# Quarterly Report on the Status of Prison Capacity, Second Quarter 2017

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



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August 2017

# 2017 Second 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. This statute calls for
the following information:

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 presents the required statistics for the second quarter of 2017.

Publication No. 18-223-DOC-01 14 pgs. Authorized by: Gary Lambert, Assistant Secretary for Operational Services

This report, prepared by Gina Papagiorgakis of the Research and Planning Division, is based on counts submitted by Massachusetts Sheriffs and the Department of Correction.

### 2017 Second Quarter Report

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**Technical Notes: 2010 – Present** (for previous years, please refer to reports prior to 2<sup>nd</sup> 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 4<sup>th</sup> 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.
- Design capacity was reduced for the reporting of 1<sup>st</sup> quarter 2017 data due to the shuttering of MCI-Plymouth, with a design capacity of 151 inmates.
- Massachusetts Alcohol and Substance Abuse Center was mothballed on May 6, 2017.
- Massachusetts Alcohol and Substance Abuse Center @ Plymouth (formerly known as MCI-Plymouth) was opened effective May 1, 2017. Design capacity was changed due to the relocation of the facility.

#### **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 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

PLY MCI-Plymouth

SBCC Souza Baranowski Correctional Center

SHI MCI-Shirley

SMCC South Middlesex Correctional Center

**Table 1 provides the DOC figures for the second quarter of 2017.** The DOC custody population has increased by 111 inmates, or one percent in this time period. Operating with 9,130 inmates in the system, the average daily population was 9,074 with a design capacity of 7,492. Thus, the DOC operated at 121% of design capacity during the second quarter of 2017.

DOC inmates housed in non-DOC facilities had an average daily population of 395 inmates. The majority of these inmates were in Massachusetts Houses of Correction.

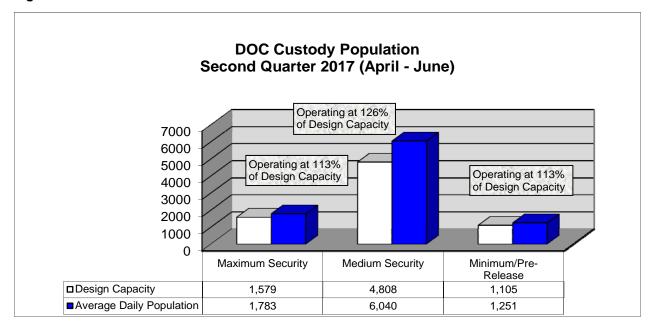
Overall, the average daily total DOC jurisdiction population for the second quarter 2017 was 9,469. There was an increase of 73 inmates, or one percent, over the quarter from 9,440 to 9,513.

Note that MASAC's relocation occurred during the second quarter of 2017. To calculate the average daily population, the counts for MASAC and what is now known as MASAC @ Plymouth were both used.

Table 1
Second Quarter 2017
Population in DOC Facilities, April 30, 2017 to June 30, 2017

