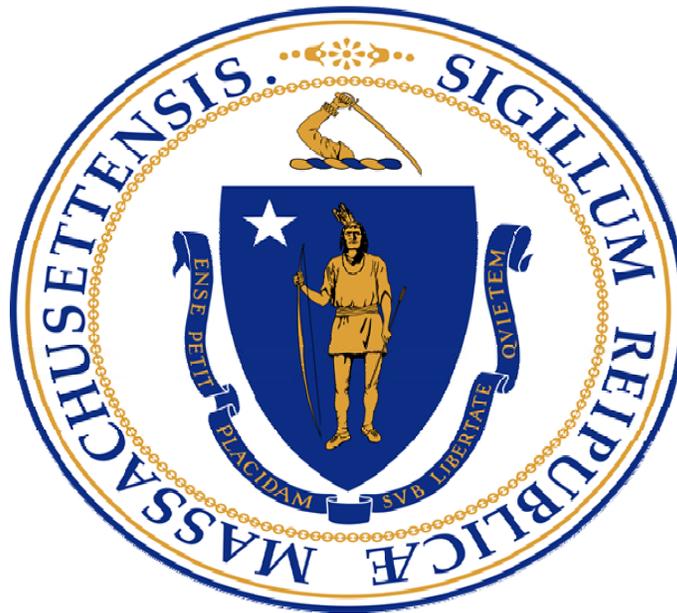


# Quarterly Report on the Status of Prison Capacity, Third Quarter 2018

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



**Charles D. Baker**

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October 2018

# 2018 Third Quarter Report

**S**ection 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.”*

Publication No. 19-284-DOC-01 10 pgs.  
Authorized by: Gary Lambert, Assistant Secretary for Operational Services

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

# 2018 Third 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.
- During the 1<sup>st</sup> 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:**

**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:**

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.

## **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
OSCC	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 third quarter of 2018.** The DOC custody population has decreased by 127 inmates, or one percent, since the beginning of the third quarter 2018. By the end of the quarter the DOC was operating with 8,649 inmates in the system. During the third quarter 2018, the DOC had an average daily custody population of 8,691, operating at 116% of the 7,492 design capacity.

DOC inmates housed in non-DOC facilities had an average daily population of 341 inmates. The majority of these inmates were in Massachusetts Houses of Correction.

Overall, the average daily total DOC jurisdiction population for the third quarter 2018 was 9,032. There was a decrease of 151 inmates, or two percent, over the quarter from 9,133 to 8,982.

**Table 1**

<b>Third Quarter 2018</b>					
<b>Population in DOC Facilities, July 31, 2018 to September 30, 2018</b>					
<b>Security Level/Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design/Rated Capacity</b>	<b>% ADP Capacity</b>
<b>Maximum</b>					
MCI-Cedar Junction	634	633	643	555	114%
SBCC	933	986	905	1,024	91%
<b>Sub-Total, Maximum</b>	<b>1,567</b>	<b>1,619</b>	<b>1,548</b>	<b>1,579</b>	<b>99%</b>
<b>Medium</b>					
Massachusetts Treatment Center	564	563	567	561	101%
MCI-Cedar Junction	70	72	67	78	90%
MCI-Concord	637	632	632	614	104%
MCI-Framingham (Female)	462	456	470	452	102%
MCI-Norfolk	1,328	1,317	1,334	1,084	123%
MCI-Shirley	1,128	1,130	1,132	720	157%
NCCI-Gardner	949	953	941	568	167%
OCCC	624	628	622	480	130%
Shattuck Correctional Unit	21	19	26	24	88%
State Hospital @ Bridgewater	212	221	207	227	93%
<b>Sub-Total, Medium</b>	<b>5,995</b>	<b>5,991</b>	<b>5,998</b>	<b>4,808</b>	<b>125%</b>
<b>Minimum</b>					
MASPLY	188	225	151	151	125%
MCI-Shirley	276	284	273	299	92%
NCCI-Gardner	13	13	14	30	43%
OCCC	106	103	113	100	106%
<b>Minimum/Pre-Release</b>					
Boston Pre-Release Center	98	95	100	150	65%
NECC	190	187	195	150	127%
Pondville Correctional Center	169	166	173	100	169%
SMCC (Female)	89	93	84	125	71%
<b>Sub-Total, Minimum/Pre-Release</b>	<b>1,129</b>	<b>1,166</b>	<b>1,103</b>	<b>1,105</b>	<b>102%</b>
<b>Total Custody</b>	<b>8,691</b>	<b>8,776</b>	<b>8,649</b>	<b>7,492</b>	<b>116%</b>
<b>DOC Inmates in Non-DOC Facilities</b>					
Houses of Correction	254	269	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	79	80	78	n.a.	n.a.
<b>Sub-Total, Non-DOC Facilities</b>	<b>341</b>	<b>357</b>	<b>333</b>	<b>n.a.</b>	<b>n.a.</b>
<b>Total Jurisdiction</b>	<b>9,032</b>	<b>9,133</b>	<b>8,982</b>	<b>7,492</b>	<b>121%</b>

