% decrease.

The average DOC jurisdiction population was 6188. During the 12-month period, this population went from 6,228 to 6,070, experiencing a decrease of 158 inmates, or 2.5 percent.

Table 2

**Previous Twelve Months
Population in DOC Facilities, January 30, 2022 to December 31, 2022**

Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Maximum					
MCI-Cedar Junction	285	460	77	555	51%
SBCC	707	540	889	1,024	69%
Sub-Total, Maximum	992	1,000	966	1,579	63%
Medium					
Massachusetts Treatment Center	536	537	531	563	95%
MCI-Cedar Junction	34	35	26	78	43%
MCI-Concord	404	462	389	614	66%
MCI-Framingham (Female)	191	178	201	452	42%
MCI-Norfolk	1,160	1,120	1,161	1,084	107%
MCI-Shirley	770	726	781	720	107%
NCCI-Gardner	688	681	689	568	121%
OCCC	457	486	434	480	95%
Shattuck Correctional Unit	18	14	14	24	74%
State Hospital @ Bridgewater	232	231	224	227	102%
Sub-Total, Medium	4,489	4,470	4,450	4,810	93%
Minimum					
MASPLY	72	90	64	151	48%
MCI-Shirley	0	0	0	299	0%
NCCI-Gardner	n.a	n.a	n.a	0	n.a.
OCCC	67	69	67	100	67%
Minimum/Pre-Release					
Boston Pre-Release Center	43	48	42	150	28%
NECC	188	182	186	150	125%
Pondville Correctional Center	98	111	86	100	98%
SMCC (Female)	0	0	0	125	0%
Sub-Total, Minimum/Pre-Release	467	500	445	1,105	42%
Total Custody	5,948	5,970	5,861	7,494	79%
DOC Inmates in Non-DOC Facilities					
Houses of Correction	159	170	128	n.a.	n.a.
Department of Youth Services	0	0	0	n.a.	n.a.
Federal Prisons	9	11	9	n.a.	n.a.
Inter-State Compact	68	69	68	n.a.	n.a.
DOC Electronic Monitoring Program	3	n.a.	4	n.a.	n.a.
Sub-Total, Non-DOC Facilities	240	258	209	n.a.	n.a.
Total Jurisdiction	6,188	6,228	6,070	7,494	83%

See Technical Notes, p. 8, for information on 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 2023. During the first quarter, the county population decreased by 13 inmates, or less than one (1) percent, a slight increase from the fourth quarter of 2022. The average daily population across all counties was 6,476, together operating at 58 percent of these facilities' design capacity.

Table 3

**First Quarter 2023
Population in County Correctional Facilities by County,
January 30, 2023 to March 27, 2023**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Barnstable	178	170	186	300	59%
Berkshire	168	167	170	292	58%
Bristol	663	667	669	566	117%
Dukes	15	16	14	19	77%
Essex	1,027	1,029	1,023	1,654	62%
Franklin	166	167	166	144	115%
Hampden	876	875	862	1,632	54%
Hampshire	128	124	132	287	45%
Middlesex	631	634	620	1,501	42%
Norfolk	336	333	333	620	54%
Plymouth	527	524	510	1,140	46%
Suffolk	1,133	1,137	1,144	2,249	50%
Worcester	628	629	630	822	76%
Total	6,476	6,472	6,459	11,226	58%

Table 4 presents the county figures for the first quarter of 2023. The following table presents a breakdown of facility population and capacity for counties that operate more than one facility.

Table 4

**First Quarter 2023
Population in County Correctional Facilities by Facility,
January 30, 2023 to March 27, 2023**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	86	94	80	206	42%
Bristol Dartmouth	531	533	542	304	175%
Bristol Women's Center	45	40	47	56	81%
Essex County					
Essex Middleton	917	912	924	1,291	71%
Essex W.I.T.	14	16	10	23	59%
Essex LCAC	97	101	89	340	28%
Hampden County					
Hampden HOC	672	674	663	1,178	57%
Hampden WMCAC	66	66	66	148	45%
Hampden Women's Center	138	135	133	306	45%
Suffolk County					
Suffolk Nashua Street	351	333	381	453	77%
Suffolk South Bay	747	785	678	1,796	42%

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. The county population experienced an overall decrease of 164 inmates, or 2.5 percent, between January 2022 and December 2022. The population experienced a steady increase by 5.1 percent from March 2022 through July 2022, then fluxuated throughout the remainder of the trend period, ending a 8.3 percent decrease between September 2022 and December 2022. Over the trend period, the county facilities operated on average at 59 percent of their total design capacity.