Security Level/Facility	Avg. Daily	Beginning	Ending	Design/Rated	% ADP
Maximum	Population	Population	Population	Capacity	Capacity
MCI-Cedar Junction	699	709	696	555	126%
SBCC	1,084	1,064	1,100	1,024	106%
Sub-Total, Maximum	1,783	1,773	1,100 <b>1,796</b>	1,579	113%
Medium	1,703	1,773	1,790	1,379	113/0
Massachusetts Treatment Center	519	512	522	561	93%
MCI-Cedar Junction	72	72	72	78	93 % 92%
MCI-Concord	717	732	710	614	117%
MCI-Framingham (Female)	457	451	477	452	101%
MCI-Norfolk	1,420	1,416	1,421	1,084	131%
MCI-Shirley	1,121	1,130	1,123	720	156%
NCCI-Gardner	942	944	941	568	166%
OCCC	576	577	575	480	120%
Shattuck Correctional Unit	24	16	26	24	100%
State Hospital @ Bridgewater	192	201	180	227	85%
Sub-Total, Medium	6,040	6,051	<b>6,047</b>	4,808	1 <b>26%</b>
Minimum	0,040	0,031	0,047	4,000	120 /0
MASAC/MASPLY	207	159	248	151	137%
MCI-Shirley	301	306	298	299	101%
NCCI-Gardner	13	13	12	30	43%
OCCC	143	124	151	100	143%
Minimum/Pre-Release	143	124	131	100	14570
Boston Pre-Release Center	119	116	119	150	79%
NECC	199	206	192	150	133%
Pondville Correctional Center	143	144	142	100	143%
SMCC (Female)	126	127	125	125	101%
Sub-Total, Minimum/Pre-Release	1,251	1,195	1,287	1,105	113%
Custody Total	9,074	9,019	9,130	7,492	121%
DOC Inmates in Non-DOC Facilities	0,01	0,0.0	0,100	.,.0=	12170
Houses of Correction	304	330	293	n.a.	n.a.
Department of Youth Services	1	1	1	n.a.	n.a.
Federal Prisons	6	6	6	n.a.	n.a.
Inter-State Compact	84	84	83	n.a.	n.a.
Sub-Total	395	421	383	n.a.	n.a.
Jurisdiction Total	9,469	9,440	9,513	7,492	126%
	5,705	3,170	3,010	1,732	120/0

Figure 1



- Maximum security facilities operated above capacity during the second quarter 2017 at 113%. Souza Baranowski Correctional Center operated at a design capacity of 106%, while MCI Cedar Junction operated at 126%.
- Medium security facilities had the highest capacity rate overall during this quarter, operating at 126% of design capacity. The medium security units at NCCI-Gardner had the highest capacity rate of the medium security facilities (166%), followed by the medium security units at MCI-Shirley (156%) and MCI-Norfolk (131%).
- Operating within MCI-Cedar Junction is a medium security unit designed to house 78 inmates.
   During the quarter, this unit operated at 92% design capacity, with an average daily population of 72 inmates.
- Minimum/pre-release security facilities operated over capacity at an average of 113% of design capacity. This notable increase from the previous quarter is due to the decrease in design capacity.
- ♦ The minimum units at Old Colony Correctional Center and Pondville Correctional Center (a minimum/pre-release facility) both operated over design capacity (143%) with average daily populations of 143 inmates each.
- The Massachusetts Department of Correction operated at an average of 126% of design capacity during this quarter.

Table 2 provides the DOC figures for the previous twelve months (April 30, 2016 to March 31, 2017). The figures below indicate that the DOC custody population decreased by 343 inmates, or four percent, over the twelve-month period from 9,424 in April 2016 to 9,081 in March 2017.

DOC inmates housed in non-DOC facilities had an average daily population of 467 inmates. Of these inmates, 371 were in Houses of Correction, 90 inmates were in a facility outside of Massachusetts through the Interstate Compact, 4 inmates were in a Federal Prison and 2 inmates were in a Department of Youth Services facility.

The DOC jurisdiction population decreased from 9,877 to 9,532 over the twelve month period, a decrease of 345 inmates, or four percent. The average daily population during this time period was 9,697 inmates.

Note that the design capacity changed in the middle of the trend period and thus the capacity rate is not provided in Table 2 below. In addition, average daily population for MCI-Plymouth is skewed due to the shuttering of the facility during the reporting period.