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 (July 31, 2017 to June 30, 2018).** The figures below indicate that the DOC custody population decreased by 365 inmates, or four percent, over the twelve-month period from 9,119 in July 2017 to 8,754 in June 2018.

DOC inmates housed in non-DOC facilities had an average daily population of 349 inmates. Of these inmates, 261 were in Houses of Correction, 81 inmates were in a facility outside of Massachusetts through the Interstate Compact, 6 inmates were in a Federal Prison and 1 inmate was in a Department of Youth Services facility.

The DOC jurisdiction population decreased from 9,482 to 9,107 over the twelve month period, a decrease of 375 inmates, or four percent. The average daily population during this time period was 9,264 inmates.

**Table 2**

**Previous Twelve Months  
Population in DOC Facilities, July 31, 2017 to June 30, 2018**

<b>Security Level/Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design/Rated Capacity</b>	<b>% ADP Capacity</b>
<b><u>Maximum</u></b>					
MCI-Cedar Junction	675	667	664	555	122%
SBCB	1,045	1,092	998	1,024	102%
<b>Sub-Total, Maximum</b>	<b>1,720</b>	<b>1,759</b>	<b>1,662</b>	<b>1,579</b>	<b>109%</b>
<b><u>Medium</u></b>					
Massachusetts Treatment Center	560	505	564	561	100%
MCI-Cedar Junction	71	71	71	78	91%
MCI-Concord	651	725	628	614	106%
MCI-Framingham (Female)	456	482	438	452	101%
MCI-Norfolk	1,348	1,418	1,323	1,084	124%
MCI-Shirley	1,138	1,137	1,125	720	158%
NCCI-Gardner	943	945	944	568	166%
OCCC	608	570	614	480	127%
Shattuck Correctional Unit	25	30	26	24	104%
State Hospital @ Bridgewater	208	187	225	227	92%
<b>Sub-Total, Medium</b>	<b>6,008</b>	<b>6,070</b>	<b>5,958</b>	<b>4,808</b>	<b>125%</b>
<b><u>Minimum</u></b>					
MASAC/MASPLY	207	250	184	151	137%
MCI-Shirley	301	324	306	299	101%
NCCI-Gardner	11	11	13	30	37%
OCCC	116	134	91	100	116%
<b><u>Minimum/Pre-Release</u></b>					
Boston Pre-Release Center	112	113	95	150	75%
NECC	189	194	184	150	126%
Pondville Correctional Center	155	149	169	100	155%
SMCC (Female)	96	115	92	125	77%
<b>Sub-Total: Minimum/Pre-Release</b>	<b>1,187</b>	<b>1,290</b>	<b>1,134</b>	<b>1,105</b>	<b>107%</b>
<b>Total Custody</b>	<b>8,915</b>	<b>9,119</b>	<b>8,754</b>	<b>7,492</b>	<b>119%</b>
<b><u>DOC Inmates in Non-DOC Facilities</u></b>					
Houses of Correction	261	275	264	n.a.	n.a.
Department of Youth Services	1	1	1	n.a.	n.a.
Federal Prisons	6	6	7	n.a.	n.a.
Inter-State Compact	81	81	81	n.a.	n.a.
<b>Sub-Total, Non-DOC Facilities</b>	<b>349</b>	<b>363</b>	<b>353</b>	<b>n.a.</b>	<b>n.a.</b>
<b>Total Jurisdiction</b>	<b>9,264</b>	<b>9,482</b>	<b>9,107</b>	<b>7,492</b>	<b>124%</b>

*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 third quarter of 2018.** During the third quarter, the county population increased by 20 inmates, or less than one percent, beginning the quarter with 9,612 inmates and ending with 9,632. The average daily population was 9,637 with a design capacity of 11,226. On average, the county facilities operated at 86% of design capacity.

