Quarterly Report on the Status of Prison Capacity, Fourth Quarter 2018

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



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2018 Fourth 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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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.

2018 Fourth 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.

Definitions:

<u>Custody Population:</u> Custody population refers to all inmates incarcerated in a Massachusetts DOC facility.

<u>Jurisdiction Population:</u> 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).

<u>Design/Rated Capacity:</u> 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:

In May 2012, new security level designations were established according to **103 DOC 101** <u>Correctional</u> <u>Institutions/Security Levels</u> 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.

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 fourth quarter of 2018. The DOC custody population has decreased by 144 inmates, or 1.7 percent, since the beginning of the fourth quarter 2018. By the end of the quarter the DOC was operating with 8,454 inmates in the system. During the fourth quarter 2018, the DOC had an average daily custody population of 8,528, operating at 114% of the 7,492 design capacity.

DOC inmates housed in non-DOC facilities had an average daily population of 327 inmates. The majority of these inmates were in Massachusetts Houses of Correction.

Overall, the average daily total DOC jurisdiction population for the fourth quarter 2018 was 8,855. There was a decrease of 146 inmates, or 1.6 percent, over the quarter from 8,930 to 8,784.

Table 1

Fourth Quarter 2018
Population in DOC Facilities, October 31, 2018 to December 31, 2018

Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Maximum					
MCI-Cedar Junction	633	632	617	555	114%
SBCC	863	888	843	1,024	84%
Sub-Total, Maximum	1,496	1,520	1,460	1,579	95%
<u>Medium</u>					
Massachusetts Treatment Center	561	564	565	561	100%
MCI-Cedar Junction	71	71	69	78	91%
MCI-Concord	616	634	591	614	100%
MCI-Framingham (Female)	444	452	429	452	98%
MCI-Norfolk	1,317	1,325	1,309	1,084	121%
MCI-Shirley	1,155	1,155	1,159	720	160%
NCCI-Gardner	950	947	954	568	167%
0000	620	629	612	480	129%
Shattuck Correctional Unit	24	21	29	24	100%
State Hospital @ Bridgewater	225	231	223	227	99%
Sub-Total, Medium	5,983	6,029	5,940	4,808	124%
<u>Minimum</u>					
MASPLY	115	124	113	151	76%
MCI-Shirley	284	276	295	299	95%
NCCI-Gardner	14	14	14	30	47%
0000	98	99	96	100	98%
Minimum/Pre-Release					
Boston Pre-Release Center	98	94	102	150	65%
NECC	194	193	190	150	129%
Pondville Correctional Center	167	173	162	100	167%
SMCC (Female)	79	76	82	125	63%
Sub-Total, Minimum/Pre-Release	1,049	1,049	1,054	1,105	96%
Total Custody	8,528	8,598	8,454	7,492	114%
DOC Inmates in Non-DOC Facilities					
Houses of Correction	235	241	235	n.a.	n.a.
Department of Youth Services	1	1	1	n.a.	n.a.
Federal Prisons	10	9	12	n.a.	n.a.
Inter-State Compact	81	81	82	n.a.	n.a.
Sub-Total, Non-DOC Facilities	327	332	330	n.a.	n.a.
Total Jurisdiction	8,855	8,930	8,784	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 (October 31, 2017 to September 30, 2018). The figures below indicate that the DOC custody population decreased by 411 inmates, or 4.5 percent, over the twelve-month period from 9,060 in October 2017 to 8,649 in September 2018.

DOC inmates housed in non-DOC facilities had an average daily population of 344 inmates. Of these inmates, 256 were in 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 9,414 to 8,982 over the twelve month period, a decrease of 432 inmates, or 4.6 percent. The average daily population during this time period was 9,161 inmates.

Table 2

Previous Twelve Months						
Population in DOC Facilities, October 31, 2017 to September 30, 2018						

Security Level/Facility	Avg. Daily	Beginning	Ending	Design/Rated	% ADP
Maximum	Population	Population	Population	Capacity	Capacity
Maximum MCI-Cedar Junction	671	648	643	555	121%
SBCC	1,007	1,075	905	1,024	98%
Sub-Total, Maximum	1,678	1,723	1,548	1,579	106%
<u>Medium</u>					
Massachusetts Treatment Center	574	579	567	561	102%
MCI-Cedar Junction	71	71	67	78	91%
MCI-Concord	635	642	632	614	103%
MCI-Framingham (Female)	450	490	470	452	100%
MCI-Norfolk	1330	1,330	1,334	1,084	123%
MCI-Shirley	1132	1,169	1,132	720	157%
NCCI-Gardner	942	943	941	568	166%
0000	619	607	622	480	129%
Shattuck Correctional Unit	23	27	26	24	96%
State Hospital @ Bridgewater	213	196	207	227	94%
Sub-Total, Medium	5,989	6,054	5,998	4,808	125%
<u>Minimum</u>					
MASAC/MASPLY	193	246	151	151	128%
MCI-Shirley	292	301	273	299	98%
NCCI-Gardner	12	10	14	30	40%
0000	109	129	113	100	109%
Minimum/Pre-Release					
Boston Pre-Release Center	108	126	100	150	72%
NECC	188	197	195	150	125%
Pondville Correctional Center	158	163	173	100	158%
SMCC (Female)	90	111	84	125	72%
Sub-Total: Minimum/Pre-Release	1,150	1,283	1,103	1,105	104%
Total Custody	8,817	9,060	8,649	7,492	118%
DOC Inmates in Non-DOC Facilities					
Houses of Correction	256	264	247	n.a.	n.a.
Department of Youth Services	1	1	1	n.a.	n.a.
Federal Prisons	7	7	7	n.a.	n.a.
Inter-State Compact	80	82	78	n.a.	n.a.
Sub-Total, Non-DOC Facilities	344	354	333	n.a.	n.a.
Total Jurisdiction	9,161	9,414	8,982	7,492	122%

