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**Restrictive Housing Oversight Committee
Meeting Minutes**

Date: December 18, 2019
Time: 11:00AM-1:00PM
Place: Department of Correction
Classroom #2
50 Maple St.
Milford, MA

The meeting was called to order at 11:14AM. The members went around the table and introduced themselves. The members of the public also introduced themselves. Attorney Melander stated that Chairman Andrew Peck was unavailable to facilitate today's meeting and that he would be chairing the meeting on his behalf.

Vote on Meeting Minutes From Previous Meeting

Sean M. made a motion to approve the minutes and Chris F. seconded the motion. All voted in favor and the motion carried unanimously.

Debriefing on Norfolk, Old Colony, and Cedar Junction Visits

Bonnie T. stated that the group that visited MCI-Cedar Junction on Day 1 did not go to the Behavioral Management Unit. She said she was struck by the need to be able to provide more programming at the facility. She relayed that the inmates who are SMI (seriously mentally ill) were out of their cells for an hour and a half outside and an hour and a half inside in restart chairs that were not facing each other left to speak to one another. Bonnie T. said the CJRA (Criminal Justice Reform Act) requires that prisoners in secure treatment units be given placement reviews like all others in the DDU and they were told that is not happening by the facility. Bonnie stated that she hopes the administration takes a look at the statute and rectifies this misunderstanding of the law. Bonnie T. also said that in terms of how the site visit went, she has other thoughts but wanted to just raise that particular issue right now. Chris F. said the visits overall were enlightening and that he feels there were claims made that by inmates that were untrue and that DOC must do their due diligence when verifying statements made by inmates. Chris F. said that they received great recommendations and ideas from staff. Chris F. said the length of stay in the LPU is well under two weeks. Chris also stated that the DOC can implement some great recommendations now rather than wait for the final report from this group. Brandy asked for clarification from Bonnie about whether the reviews she said were conducted or not. Bonnie said

the Deputy (at MCI-Cedar-Junction) confirmed that they do not do those reviews in the secure treatment units. Chris F. said it is a clinical decision to place inmates there (in the Behavioral Management Unit) and it is not an administrative decision made by the DOC. Chris F. also said the group discussed SMI inmates and prioritized inmates based on their acuity. Marlene S. said she is glad to hear they will be putting tables in for inmates so they don't just talk to each other in restart when they are out of cell. Marlene S. said she hopes there are reading materials provided. Chris F. said that is the plan. Chris F. also said that Ten-Block was closed and the recreation there was 1 hour a day 5 days a week and now they are out of cell for 21 hours. He also stated that when they are in the units, they should have access to reading materials or cards at a table or dominoes. Chris F. reiterated we do not need to wait and that the DOC can implement those changes sooner rather than later. Bob F. said that he appreciated spending time with prisoners in MCI-Concord. Bob F. said it was very busy when they were there and it did not look like restrictive housing to him. He said overall it was a good visit and he hopes that continues. Sean said the focus groups have been extremely helpful.

Bonnie T. said the focus group at Old Colony regarding property in general population and in restrictive housing was very interesting. She said the prisoners were very clear about the lack of opportunities in restrictive housing where people were more susceptible to drugs or fights since there wasn't enough to engage them. Chris F. said he checked with the Director of Programming and that all the programs that offer good time have wait lists. He said the programs simply for self-betterment do not have a lot of enrollment and the ones that offer good time have wait lists. Tony asked why some offer good time and others do not. Chris F. said there is a policy that governs which qualify. Justice Hines asked if there was an effort to expand the availability to make sure more inmates can participate. Chris F. said they have a program engagement strategy (PES) where they look at an individual's needs and what programming he or she is involved in and that if you participate in those things, you have preferred job opportunities and housing. Justice Hines asked for clarification as to why if there is a waiting list for good time programs, DOC can't they increase the programming so more people can get into it. Sean M. said staff and space is what generates the wait lists. Chris F. said they move inmates as well if programs are offered somewhere else. Sean said if you have a waiting list, they won't even take someone off until 18 months before their sentence. Tony asked if this would reduce restrictive housing by offering more programming. Chris said their programs are not all full so to avoid idleness, they can still attend programming but some choose not to. Marlene asked what some of the programs that have waiting lists are. Hollie M. said we can look at that and see the list. Sean said they can pull it together and bring it to the Committee. Chris F. said he can give them a list of ones without wait lists as well for comparison. Chris F. mentioned that sometimes putting inmates in a class for CRA when they do not need CRA can cause detrimental outcomes. Brandy H. asked to see their bottlenecks and to consider adding expanding programming in the report. Bonnie T. added that a couple of the inmates in the DDU spoke about being on a waitlist for Spectrum and that renewing the contract might be something to be considered. John M. said he spoke with a Deputy Commissioner at DOC about offering a little good time on each program to incentivize someone that might be on a waitlist. Chris said perhaps doing a presentation would be helpful for the group. Brandy H. said there is a cap for how much good time you can get which should be looked at as well. Deputy Commissioner Jenn Gaffney was mentioned as the best person to present on the programs at another meeting. Chris said when they interviewed staff at Concord, the correctional officers were very pleased with the tablets, especially on the 3-