Table 2
Previous Twelve Months
Population in DOC Facilities, April 30, 2016 to March 31, 2017

Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity
Maximum	1 opulation	ropulation	1 opulation	Oupdony
MCI-Cedar Junction	667	684	699	555
SBCC	1,078	996	1,072	1,024
Sub-Total, Maximum	1,745	1,680	1,771	1,579
Medium	-,	-,	-,	.,
Massachusetts Treatment Center	522	527	516	561
MCI-Cedar Junction	72	72	72	78
MCI-Concord	697	606	736	614
MCI-Framingham (Female)	495	495	450	452
MCI-Norfolk	1,440	1,470	1,413	1,084
MCI-Shirley	1,151	1,152	1,144	720
NCCI-Gardner	931	935	950	568
OCCC	588	790	567	480
Shattuck Correctional Unit	28	27	25	24
State Hospital @ Bridgewater	306	317	249	227
Sub-Total, Medium	6,230	6,391	6,122	4,808
<u>Minimum</u>				
MA Alcohol and Substance Abuse Center	172	204	178	236
MCI-Shirley	311	286	301	299
NCCI-Gardner	14	17	11	30
OCCC	101	99	107	100
Minimum/Pre-Release				
Boston Pre-Release Center	128	155	115	150
MCI-Plymouth	77	136	0	-
NECC	205	224	200	150
Pondville Correctional Center	133	121	151	100
SMCC (Female)	114	111	125	125
Sub-Total: Minimum/Pre-Release	1,255	1,353	1,188	1,190
Custody Total	9,230	9,424	9,081	7,577
<b>DOC Inmates in Non-DOC Facilities</b>				
Houses of Correction	371	360	360	n.a.
Department of Youth Services	2	2	0	n.a.
Federal Prisons	4	3	4	n.a.
Inter-State Compact	90	88	87	n.a.
Sub-Total	467	453	451	n.a.
Jurisdiction Total	9,697	9,877	9,532	7,577

Table 3 presents the county figures for the second quarter of 2017. During the second quarter, the county population increased by 88 inmates, or one percent, beginning the quarter with 10,523 inmates and ending with 10,611. The average daily population was 10,548 with a design capacity of 11,226. On average, the county facilities operated at 94% of design capacity.

Table 3

Second Quarter 2017

Population in County Correctional Facilities by County,

April 24, 2017 to June 26, 2017

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity*	% ADP Capacity
Barnstable	354	373	343	300	118%
Berkshire	232	222	239	292	79%
Bristol	1,278	1,275	1,279	566	226%
Dukes	19	17	21	19	100%
Essex	1,546	1,539	1,547	1,654	93%
Franklin	234	237	249	144	163%
Hampden	1,374	1,369	1,386	1,632	84%
Hampshire	251	258	252	287	87%
Middlesex	981	990	967	1,501	65%
Norfolk	484	475	495	620	78%
Plymouth	1,029	1,058	1,015	1,140	90%
Suffolk	1,691	1,645	1,732	2,249	75%
Worcester	1,075	1,065	1,086	822	131%
Total	10,548	10,523	10,611	11,226	94%

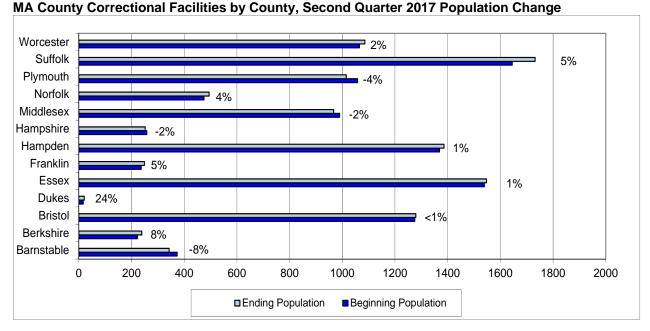
<sup>\*</sup>Design capacity is provided by the County, Federal, and Interstate Unit.

Table 4 presents the breakdown of the county population for the second quarter of 2017 for the counties which operate more than one facility.

