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Executive Office of Public Safety and Security

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Restrictive Housing Oversight Committee (RHOC) Meeting

Thursday, September 18, 2025

Via Microsoft Teams

DRAFT

I. Call to Order

Undersecretary Peck called the meeting to order at 11:05 AM.

Restrictive Housing Oversight Committee - Attendance		
Name	Present	Absent
Undersecretary Andrew Peck, Chair	X	
Kevin Flanagan		X
Robert Fleischner, J.D.	X	
Hon. Geraldine Hines (resigned)		X
Tatum A. Pritchard, Esq.	X	
Kyle Pelletier Pelletier	X	
Dr. Joanne Tsakas Barros, PhD, LMHC, CCHP	X	
Bonita Tenneriello, Esq.	X	
Dr. Henry Henry, PhD, LICSW	X	
Sheriff Cocchi		X
Hollie Matthews	X	

II. Review and Approval of Minutes from Prior Meeting

The Committee reviewed the minutes from the meeting of Thursday, August 21, 2025. Amendment Requested: One correction was noted on page six regarding attribution of an idea about providing facilities with advance notice and courtesy follow-up. The credit should be given to Undersecretary Peck rather than the member initially credited, Kyle Pelletier. The idea concerned giving facilities advanced notice as a courtesy and then following up with a formal request. A motion was put forward by Bob Fleischner, seconded by Attorney Tenneriello, and the motion passed with a unanimous roll call vote.

III. Review edits and suggestions to the draft survey to HOC facilities discussed in the last meeting.

Undersecretary Peck asked for an update on the Committee's record request to the House of Correction facilities. The letter was sent in late August to the sheriffs. There has not been a response.

Undersecretary Peck asked for clarification whether this update referred to the record request or the survey. It was confirmed this referred to the record request. Undersecretary Peck noted that according to the last minutes, today was the day the Committee had agreed they would send a public records request if they didn't get a voluntary response. This was confirmed as correct by Committee Counsel Ryan Mingo.

A member asked whether the letters were sent only to the sheriffs themselves or also to deputies or administrative assistants. It was confirmed the letters were addressed directly to sheriffs. Adrian confirmed this was correct, with the only instance being different for the Suffolk Sheriff's Office due to specific circumstances with that office.

A member asked whether they had the right contact person for that office, which was confirmed.

The Committee discussed whether Carrie Hill from MSA (Massachusetts Sheriffs Association) was included. She was not sent a specifically addressed letter. A member noted she didn't have to receive one but raised it as a consideration.

Public Records Request Letter:

A member asked to confirm the public records request letter was already drafted. Attorney Tenneriello confirmed yes, noting the member had been modified it in order to draft the initial letter to the sheriffs requesting the information voluntarily. Attorney Tenneriello had it drafted as a public records request, and then what was suggested as preferable and agreed upon was to send the same request and then to follow up with the full public records request as originally drafted if that initial request was unsuccessful.

A member asked whether there was some way to share the correspondence so all Committee members would have a record of it when it goes out, acknowledging awareness of open meetings issues and suggesting it might need to be put on the public website. It was confirmed they could absolutely circulate a copy of the letter, which wouldn't be an open meeting issue.

Ryan or Adrian were asked if they had the original letter in an electronic format. Adrian confirmed he has both letters and asked whether they should take a look at the original letter again. Attorney Tenneriello noted that the Committee had reviewed the contents last time, and asked whether they were going back over it. The response was no, members just wanted to see it again as there wasn't a strong recollection of the letter.

Adrian displayed the Public Records Request letter and then the voluntary request letter that had been sent. It was confirmed the letters should have been identical in terms of the information requested. Adrian confirmed this was correct and showed both the letter itself and the data requests, which were exactly the same.

A member suggested each office probably has somebody who manages public records and they should figure out from the websites who those individuals are and send the requests directly to them, maybe with a CC to the sheriff.

Bob Fleischner suggested that if the public records officer is not identifiable from the website, the general counsel is often the public records officer or supervises them, so the request could be sent to general counsel as well. Attorney Pritchard agreed, noting this was their practice. Attorney Tenneriello noted it may be that sheriffs do not have general counsels and probably do not even have in-house lawyers, so the Committee would just have to make the best determination they can and send it accordingly.

