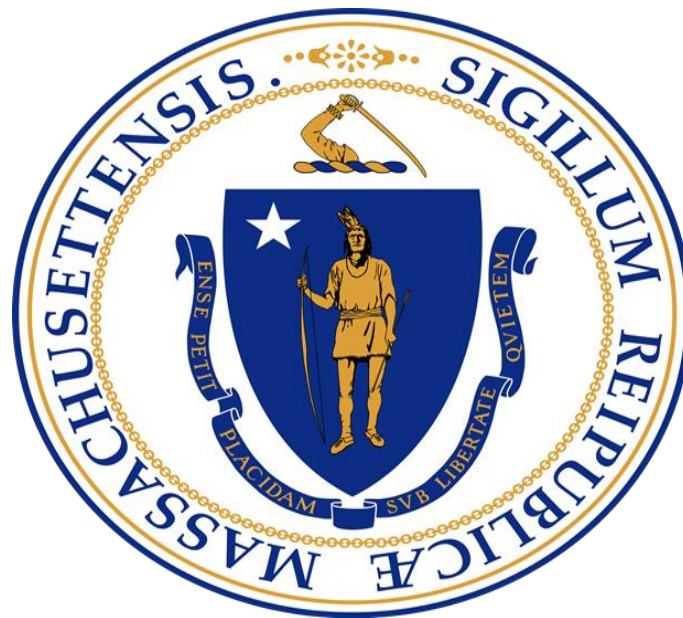


Quarterly Report on the Status of Prison Capacity, Fourth Quarter 2022

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



Charles D. Baker
Governor

Terrence M. Reidy
Secretary of Executive Office
Of Public Safety and Security

Carol Mici
Commissioner

January 2022

2022 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.”

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.

2022 Fourth Quarter Report

Table of Contents

Table 1	Fourth Quarter 2022 Population in DOC Facilities, October 31, 2022 to December 31, 2022	4
Table 2	Previous Twelve Months Population in DOC Facilities, October 31, 2021 to September 30, 2022	5
Table 3	Fourth Quarter 2022 Population in County Correctional Facilities by County, October 31, 2022 to December 26, 2022	6
Table 4	Fourth Quarter 2022 Population in Counties with Multiple Correctional Facilities by Facility, October 31, 2022 to December 26, 2022	6
Table 5	Previous Twelve Months Population in County Correctional Facilities by County, October 25, 2021 to September 26, 2022	7
Table 6	Previous Twelve Months Population in Counties with Multiple Correctional Facilities by Facility, October 25, 2021 to September 26, 2022	7
	Technical Notes	8
	Timeline of DOC and County Facility Closures and Expansions	9
	Guide to Acronyms	10
	Definitions	11
	Security Levels	11

Table 1 provides the DOC figures for the fourth quarter of 2022. The DOC custody population decreased over the quarter, by 90 inmates, or 1.5 percent. By the end of the quarter, the DOC was operating with 5,861 inmates in the system. During the fourth quarter, the DOC had an average daily custody population of 5,991, operating at 79 percent of the design capacity of 7,494.

DOC inmates housed in non-DOC facilities averaged 230 inmates, 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 fourth quarter of 2022.

Overall, the average daily total DOC jurisdiction population for the third quarter of 2022 was 6,141. There was a decrease of 118 inmates, or 1.9 percent decrease, from the beginning to the end of the quarter.

Table 1

Fourth Quarter 2022					
Population in DOC Facilities, October 31, 2022 to December 31, 2022					
Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
<u>Maximum</u>					
MCI-Cedar Junction	81	83	77	555	15%
SBCC	902	913	889	1,024	88%
Sub-Total, Maximum	983	996	966	1,579	62%
<u>Medium</u>					
Massachusetts Treatment Center	530	535	531	563	94%
MCI-Cedar Junction	26	26	26	78	33%
MCI-Concord	386	380	389	614	63%
MCI-Framingham (Female)	196	194	201	452	43%
MCI-Norfolk	1,169	1,181	1,161	1,084	108%
MCI-Shirley	780	787	781	720	108%
NCCI-Gardner	697	699	689	568	123%
OSCC	443	454	434	480	92%
Shattuck Correctional Unit	20	17	14	24	83%
State Hospital @ Bridgewater	233	239	224	227	103%
Sub-Total, Medium	4,481	4,512	4,450	4,810	93%
<u>Minimum</u>					
MASPLY	70	77	64	151	46%
MCI-Shirley	n.a	n.a	n.a	299	n.a
NCCI-Gardner	n.a	n.a	n.a	30	n.a
OSCC	66	62	67	100	66%
<u>Minimum/Pre-Release</u>					
Boston Pre-Release Center	46	48	42	150	31%
NECC	181	172	186	150	121%
Pondville Correctional Center	85	84	86	100	85%
SMCC (Female)	0	0	0	125	0%
Sub-Total, Minimum/Pre-Release	447	443	445	1,105	40%
Total Custody	5,991	5,951	5,861	7,494	79%
<u>DOC Inmates in Non-DOC Facilities</u>					
Houses of Correction	150	157	128	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	68	68	n.a.	n.a.
DOC Electronic Monitoring Program	3	3	4	n.a.	n.a.
Sub-Total, Non-DOC Facilities	230	237	209	n.a.	n.a.
Total Jurisdiction	6,141	6,188	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 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 166 inmates, or 2.8 percent.

DOC inmates housed in non-DOC facilities had an average daily population of 252 inmates over this period. In county facilities, the population fluctuated with a high of 208 in November 2021 and a low of 154 in May 2022, ending the trend period at 162.

The average DOC jurisdiction population was 6,231. During the 12-month period, this population went from 6,394 to 6,174, experiencing a decrease of 220 inmates, or 3.4 percent.