11pm shift. They felt it was helpful and that the unit seemed quieter with them. Brandy H. shared that it was decided not to hold the focus group with inmates formerly in restrictive housing inmates at the DDU since they go elsewhere after that typically and would not make sense for that facility. Bonnie mentioned possibly doing that at Souza-Baranowski and holding a focus group with inmates formerly in the DDU as well. Brandy H. added that on the first day at Cedar Junction, the group did two focus groups with the LPU and SMI and individual interviews and a staff mental health focus group. She said it would be possible to do a similar number of things at Souza-Baranowski. Marlene asked what programs those that have been in DDU for years are offered, including radios and tablets. Chris F. said program tablets have not been rolled out yet and so they do not have them currently. Bonnie T. mentioned that they only met with three DDU inmates and that phone calls were discussed frequently and one inmate said he was in his cell 23 hours a day and wanted contact with friends and family since you can go months without being able to speak to friends. Bonnie said contact with loved ones helps people stay sane in that environment but phone calls should be an incentive they should look at. Bonnie T. said having phone calls could promote good behavior in inmates. Marlene said that she agreed. Chris F. said it does not deter bad behavior and many inmates refuse to have their family come up for non-contact visits. Marlene S. said that a young man she spoke with did not want his family to see him in restrictive housing so it was not good for him to have the visit but he recognized that contact was important. Chris F. said contact visits in DDU should not occur since all of them are very disruptive and dangerous. Chris spoke about video visits and said that could help families that have to travel very far to get to their loved one. Chris also said the video visits are reasonable and help with the security of the facility. When speaking about the report, Chris suggested waiting until we get to the counties to put everything in context to see how they are handling restrictive housing and how they are handling restrictive housing alternatives. Bonnie T. mentioned another issue she saw which was that program resources with the STUs (STP and SMU) everyone in the SMI unit is waiting for a bed and they are terribly backlogged. She said what they are getting now is not good, in therapeutic terms. She said these backlogs are alarming. Sean M. said it comes down to resources and they need more mental health staffing and that is always the case when they have more specialized units. Bob F. said they can address resource issues in the report and be very clear about it. Sean M. said the units are very staff intensive and it comes down to resources and money.

Update from Subcommittees

Subcommittee on Evaluations of Restrictive Housing in Other States: Bob F. began by giving an update on which states his subcommittee will be looking at—New Jersey, Colorado, and Ohio. Additionally, they will be looking at some reforms in Europe. The subcommittee developed an outline of the interviews they are doing and will put the finishing touches on that very soon. They also collected all the standards they could pull together to look at. Bob said the interviews will be based on how the states fit into the standards. Bob said they are somewhat far along.

Subcommittee on Conditions of Confinement: Bonnie T. said her subcommittee has not met since November but will be meeting today. Her group wanted to have more site visits under their belt before meeting. Bonnie said they are pulling together the data and documents from the counties and DOC they want to look for. Bonnie T. said Tony R. will be looking at the DMH role under the CJRA and will get a better handle on that. She said she will be looking to the public for what data and documents to request.

Subcommittee on Prison Order and Control: Marlene said her subcommittee is not able to meet because all the members are not here so they will have to schedule for after the holidays. She said they are looking at the effects are restrictive housing and subsequent placement after leaving the restrictive housing unit as well as programming.

Update on Future Speakers

John said that Chairman Peck has been working to get people scheduled to speak at future meetings. Right now, they have confirmed Jamelia Morgan for the meeting in January. He also mentioned Craig and Sara Sullivan coming to a future meeting as well, perhaps in March or April. Tony R. said that we should also reach out to the DOC Deputy Commissioner Gaffney to speak about programming. Bonnie mentioned the CJI individual—Christine Cole and we will be adding her to the list. Justice Hines said that we do not know what the different prisons do and she felt handicapped by not knowing that information and why someone is at Old Colony versus Souza. Justice Hines asked for a presentation on the different prisons and an acronym cheat sheet. The quarterly report had one as well that breaks it down.