**Table 3**

<b>Third Quarter 2018 Population in County Correctional Facilities by County, July 30, 2018 to September 24, 2018</b>					
<b>Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design/Rated Capacity*</b>	<b>% ADP Capacity</b>
Barnstable	368	338	391	300	123%
Berkshire	185	187	185	292	63%
Bristol	1,147	1,156	1,142	566	203%
Dukes	16	18	15	19	84%
Essex	1,499	1,493	1,492	1,654	91%
Franklin	234	225	241	144	163%
Hampden	1,209	1,219	1,214	1,632	74%
Hampshire	235	230	239	287	82%
Middlesex	811	836	793	1,501	54%
Norfolk	454	447	457	620	73%
Plymouth	1,007	988	1,021	1,140	88%
Suffolk	1,537	1,554	1,505	2,249	68%
Worcester	935	921	937	822	114%
<b>Total</b>	<b>9,637</b>	<b>9,612</b>	<b>9,632</b>	<b>11,226</b>	<b>86%</b>

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

**Table 4 presents the breakdown of the county population for the third quarter of 2018 for the counties which operate more than one facility.**

**Table 4**

<b>Third Quarter 2018 Population in County Correctional Facilities by Facility, July 30, 2018 to September 24, 2018</b>					
<b>Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design/Rated Capacity</b>	<b>% ADP Capacity</b>
<b>Bristol County</b>					
Bristol Ash Street	166	166	171	206	81%
Bristol Dartmouth	904	917	894	304	297%
Bristol Women's Center	76	73	77	56	136%
<b>Essex County</b>					
Essex Middleton	1,233	1,215	1,233	1,291	96%
Essex W.I.T.	36	35	36	23	157%
Essex LCAC	230	243	223	340	68%
<b>Hampden County</b>					
Hampden HOC	903	911	907	1,178	77%
Hampden WMCAC	95	94	101	148	64%
Hampden Women's Center	212	214	206	306	69%
<b>Suffolk County</b>					
Suffolk Nashua Street	619	623	601	453	137%
Suffolk South Bay	918	931	904	1,796	51%

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 (July 31, 2017 to June 25, 2018).** The figures below show that the county population decreased by 1,318 inmates over this twelve-month period, or twelve percent, from 10,599 in July 2017 to 9,281 in June 2018.

**Table 5**

<b>Previous Twelve Months</b>					
<b>Population in County Correctional Facilities by County, July 31 2017 to June 25, 2018</b>					
<b>Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design/Rated Capacity</b>	<b>% ADP Capacity</b>
Barnstable	324	329	313	300	108%
Berkshire	206	219	206	292	71%
Bristol	1,166	1,277	1,082	566	206%
Dukes	20	21	17	19	105%
Essex	1,474	1,552	1,489	1,654	89%
Franklin	220	241	231	144	153%
Hampden	1,208	1,393	1,150	1,632	74%
Hampshire	236	242	218	287	82%
Middlesex	888	1,018	794	1,501	59%
Norfolk	450	491	411	620	73%
Plymouth	1,026	965	956	1,140	90%
Suffolk	1,603	1,740	1,498	2,249	71%
Worcester	999	1,111	916	822	122%
<b>Total</b>	<b>9,820</b>	<b>10,599</b>	<b>9,281</b>	<b>11,226</b>	<b>87%</b>

**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**

<b>Previous Twelve Months</b>					
<b>Population in County Correctional Facilities by Facility, July 31, 2017 to June 25, 2018</b>					
<b>Facility</b>	<b>Avg. Daily Population</b>	<b>Beginning Population</b>	<b>Ending Population</b>	<b>Design/Rated Capacity</b>	<b>% ADP Capacity</b>
<b>Bristol County</b>					
Bristol Ash Street	169	189	160	206	82%
Bristol Dartmouth	914	989	867	304	301%
Women's Center	82	99	55	56	147%
<b>Essex County</b>					
Essex Middleton	1,203	1,249	1,216	1,291	93%
Essex W.I.T.	32	30	37	23	139%
Essex LCAC	239	273	236	340	70%
<b>Hampden County</b>					
Hampden HOC	874	1,002	860	1,178	74%
Hampden WMCAC	107	116	77	148	72%
Hampden Women's Center	227	275	213	306	74%
<b>Suffolk County</b>					
Suffolk Nashua Street	631	717	611	453	139%
Suffolk South Bay	971	1,023	887	1,796	54%

*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.*