Table 4
Second Quarter 2017
Population in County Correctional Facilities by Facility,
April 24, 2017 to June 26, 2017

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County	Торининон	Горинанон	Горинанон	Сарасту	Сарасну
Bristol Ash Street	185	190	188	206	90%
Bristol Dartmouth	1,010	1,005	999	304	332%
Bristol Women's Center	83	80	92	56	148%
Essex County					
Essex Middleton	1,227	1,217	1,228	1,291	95%
Essex W.I.T	30	28	31	23	130%
Essex LCAC	289	294	288	340	85%
Hampden County					
Hampden HOC	1,000	1,001	1,017	1,178	85%
Hampden WMCAC	116	117	113	148	78%
Hampden Women's Center	258	251	256	306	84%
Suffolk County					
Suffolk Nashua Street	679	667	687	453	150%
Suffolk South Bay	1,012	978	1,045	1,796	56%

Figure 2



- Most county correctional institutions have jail beds (to hold detainees/pre-trial inmates) and house of correction beds (designated for sentenced inmates), with the exception of Suffolk County, which houses these populations in separate facilities. The design capacities are determined within each facility, but are not separated by jail beds versus house of correction beds.
- ♦ In the second quarter of 2017, the county correctional system operated at 94% of its design capacity, with an average daily population of 10,548 and a capacity designed to hold 11,226 inmates.
- Barnstable County reported the largest percentage decrease over the second quarter (8%). Plymouth County reported the second largest percentage decrease, decreasing 4% from the beginning of the second quarter to the end of the quarter.
- ◆ Though not the largest percentage decrease, Plymouth County had the largest population decrease (n=43), followed by Barnstable County (n=30) and Middlesex County (n=23).
- ♦ Though Dukes County had the highest percentage increase (24%) during the second quarter, the largest population increase occurred in Suffolk County (n=87).
- ♦ The county correctional facilities' (jails and houses of correction) population increased by 88 inmates, or one percent, for the second quarter of 2017, from 10,523 at the beginning of the quarter to 10,611 at the end of the quarter.

**Table 5 presents the county figures for the previous twelve months (April 21, 2016 to March 27, 2017)**. The figures below show that the county population decreased by 70 inmates over this twelvementh period, or one percent, from 10,590 in April 2016 to 10,520 in March 2017.

Table 5

## Previous Twelve Months Population in County Correctional Facilities by County, April 21, 2016 to March 27, 2017

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Barnstable	379	376	373	300	126%
Berkshire	225	226	227	292	77%
Bristol	1,292	1,257	1,264	566	228%
Dukes	19	20	16	19	100%
Essex	1,565	1,500	1,519	1,654	95%
Franklin	251	243	239	144	174%
Hampden	1,448	1,405	1,381	1,632	89%
Hampshire	239	234	255	287	83%
Middlesex	1,084	1,111	985	1,501	72%
Norfolk	489	520	477	620	79%
Plymouth	1,078	1,086	1,069	1,140	95%
Suffolk	1,647	1,581	1,677	2,249	73%
Worcester	1,117	1,031	1,038	822	136%
Total	10,833	10,590	10,520	11,226	96%

**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.

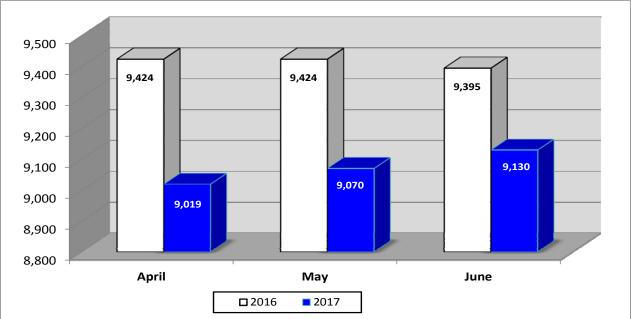
Table 6

## Previous Twelve Months Population in County Correctional Facilities by Facility, April 21, 2016 to March 27, 2017

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County	-				
Bristol Ash Street	188	192	180	206	91%
Bristol Dartmouth	1,014	968	1,003	304	334%
Women's Center	89	97	81	56	159%
Essex County					
Essex Middleton	1,193	1,094	1,191	1,291	92%
Essex W.I.T.	35	41	30	23	152%
Essex LCAC	336	365	298	340	99%
Hampden County					
Hampden HOC	1,074	1,031	1,011	1,178	91%
Hampden WMCAC	97	112	114	148	66%
Hampden Women's Center	277	262	256	306	91%
Suffolk County					
Suffolk Nashua Street	666	627	667	453	147%
Suffolk South Bay	982	954	1,010	1,796	55%