A member suggested making a quick call to ask, noting it's not that many counties, who the public records officer is. Another agreed this could be at minimum the sheriff or general counsel's office, or maybe even a public information officer.

Bonnie Tenneriello shared her experience that when she once did a public records request to every single county sheriff's department on a particular topic, some do have portals and all have information on their websites about who to contact and the manner in which they prefer requests. Her recollection was that she submitted all of them electronically without any mailings. A member noted they had just looked at Franklin and Hampshire counties, two of the counties, and the websites both have records officers listed, so this should be straightforward.

Distribution of Correspondence:

A member asked whether they were doing electronic demand by email for the counties. Another member noted their office does these by email pretty routinely, but suggested calling each of the counties before mailing to find out who it should be directed to and what format they need it in, noting it's probably the most efficient way. It's a little more work but may end up being more efficient in the long run. DOC has a portal, which is fabulous, and the counties may not be there yet, but that might save work in the long run. Mailing is probably unnecessary.

A member asked whether copies of all the letters were desired or if they would be posted somewhere. The response indicated whenever staff can reasonably manage this, and asked whether demand would be electronic by email. The discussion confirmed electronic submission is standard, though one member didn't feel the need for copies of all thirteen county letters but wanted to know if there would be a record accessible somewhere, either on the RHOC website or via email.

Ryan indicated they should be able to get the requests out next week at the latest.

Undersecretary Peck thanked Bob for sending along information and asked whether that was something they could pull up for folks who don't have it available. Adrian confirmed yes and began pulling it up.

Adrian asked if Undersecretary Peck wanted him to summarize the efforts that were aimed for with the survey revisions. Undersecretary Peck confirmed that would be helpful.

Dr. Henry explained she had met with Adrian on Monday to go through the survey revisions. Some of the changes were to the responses so that they were more congruent and didn't overlap. Other changes were around best practices with survey methodology in terms of trying to increase response rates.

Dr. Henry explained they moved questions that are easy to answer up to the beginning because as people move through surveys, at some point they may stop answering questions because it's taking too long or they have to look up information or they get annoyed with just answering questions. Trying to move anything that's easy to answer up to the beginning means that if they do quit, the Committee gets as many answers as possible.

Some of the reordering also involved trying to put questions near to each other that are conceptually on one topic. They also tried to condense questions that maybe overlapped. Brandy noted she wasn't part of the group that drafted this originally, so she didn't know if they had moved away from the spirit of some of these questions.

Unit-Based Question Structure:

Brandy explained that at the end there were originally (now in the middle) four questions about particular types of units. She and Adrian decided to just ask about every unit instead of having respondents repeatedly focus on a type of unit, answer a set of questions about those units, then transition to a different type of unit and answer the same questions.

As a person trying to be in the respondent's mindset, it was hard for Brandy, even as a committee member, to track which units they were thinking about and whether they had just answered these questions. Imagining having to look the information up, she anticipated they wouldn't answer and would stop answering the questions. This was an effort to try and make it easier.

Brandy acknowledged it still looks pretty messy and needs some work before it gets put into the survey software. After hearing that facilities didn't respond at all to the letter, she felt even less optimistic that they're going to get answers at all to the unit-based questions and asked if others had thoughts about that.

Undersecretary Peck noted his guess was the lack of response may not have to do with the contents of the request.

Kyle Pelletier raised a question about questions 13, 14, and 15. Just reading it flatly, he wanted a point of clarification. The Committee wants to know how many units they have total within the facility and the purpose of the unit, but then 15 goes down and compares it to general population. However, she didn't see that it's specifically answering situations where some units are general population and certain general population units are slightly different than each other. Kyle suggested being more direct with the phrasing.

Kyle suggested that 15 could be clarified as asking about any units whose purpose is not considered general population, which could narrow it down. He could be misreading the intent, but didn't know how to answer it if you have two general population units that are run slightly different because one's a treatment intervention.

Brandy agreed with Kyle's read and noted this is some of what she was trying to refer to when she said it needs to be cleaned up a bit. This is language left over from how it was structured before, and it hasn't been fully edited to be in line with the new approach of asking about every unit.

Brandy explained the way this ideally would be set up is that facilities would list every unit - it could be general population unit one, unit two, and maybe they are run differently. This is why she thought they should just ask about every unit, because maybe there are different privileges or out-of-cell times for some of them. Maybe there's a treatment unit and they get more programming than a different one.