Table 2

**Previous Twelve Months
Population in DOC Facilities, October 31, 2021 to September 30, 2022**

Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Maximum					
MCI-Cedar Junction	364	388	85	555	66%
SBCC	612	524	918	1,024	60%
Sub-Total, Maximum	976	912	1,003	1,579	62%
Medium					
Massachusetts Treatment Center	542	560	528	563	96%
MCI-Cedar Junction	38	45	28	78	49%
MCI-Concord	428	492	388	614	70%
MCI-Framingham (Female)	187	183	195	452	41%
MCI-Norfolk	1,150	1,127	1,172	1,084	106%
MCI-Shirley	764	769	785	720	106%
NCCI-Gardner	688	708	692	568	121%
OCCC	472	501	451	480	98%
Shattuck Correctional Unit	16	16	19	24	68%
State Hospital @ Bridgewater	231	232	235	227	102%
Sub-Total, Medium	4,516	4,633	4,493	4,810	94%
Minimum					
MASPLY	71	81	79	151	47%
MCI-Shirley	0	0	0	299	0%
NCCI-Gardner	n.a	n.a	n.a	0	n.a.
OCCC	70	85	60	100	70%
Minimum/Pre-Release					
Boston Pre-Release Center	47	73	43	150	31%
NECC	193	201	173	150	129%
Pondville Correctional Center	106	113	81	100	106%
SMCC (Female)	0	0	0	125	0%
Sub-Total, Minimum/Pre-Release	487	553	436	1,105	44%
Total Custody	5,978	6,098	5,932	7,494	80%
DOC Inmates in Non-DOC Facilities					
Houses of Correction	169	208	162	n.a.	n.a.
Department of Youth Services	0	0	0	n.a.	n.a.
Federal Prisons	10	11	9	n.a.	n.a.
Inter-State Compact	68	72	67	n.a.	n.a.
DOC Electronic Monitoring Program	4	n.a.	4	n.a.	n.a.
Sub-Total, Non-DOC Facilities	252	296	242	n.a.	n.a.
Total Jurisdiction	6,231	6,394	6,174	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 fourth quarter of 2022. During the fourth quarter, the county population decreased by 447 inmates, or 6.6 percent, a significant decrease from the third quarter of 2022. The average daily population across all counties was 6,588, together operating at 59 percent of these facilities' design capacity.

Table 3

**Fourth Quarter 2022
Population in County Correctional Facilities by County,
October 31, 2022 to December 26, 2022**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Barnstable	166	171	159	300	55%
Berkshire	159	158	157	292	54%
Bristol	696	710	678	566	123%
Dukes	16	14	15	19	84%
Essex	1,065	1,111	1,012	1,654	64%
Franklin	163	169	157	144	113%
Hampden	878	906	867	1,632	54%
Hampshire	122	124	119	287	43%
Middlesex	651	668	630	1,501	43%
Norfolk	334	332	340	620	54%
Plymouth	552	546	555	1,140	48%
Suffolk	1,178	1,247	1,097	2,249	52%
Worcester	607	630	589	822	74%
Total	6,588	6,786	6,375	11,226	59%

Table 4 presents the county figures for the fourth quarter of 2022. The following table presents a breakdown of facility population and capacity for counties that operate more than one facility.

Table 4

**Fourth Quarter 2022
Population in County Correctional Facilities by Facility,
October 31, 2022 to December 26, 2022**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	102	107	94	206	50%
Bristol Dartmouth	545	547	543	304	179%
Bristol Women's Center	50	56	41	56	89%
Essex County					
Essex Middleton	955	1,005	903	1,291	74%
Essex W.I.T.	18	19	17	23	78%
Essex LCAC	92	87	92	340	27%
Hampden County					
Hampden HOC	700	719	684	1,178	59%
Hampden WMCAC	53	50	54	148	36%
Hampden Women's Center	137	137	129	306	45%
Suffolk County					
Suffolk Nashua Street	444	476	401	453	98%
Suffolk South Bay	728	771	678	1,796	41%

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 increase of 188 inmates, or 2.8 percent, between October 2021 and September 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 1.2 percent increase between August 2022 and September 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,
October 25, 2021 to September 26, 2022**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Barnstable	170	178	171	300	57%
Berkshire	153	145	170	292	52%
Bristol	681	669	689	566	120%
Dukes	13	11	18	19	71%
Essex	1,088	1,124	1,131	1,654	66%
Franklin	161	153	171	144	112%
Hampden	875	851	906	1,632	54%
Hampshire	129	142	133	287	45%
Middlesex	660	629	662	1,501	44%
Norfolk	323	338	348	620	52%
Plymouth	589	666	564	1,140	52%
Suffolk	1,171	1,109	1,277	2,249	52%
Worcester	630	660	623	822	77%
Total	6,642	6,675	6,863	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,
October 25, 2021 to September 26, 2022**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	100	77	93	206	49%
Bristol Dartmouth	553	560	537	304	182%
Women's Center	36	32	59	56	64%
Essex County					
Essex Middleton	1,008	1,041	1,030	1,291	78%
Essex W.I.T.	13	16	17	23	57%
Essex LCAC	67	67	84	340	20%
Hampden County					
Hampden HOC	689	675	702	1,178	58%
Hampden WMCAC	55	59	53	148	37%
Hampden Women's Center	131	117	151	306	43%
Suffolk County					
Suffolk Nashua Street	474	507	452	453	105%
Suffolk South Bay	697	602	825	1,796	39%

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 inmates.
- 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 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.

2016

- 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.

2017

- During 1st quarter 2017, design capacity was reduced by 151 inmates 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 inmates were transferred to other DOC facilities.
- Effective March 2021, South Middlesex Correctional Center was shuttered and remaining inmates 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.