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 fourth quarter of 2018. During the fourth quarter, the county population decreased by 542 inmates, or 5.6 percent, beginning the quarter with 9,636 inmates and ending with 9,094. The average daily population was 9,539 with a design capacity of 11,226. On average, the county facilities operated at 83% of design capacity.

Table 3

Fourth Quarter 2018 Population in County Correctional Facilities by County, October 29, 2018 to December 24, 2018								
Facility	Avg. Daily	Beginning Population	Ending Population	o Design/Rated Capacity*	% ADP Capacity			
Barnstable	374	389	369	300	125%			
Berkshire	177	181	171	292	61%			
Bristol	1,092	1,132	1,044	566	193%			
Dukes	16	19	15	19	84%			
Essex	1,442	1,489	1,389	1,654	87%			
Franklin	220	232	215	144	153%			
Hampden	1,208	1,253	1,173	1,632	74%			
Hampshire	217	225	212	287	76%			
Middlesex	788	783	789	1,501	52%			
Norfolk	449	450	455	620	72%			
Plymouth	993	1,002	962	1,140	87%			
Suffolk	1,430	1,512	1,365	2,249	64%			
Worcester	953	969	935	822	116%			
Total	9,359	9,636	9,094	11,226	83%			

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

Table 4 presents the county figures for the fourth quarter of 2018. The following table presents a breakdown of facility population and capacity for counties that operate more than one facility.

Table 4

Fourth Quarter 2018 Population in County Correctional Facilities by Facility, October 29, 2018 to December 24, 2018								
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity			
Bristol County								
Bristol Ash Street	170	177	163	206	83%			
Bristol Dartmouth	848	884	805	304	279%			
Bristol Women's Center	74	71	76	56	132%			
Essex County								
Essex Middleton	1188	1215	1142	1291	92%			
Essex W.I.T.	33	33	34	23	143%			
Essex LCAC	221	241	213	340	65%			
Hampden County								
Hampden HOC	903	934	875	1178	77%			
Hampden WMCAC	90	90	86	148	61%			
Hampden Women's Center	215	229	212	306	70%			
Suffolk County								
Suffolk Nashua Street	570	605	531	453	126%			
Suffolk South Bay	860	907	834	1796	48%			

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 (October 30, 2017 to September24, 2018).The figures below show that the county population decreased by 643 inmates over this twelve-
month period, or 6.3 percent, from 10,275 in October 2017 to 9,632 in September 2018.

Table 5

Previous Twelve Months Population in County Correctional Facilities by County, October 30, 2017 to September 24, 2018							
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity		
Barnstable	331	322	391	300	110%		
Berkshire	197	222	185	292	67%		
Bristol	1,137	1,219	1,142	566	201%		
Dukes	19	21	15	19	100%		
Essex	1,468	1,497	1,492	1,654	89%		
Franklin	218	218	241	144	151%		
Hampden	1,162	1,252	1,214	1,632	71%		
Hampshire	234	231	239	287	82%		
Middlesex	841	976	793	1,501	56%		
Norfolk	443	444	457	620	71%		
Plymouth	1,018	1,119	1021	1,140	89%		
Suffolk	1,559	1,723	1,505	2,249	69%		
Worcester	961	1,031	937	822	117%		
Total	9,588	10,275	9,632	11,226	85%		

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, October 30, 2017 to September 24, 2018							
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity		
Bristol County	-	-					
Bristol Ash Street	164	189	171	206	80%		
Bristol Dartmouth	897	933	894	304	295%		
Women's Center	76	97	77	56	136%		
Essex County							
Essex Middleton	1,204	1,220	1,233	1,291	93%		
Essex W.I.T.	34	29	36	23	148%		
Essex LCAC	231	248	223	340	68%		
Hampden County							
Hampden HOC	846	912	907	1,178	72%		
Hampden WMCAC	102	120	101	148	69%		
Hampden Women's Center	213	220	206	306	70%		
Suffolk County							
Suffolk Nashua Street	614	665	601	453	136%		
Suffolk South Bay	945	1,058	904	1,796	53%		

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.