Figure 3



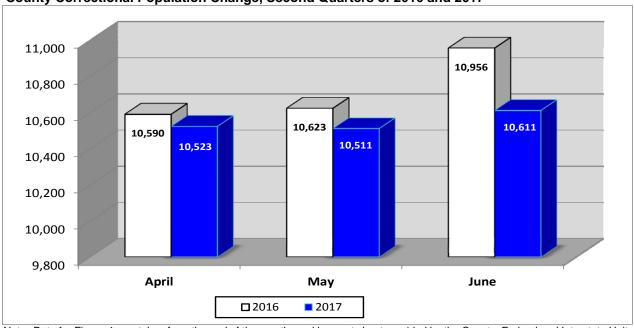


Note: Data for Figure 3 was based on end of the month count for each month within the quarter.

The graph above compares the DOC custody population for the second quarter in 2017 to the second quarter in 2016 by month. For April 2017, the DOC population decreased by 405 inmates, or four percent compared to April 2016; for May 2017 the population decreased by 354 inmates, or four percent; for June 2017 the population decreased by 265 inmates, or three percent.

Figure 4

County Correctional Population Change, Second Quarters of 2016 and 2017



Note: Data for Figure 4 was taken from the end of the month weekly count sheet provided by the County, Federal and Interstate Unit.

The graph above compares the county correctional population for the second quarter in 2017 to the second quarter in 2016 by month. For April 2017, the population decreased by 67 inmates, or one percent, compared to 2016; for May 2017 the population decreased by 112 inmates, or one percent; for June 2017 the population decreased by 345 inmates, or three percent.

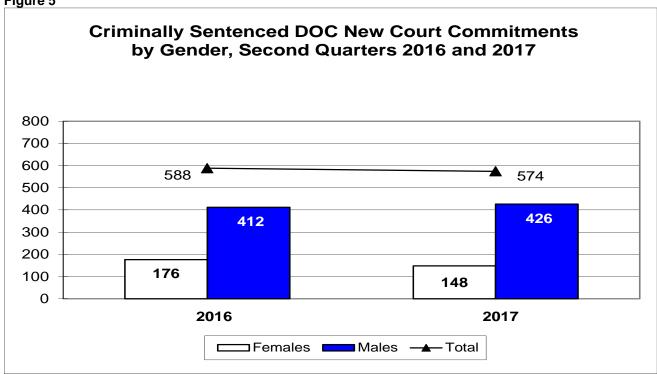
Table 7 provides quarterly statistics on criminally sentenced new court commitments to the DOC for the first and second quarters of 2016 and 2017, by gender. There was a decrease of 14 new court commitments for the second quarter 2017 compared to 2016, from 588 to 574. Overall, there was a 1% increase in new court commitments for the first half of 2017 compared to 2016.

Table 7

Criminally Sentenced DOC New Court Commitments by Gender, 2016 and 2017					
	2016	2017	Difference		
Males					
First Quarter	426	492	15%		
Second Quarter	412	426	3%		
<u>Females</u>					
First Quarter	164	119	-27%		
Second Quarter	176	148	-16%		
Total	1,178	1,185	1%		

Figure 5 provides a graphical representation of the number of criminally sentenced new court commitments to the DOC during the second quarters of 2016 and 2017, by gender. As indicated below, female new court commitments decreased by 16%, while male new court commitments increased by 3%.

Figure 5



Note: Data for Table 7 and Figure 5 were obtained from the DOC's Inmate Management System Database.