Eliminating the focus on only general population or not, and instead asking about all units - whether numbered or however facilities label them - means facilities could just use dropdown menus for each thing and indicate how many hours out of cell, how many hours of programming, etc.

Brandy noted this approach also addresses that the questions previously were very much assuming that people in general population were out of cell the most, but actually that theoretically might not be true. There might be people in a programming unit who are out of cell more. So shifting it this way to just ask who's there and what are they getting would give the Committee, if anybody answers it, a true sort of scope and spectrum.

Brandy agreed the way the document currently exists is not ready to go out because there's still a bunch of clunky stuff in there.

Kyle agreed that reasoning makes sense, and suggested maybe they just take out the comparison language. They don't need facilities to compare it to general population; they just want them to say what conditions are for those units, and then the Committee can look and see the comparison. To his point, that would make it more clear what they're looking at.

Approval to Move Forward:

Undersecretary Peck asked if folks were okay with the changes that Brandy worked on with Adrian. The Committee agreed yes.

Undersecretary Peck asked if they could just clean it up into a draft that can be sent out, and whether everybody was okay with that approach. The Committee agreed yes.

Undersecretary Peck thanked Brandy for taking the time to work on that.

IV. New appointment to the Committee from the Massachusetts Sheriff's Association

Undersecretary Peck noted that Sheriff Cocchi will be serving as the sheriffs' representative or a representative from the sheriffs moving forward. He was supposed to have somebody as a designee today, but it was assumed they probably didn't get an invitation.

A member noted they have the contact information for the sheriff's executive assistant that they can connect Adrian with just to make sure those calendar invites are going to the right person.

Undersecretary Peck asked whether there was any response from the judiciary about who might be replacing Judge Hines. The response was that they do not have any information yet.

A member noted there was Sean Madeira and then another person from the DOC - Chris Ball - and they both left, and then the Committee got Kyle. It's still not clear which seat Kyle was replacing, but then they never got anybody for whatever the other seat was. The member didn't know which seat that is, who appoints them, and if there will ever be another person for that spot.

Kyle noted he took Sean's seat, which he believes is the DOC Commissioner's Designee. He thinks Chris was filling the expertise in prison discipline or something along those lines. That was his understanding because there was a little bit of overlap with Chris and himself, but that's as much as he knows at this time.

Adrian or Ryan were asked whether there must be a record somewhere of which specific seat Kyle is sitting in. It was noted it's on the website, but it's not right.

A member noted there's a mistake somewhere, possibly in Holly's seat listing. Adrian and staff were asked to make sure they have a good record of all appointments, and then they can work on updating the website if it needs to be updated.

Kyle noted the letter he received did say DOC Commissioner's Designee, going way back to when she received it. When she got it, it was a previous commissioner's appointment.

A member asked to confirm Holly sits in the Criminal Justice or Corrections Policy Research seat. Holly confirmed yes.

The member noted that on the website, it says that seat is Sean Madeira's, and it says Holly's seat is the prison discipline person. So those two need to be switched. It was agreed yes, and it's still listed as Chris Allen.

A member noted then the one that needs to be filled is the correctional administrative person with experience or expertise in prison discipline and prison programs. That sounds right, and the governor appoints that person.

Bob noted that's a little confusing though, because even his seat says the governor appoints it, but there's a group associated with helping for that appointment. He didn't know if that one has any of that or not.

A member asked if there's sometimes a portal on the executive branch website where they have open calls for these sorts of seats, wondering if that is part of what is supposed to happen and didn't. The response was they would just figure that out.

Bob's seat was confirmed as Massachusetts Association of Mental Health and Human Services. Brandy noted hers is social workers - National Association of Social Workers. That one, she's not their designee, but they're supposed to submit a list. There's not an open application; they submit a list to the governor, then the governor picks off the list.

Undersecretary Peck noted they can send this over to their boards and committee folks that manage all this stuff. He noted he doesn't think that correctional administrator spot has been filled ever since - he doesn't know if it was Chris or Sean - but it's been about four years or so.

