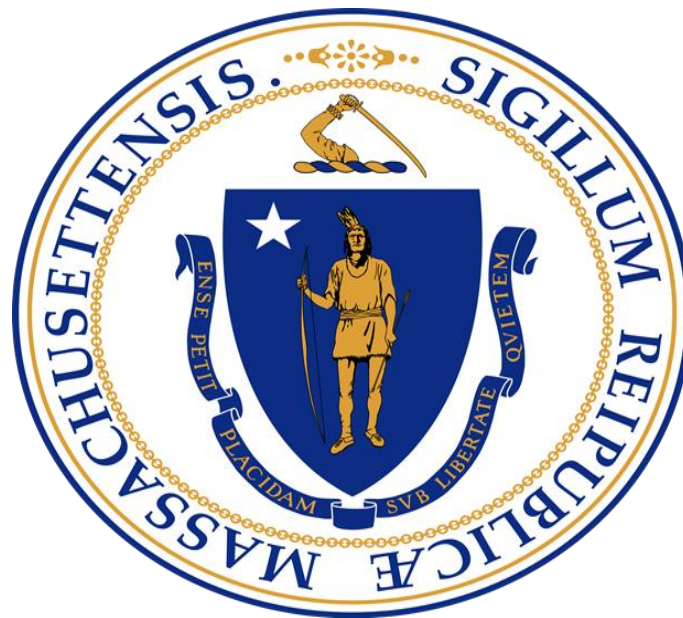


Quarterly Report on the Status of Prison Capacity, Third Quarter 2022

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



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January 2022

2022 Third 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 and Susan McDonald of the Research and Planning Division, is based on counts submitted by Massachusetts Sheriffs and the Department of Correction’s Inmate Management System.

2022 Third Quarter Report

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Table 1 provides the DOC figures for the third quarter of 2022. The DOC custody population decreased over the quarter, by 39 inmates, or less than one (1) percent. By the end of the quarter, the DOC was operating with 5,932 inmates in the system. During the third quarter, the DOC had an average daily custody population of 5,951, operating at 79 percent of the design capacity of 7,494.

DOC inmates housed in non-DOC facilities averaged 247 inmates, the majority housed in county Houses of Correction, and an average of 67 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 third quarter of 2022.

Overall, the average daily total DOC jurisdiction population for the third quarter of 2022 was 6,189. There was a decrease of 51 inmates, or less than one (1) percent, from the beginning to the end of the quarter.

Table 1

Third Quarter 2022					
Population in DOC Facilities, July 31, 2022 to September 30, 2022					
Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
<u>Maximum</u>					
MCI-Cedar Junction	133	229	85	555	24%
SBCC	833	739	918	1,024	81%
Sub-Total, Maximum	966	968	1,003	1,579	61%
<u>Medium</u>					
Massachusetts Treatment Center	532	542	528	563	94%
MCI-Cedar Junction	32	37	28	78	41%
MCI-Concord	396	397	388	614	64%
MCI-Framingham (Female)	198	203	195	452	44%
MCI-Norfolk	1,174	1,166	1,172	1,084	108%
MCI-Shirley	794	800	785	720	110%
NCCI-Gardner	695	687	692	568	122%
OCCC	453	448	451	480	94%
Shattuck Correctional Unit	16	12	19	24	67%
State Hospital @ Bridgewater	235	238	235	227	104%
Sub-Total, Medium	4,525	4,530	4,493	4,810	94%
<u>Minimum</u>					
MASPLY	85	85	79	151	56%
MCI-Shirley	n.a	n.a	n.a	299	n.a
NCCI-Gardner	n.a	n.a	n.a	30	n.a
OCCC	66	68	60	100	66%
<u>Minimum/Pre-Release</u>					
Boston Pre-Release Center	37	34	43	150	25%
NECC	185	193	173	150	123%
Pondville Correctional Center	87	93	81	100	87%
SMCC (Female)	0	0	0	125	0%
Sub-Total, Minimum/Pre-Release	460	473	436	1,105	42%
Total Custody	5,951	5,971	5,932	7,494	79%
<u>DOC Inmates in Non-DOC Facilities</u>					
Houses of Correction	168	175	162	n.a.	n.a.
Department of Youth Services	0	0	0	n.a.	n.a.
Federal Prisons	8	8	9	n.a.	n.a.
Inter-State Compact	67	68	67	n.a.	n.a.
DOC Electronic Monitoring Program	3	3	4	n.a.	n.a.
Sub-Total, Non-DOC Facilities	247	254	242	n.a.	n.a.
Total Jurisdiction	6,198	6,225	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 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 285 inmates, or 4.5 percent.

DOC inmates housed in non-DOC facilities had an average daily population of 266 inmates over this period. In county facilities, the population fluctuated with a high of 231 in August 2021 and a low of 154 in May 2022, ending the trend period at 155.

The average DOC jurisdiction population was 6,303. During the 12-month period, this population went from 6,552 to 6,202, experiencing a decrease of 350 inmates, or 5.3 percent.