Table 5

**Previous Twelve Months
Population in County Correctional Facilities by County,
January 30, 2022 to December 26, 2022**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Barnstable	167	177	159	300	56%
Berkshire	156	134	157	292	54%
Bristol	684	675	678	566	121%
Dukes	15	12	15	19	77%
Essex	1,082	1,072	1,012	1,654	65%
Franklin	164	161	157	144	114%
Hampden	887	808	831	1,632	54%
Hampshire	125	135	119	287	44%
Middlesex	665	671	630	1,501	44%
Norfolk	327	310	340	620	53%
Plymouth	565	603	555	1,140	50%
Suffolk	1,195	1,137	1,097	2,249	53%
Worcester	625	608	589	822	76%
Total	6,656	6,503	6,339	11,226	59%

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 Counties with Multiple Correctional Facilities,
January 30, 2022 to December 26, 2022**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	103	95	94	206	50%
Bristol Dartmouth	549	558	543	304	181%
Women's Center	42	22	41	56	75%
Essex County					
Essex Middleton	993	1,005	903	1,291	77%
Essex W.I.T.	14	13	17	23	61%
Essex LCAC	75	54	92	340	22%
Hampden County					
Hampden HOC	697	650	684	1,178	59%
Hampden WMCAC	56	41	54	148	38%
Hampden Women's Center	136	117	129	306	44%
Suffolk County					
Suffolk Nashua Street	466	520	401	453	103%
Suffolk South Bay	727	617	678	1,796	40%

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

Technical Notes

- Average Daily Population for the previous year was calculated by using the last day of each month.
- Average Daily Population for MCI-Shirley Minimum, South Middlesex Correctional Center, and the DOC Electronic Monitoring program (ELMO) was calculated based on the months each was occupied during 2021.
- 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.
- 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.
- Design/Rated capacity is provided by the County, Federal, and Interstate Unit.

Timeline of DOC and County Facility Closures and Expansions

(For previous years, please refer to reports prior to 2nd quarter 2015)

2011

- 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.
- 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.

2012

- 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.

2013

- 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.

2014

- 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 incarcerated people.
- Inmates were temporarily moved out of NCCI-Gardner Minimum in October 2014 due to an energy conservation project.

2015

- 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 incarcerated people.
- Inmates are no longer housed at Bay State Correctional Center as of June 30, 2015. The transfer of incarcerated people 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.

2016

- Effective October 2016, four housing units designated for criminally sentenced incarcerated people at MCI-Framingham were disabled. As a result, these incarcerated people 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 incarcerated people as well as the capacity figures at both facilities.
- Effective December 22, 2016, MCI-Plymouth was shuttered, and remaining incarcerated people were transferred to other DOC facilities.

2017

- During 1st quarter 2017, design capacity was reduced by 151 incarcerated people due to the closing 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.

2018

- Beginning in 2018, the DOC entered into a contract with Stony Brook Treatment and Stabilization Center in Hampden County to house men with Section 35 civil commitments.

2019

- Beginning March 2019, NCCI-Gardner temporarily closed its minimum security unit.

2020

- The Massachusetts Treatment Center built a cell with two beds in its health services unit, increasing the design capacity by 2.

2021

- Effective February 2021, MCI-Shirley Minimum was shuttered and remaining incarcerated people were transferred to other DOC facilities.
- Effective March 2021, South Middlesex Correctional Center was shuttered and remaining incarcerated people were transferred to other DOC facilities.
- Effective February 2021, the DOC established the Electronic Monitoring Program (ELMO)

2022

- The Department of Correction announced the phased closure of MCI-CJ. Since that time, it has moved the intake/reception center services to SBCC and only the Department's Disciplinary Unit (DDU) and BMU remain open at MCI-CJ. Both units are scheduled to be closed and the Department currently anticipates that this closure will be accomplished by the end of the calendar year 2023.

Guide to Acronyms and Institutions

Acronym	Institution Name	Security Level
ADP	Average Daily Population	n.a.
BPRC	Boston Pre-Release Center	Pre-release, minimum
STH	Bridgewater State Hospital	Medium
CFI	County/Federal/Interstate	All
CJ	MCI-Cedar Junction	Medium, maximum (male reception center)
CON	MCI-Concord	Medium
DOC	Department of Correction	n.a.
DYS	Department of Youth Services	n.a.
ELMO	Department of Corrections Electronic Monitoring Program	Electronic Monitoring
FRA	MCI-Framingham	Medium (female reception center)
HOC	House of Correction	n.a.
LEM	Lemuel Shattuck Hospital	All
MCI	Massachusetts Correctional Institution	n.a.
MTC	Massachusetts Treatment Center	Medium
MASPLY	Massachusetts Alcohol and Substance Abuse Center at Plymouth	Minimum
NOR	MCI-Norfolk	Medium
SHI	MCI-Shirley	Minimum, medium
NECC	Northeastern Correctional Center	Pre-release, minimum
NCCI	North Central Correctional Institution	Minimum, medium
OCCC	Old Colony Correctional Center	Minimum, medium
PCC	Pondville Correctional Center	Pre-release, minimum
SMD	South Middlesex Correctional Center	Pre-release, minimum
SBCC	Souza-Baranowski Correctional Center	Maximum

Definitions

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.
Electronic Monitoring Program (ELMO)	A program which promotes reentry by maximizing an inmate's time in the community prior to release, thereby allowing the inmate to demonstrate their ability to function in a realistic living environment while monitored under strict conditions of accountability.

Security Levels

In May 2012, new security level designations were established according to **103 DOC 101, *Correctional Institutions/Security Levels*** policy which states:

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.