VI. Matters not known at the time of posting that legally come before the Committee

Attorney Tenneriello noted she wanted to mention that she had occasion to look at the census reports for the DOC's BAUs (Behavioral Assessment Units) and the SAUs (Special Administrative Units) and they haven't been updated since June. She's hoping the Committee can check on that.

Undersecretary Peck asked if those are on the RHOC website or if there's a link to the DOC portal. Holly responded she's not sure they're actually well linked from the RHOC website and she's not positive about that. She usually just Googles it. The census for June is up but there's no data since then.

A member noted they think the reports are just under the DOC and don't think they're linked from the Committee's website, although maybe they should be. They used to link to the DDU reports.

Undersecretary Peck noted there was going to be a scheduling meeting for site visits and asked to catch up on that. Holly noted she had that on her mind as well.

Undersecretary Peck stated he would take full accountability for completely dropping the ball on site visit scheduling.

Adrian was asked how long until they can get a survey out. Adrian responded he actually has a survey put together and can send it out right after this meeting if that works.

Adrian explained he scheduled availability through the end of November, asking folks to pick three days they were available for each site that was designated between the week after next and the end of November. He asked whether that sounds like a reasonable amount of time to the group.

Undersecretary Peck noted that's the end of October, so they'd have to do three tours by the end of November, which is fine. He just wanted to make sure that's enough time for folks. He wasn't disagreeing, but wondered if spreading it out a little bit more might enable more people to join - the longer notice people have, the more people can participate. People who may not be available in the next couple of weeks might have some dates in early December.

Adrian confirmed he was sending out the link, not that he had already sent one, in response to a question about whether links had gone out yet.

Attorney Tenneriello suggested going into the first half of December just to give more availability, noting she didn't want to make more work for people, but further out you're going to have more availability. Adrian confirmed that's no problem at all and is a quick fix - he can definitely do that.

Kyle noted she didn't want to complicate things further because she knows how challenging this is, but she finds when there's too many choices, that's actually harder for her because then she's holding a bunch of things until it's confirmed. She said she is trying to find the Goldilocks zone - enough that they can get enough people but also that it's not overwhelming.

Adrian confirmed he has the survey pretty much ready, can make the changes that Bonnie and Kyle suggested, and can have it sent out either by the end of today or tomorrow at the latest.

Undersecretary Peck suggested if it goes out tomorrow, can they fill out the survey by Monday or something like that so they'll have the information. He asked to clarify they're just going to select dates based on the greatest number of committee members who can attend on a particular day.

Undersecretary Peck noted this might complicate things, but asked whether they're doing it by facility or just by dates in general - who is available on particular dates, and then they determine which facility.

Adrian explained he had it set up for each respondent to go through with separate questions for each facility, where you would pick three dates that you would be available to go to that specific facility. His thinking was that Hampden and Worcester might be more logistically challenging for people, so those dates might not overlap with dates for Middlesex or Essex. He was open to suggestions if people think more dates would be useful, but he didn't want to overwhelm with options.

Undersecretary Peck's concern was that dates might conflict with each other. He imagined it's going to be the same calendar, so as folks go through and are available all on the same day, they're going to be clicking those same days for each facility.

Adrian acknowledged he did think about that. It's kind of hard to build in controls for that. His thought process was to see where the numbers were distributed and if there were days where it was clear that more people could show up. That was just his own drafting decision, but if folks think there's a better way to do it, he's open to that.

Bob noted that most committee members are clustered in the eastern part of the state, but he's the outlier in the west. He didn't know whether they wanted just Hampden to be aligned with his availability or not. Otherwise, travel times are all pretty similar for the rest of the members, so it should be fairly interchangeable. He asked if he was wrong about that.

Other members confirmed that seemed right. One member noted their travel is a little more difficult to some places but they'll just take that into account.

VII. PUBLIC COMMENT

Mary provided public comment. She stated she wanted to return to the discussion regarding the sheriffs not responding. She would think that if public records requests end up not working, then definitely there should be a letter written to the legislature.

Mary recalled that back when the whole 2018 criminal justice package was being passed, Senator Brownsberger and some others were very focused on creating this committee and really were interested in this issue and how people were being treated.