Table 2

**Previous Twelve Months
Population in DOC Facilities, July 31, 2021 to June 30, 2022**

Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Maximum					
MCI-Cedar Junction	422	369	351	555	76%
SBCC	536	516	632	1,024	52%
Sub-Total, Maximum	958	885	983	1,579	61%
Medium					
Massachusetts Treatment Center	549	554	544	563	98%
MCI-Cedar Junction	42	51	37	78	54%
MCI-Concord	458	520	392	614	75%
MCI-Framingham (Female)	180	162	191	452	40%
MCI-Norfolk	1,141	1,142	1,177	1,084	105%
MCI-Shirley	760	800	795	720	106%
NCCI-Gardner	693	722	684	568	122%
OCCC	489	523	450	480	102%
Shattuck Correctional Unit	17	15	19	24	69%
State Hospital @ Bridgewater	230	243	233	227	101%
Sub-Total, Medium	4,560	4,732	4,522	4,810	95%
Minimum					
MASAC/MASPLY	75	150	65	151	50%
MCI-Shirley	0	0	0	299	0%
NCCI-Gardner	n.a	n.a	n.a	0	n.a.
OCCC	75	84	61	100	75%
Minimum/Pre-Release					
Boston Pre-Release Center	56	68	35	150	37%
NECC	198	205	197	150	132%
Pondville Correctional Center	116	130	106	100	116%
SMCC (Female)	0	0	0	125	0%
Sub-Total, Minimum/Pre-Release	520	637	464	1,105	47%
Total Custody	6,037	6,254	5,969	7,494	81%
DOC Inmates in Non-DOC Facilities					
Houses of Correction	181	208	155	n.a.	n.a.
Department of Youth Services	0	0	0	n.a.	n.a.
Federal Prisons	10	11	8	n.a.	n.a.
Inter-State Compact	70	74	66	n.a.	n.a.
DOC Electronic Monitoring Program	6	n.a.	4	n.a.	n.a.
Sub-Total, Non-DOC Facilities	266	298	233	n.a.	n.a.
Total Jurisdiction	6,303	6,552	6,202	7,494	84%

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 third quarter of 2022. During the third quarter, the county population increased by 25 inmates, less than one (1) percent, continuing the steady increase from the second quarter of 2022. The average daily population across all counties was 6,828, together operating at 61 percent of these facilities' design capacity.

Table 3

**Third Quarter 2022
Population in County Correctional Facilities by County,
April 25, 2022 to June 27, 2022**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Barnstable	170	166	171	300	57%
Berkshire	164	162	170	292	56%
Bristol	673	720	689	566	119%
Dukes	18	16	18	19	95%
Essex	1,130	1,113	1,131	1,654	68%
Franklin	167	165	171	144	116%
Hampden	932	955	906	1,632	57%
Hampshire	129	125	133	287	45%
Middlesex	660	657	662	1,501	44%
Norfolk	342	341	348	620	55%
Plymouth	556	558	564	1,140	49%
Suffolk	1,254	1,214	1,277	2,249	56%
Worcester	632	646	623	822	77%
Total	6,828	6,838	6,863	11,226	61%

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

Table 4

**Third Quarter 2022
Population in County Correctional Facilities by Facility,
July 25, 2022 to September 26, 2022**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	109	117	93	206	53%
Bristol Dartmouth	542	549	537	304	178%
Bristol Women's Center	57	54	59	56	101%
Essex County					
Essex Middleton	1,032	1,023	1,030	1,291	80%
Essex W.I.T.	15	13	17	23	64%
Essex LCAC	83	77	84	340	24%
Hampden County					
Hampden HOC	724	744	702	1,178	61%
Hampden WMCAC	56	56	53	148	38%
Hampden Women's Center	152	155	151	306	50%
Suffolk County					
Suffolk Nashua Street	441	429	452	453	97%
Suffolk South Bay	814	785	825	1,796	45%

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 465 inmates, or 7.4 percent, between July 2021 and June 2022. The population experienced a steady increase by 6.9 percent from July 2021 through October 2021, then fluxuated throughout the remainder of the trend period, ending with a less than one percent increase between April 2022 and June 2022. Over the trend period, the county facilities operated on average at 58 percent of their total design capacity.

Table 5

**Previous Twelve Months
Population in County Correctional Facilities by County,
July 26, 2021 to June 27, 2022**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Barnstable	170	171	160	300	57%
Berkshire	147	131	165	292	50%
Bristol	676	625	692	566	119%
Dukes	12	10	13	19	63%
Essex	1,076	1,049	1,102	1,654	65%
Franklin	155	139	161	144	107%
Hampden	851	817	932	1,632	52%
Hampshire	127	113	113	287	44%
Middlesex	651	629	655	1,501	43%
Norfolk	322	331	317	620	52%
Plymouth	608	603	558	1,140	53%
Suffolk	1,124	1,028	1,190	2,249	50%
Worcester	632	600	653	822	77%
Total	6,549	6,246	6,711	11,226	58%

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,
July 26, 2021 to June 27, 2022**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	94	82	92	206	46%
Bristol Dartmouth	551	514	557	304	181%
Women's Center	30	29	43	56	54%
Essex County					
Essex Middleton	999	967	1,010	1,291	77%
Essex W.I.T.	13	15	20	23	57%
Essex LCAC	64	67	72	340	19%
Hampden County					
Hampden HOC	675	658	723	1,178	57%
Hampden WMCAC	54	47	64	148	36%
Hampden Women's Center	122	112	145	306	40%
Suffolk County					
Suffolk Nashua Street	476	345	453	453	105%
Suffolk South Bay	648	683	737	1,796	36%

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)

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
MASAC	Massachusetts Alcohol & Substance Abuse Center	Minimum
MCI	Massachusetts Correctional Institution	n.a.
MTC	Massachusetts Treatment Center	Medium
MASPLY	Massachusetts Alcohol and Substance Abuse Center at Plymouth	(Civil commitments)
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.