Mary noted there is another committee now on criminal justice consolidation, which is running now with Senator Brownsberger and Senator Adam Gomez. Similar to many other meetings she's seen where sheriffs are involved, they just go on and on about how helpful they are and how they'll do anything they're asked, and they're just so outspoken about wanting to take on more responsibility to the point where there has been talk about possibly having sheriffs take individuals whose sentences are much longer. In other words, taking them from DOC and instead putting them in county jails.

Mary stated her feeling would be, again, if sheriffs aren't even willing to respond to a committee like this that was created by legislation and a committee that she thinks has been one of the better ones she's ever seen to really dig deep into a topic and really work hard on it, then she doesn't think they should be going to other meetings claiming they want to take on more or that they're so cooperative and willing to give out information to anyone who properly asks.

Mary said it's almost to the point of ridiculous sometimes, the presentations they make about being so open and so much better than any other correctional facility. She would think someone should call them on it if they don't respond, and she would definitely write a letter to the legislature and make sure that Senator Brownsberger and Adam Gomez know about this. Before you give anyone more responsibility, you would want to make sure that they're responding and doing what you're even asking at the present time.

Undersecretary Peck noted the Committee did that in the past with another issue - they sent a letter. He couldn't remember what it was but thought it was to Public Safety and Judiciary.

Another member confirmed it was definitely to Judiciary and thought it was over the CGRA (Criminal Justice Reform Act) reporting. Undersecretary Peck and others confirmed yes, that was it. Undersecretary Peck asked if they got a response about that topic when they sent that letter. Members indicated they didn't recall receiving a response.

Bob noted he didn't know if this maybe should have been under member comments, but he recently heard that a community mental health provider took the position that one of the results of the criminal justice reform act was that the Department of Mental Health in particular and the courts were diverting people from the criminal justice system into DMH community programs, and that this was resulting in having a bad impact on DMH community programs. He wondered if anybody else had heard anything like that.

Kyle responded thank you, and noted he hasn't heard anything particular related to community programs that DMH has. He was wondering if they're referring to overall diversion from the justice system. Bob confirmed no, it was specifically into DMH.

Kyle said he'd never heard it. Bob noted it didn't strike him as correct, but he just wanted to ask.

A member asked if the person worked for DMH or if they were just a general provider. Bob confirmed it was a provider organization. He didn't have any specifics on why they thought that - it just came up in the course of something else.

Brandy noted she's heard that sentiment generally, which she attributes to stigma. But if it was coming from an actual DMH program, it would be a little bit more interesting if there was a particular program people were funneled into. Bob confirmed he didn't have specifics on it and it was in the context of a much different subject.

Undersecretary Peck noted if Bob hears anything else or wants to write anything down, to let him know. Bob agreed he'll let them know if it comes up again.

Mary stated that she just wanted to express her frustration, because the same issue would come up in the past where sheriffs would get up there and take the group hostage and just go on and on about everything they did and they were better at it than the prisons and they could do this, that, and the other thing.

She said that for the sheriffs to ignore the Committee, a group working hard in this area since 2018, then it seems to her that she doesn't think expanding the sheriffs' role is the proper way to go.

Undersecretary Peck confirmed he thinks the Committee should have those thoughts as well. He also noted that Mary stated this was the best legislative committee that she's seen and asked Adrian to make sure that's on the record.

Mary confirmed yes. She thinks it's fair that everyone has such diverse opinions, and yet everyone speaks very well about their opinion and yet they're respectful of the others. Going back to when the committee first started and they met in person and even when they visited DOC and more and more people would come to the events, she said that it's good to see that everyone can work together because it may not be the same with other groups.

Undersecretary Peck noted the one common thread is that everyone really, really wants to improve the lives of people and certainly systems and things like that - they're all really committed to that. That's in his opinion the common thread. He thanked Mary for all that she does as well. He knows that she's been here consistently going on seven years now.

Mary confirmed she remembers when they first started with a large group of folks and she's the last one still attending.

Undersecretary Peck noted Mary's commitment and dedication in that regard needs to be recognized as well. He also noted Mary is very good at holding them accountable.

IV. Adjourn

Bob moved to adjourn the meeting at approximately 12:00 PM.

Next Steps

- Send public records requests to all county Houses of Correction (by next week)
- Finalize and distribute site visit scheduling survey (by end of day/tomorrow)
- Committee members complete survey by Monday
- Follow up on DDU/SAU census reporting status
- Finalize survey document for distribution to facilities