Updated Site Visit Dates Handout and Future Site Visits (MCI-Shirley Dates and MCI-Norfolk Reschedule)

John moved to discuss the past and future site visits to state and county prisons and jails. It was noted that MCI-Norfolk would need to be re-scheduled. At MCI-Cedar Junction, Brandy mentioned that they still need BMU interviews to be completed and the correctional officer focus group needs to be held. For MCI-Norfolk, a mental health focus group and individual interviews still need to be completed and the six-month lookback on those formerly in restrictive housing also needs to be done. John stated that EOPSS still needs dates for MCI-Cedar Junction and MCI-Norfolk. For MCI-Shirley, there were two options and the group agreed that February 26th and 27th worked best. John let the group know that EOPSS will be sending out county site visit assignments for everyone's calendar as well. Bonnie T. stated that she wanted to ensure members go to the L1 unit at Souza because she believes it to be very restrictive. Brian from MCOFU (filling in for Kevin F.) said he worked in that facility for 10 years and that it is divided into three areas due to potential conflicts and they will typically send individuals there instead of restrictive housing and it rotates throughout 7-2 and 3-11 and there is a good amount of time out of cell. Bonnie T. said that is great because CJRA deals with people being held in protective custody. Marlene S. asked what will happen if they do not hear back from the Sheriffs and John answered we can perhaps use Committee Member Sheriff Bowler as a resource to get started in scheduling visits to the county jails.

Public Website

John M. said a webpage will be posted on the EOPSS website and it will include everything that is public including DOC RH reports as well and exhibits used by the Committee that become public record. He stated that EOPSS is hoping to get that up and running by the next meeting in January.

Member Comment

Chris asked if the group felt there is anything better the Department of Correction could do in terms of getting access or if anyone had any issues they wanted to mention. Marlene S. said she

would like to go to Souza on a second shift and that the environments and climate might be different and it would be beneficial to the group to see that. Brian (MCOFU) said it gives more flexibility to allow more out of cell time and it is quieter on weekends and at night. Bonnie T. asked if we could try that at SBCC and MCI-Shirley. Chris F. said the majority of the staff are on day shifts so there are more people available to do pull-outs. Chris also said focus groups are easier on staff during day shifts. It was decided that for the first day of Souza, they will be doing 11am-7pm and do the mental health focus group on the earlier side¹. Marlene said for a case-by-case basis, the group looked at the totality of the circumstances and Marlene spoke to the Sergeant and inmates and both said it is important that the correctional officers respect the inmates. She said that is important to remember that no matter where the group is visiting.

Restrictive Housing Oversight Committee Reports

John M. said the Quarter 1 2019 Report was published and should be available on the Department of Correction website. John asked for any comments on that from the group. Bob F. said the report was a lot of work and he appreciated it getting done. His comments were that there was nothing on SMI (serious mental illness) by diagnosis, recidivism, and no numbers on 21 or younger in restrictive housing. He said he was able to figure that out and counted 21 people on the list that are 21 or under and found that 7 of them are females. Bob said that seemed pretty high and may be consistent with what they heard from prisoners. Chris F. said MCI-Framingham looks a lot different than when the group went and that the climate and atmosphere is very different due to the county women being moved out of the facility. Bob F. said those women may be in Suffolk County and we may see them there on our visit. Bonnie T. said she appreciates the effort and acknowledged that the IMS system was not set up for it but she remembers having a conversation on the data on disabilities. She said that she knows there may be a reason why it is not in this data set but hopes it is in the next data set. Bonnie T. asked for an update on the Sheriff's reports and other required data sets. Bonnie acknowledged that the counties' data is due in January and they should be reached out to. Bob F. said one of the things the report looks at is the number of suicides which is defined by someone who completed suicide and dies. The statistics do not show how many suicide attempts there are. Bob F. said there are many different kinds of self-injurious behavior and there should be a distinction (while not always entirely obvious) but it may be gleaned from reports and research. He said it is an important distinction and should be included if possible.

Member Comment

There were no additional member comments.

Public Comment

A public member from MASC said it is difficult to do something for yourself when you are hungry and she stated that all the prisoners she has spoken to are hungry. She said she would like to know how calories are calculated by the Department of Correction and if they are based on the food or what a hamburger looks like. She visits a young man in the DDU SMI unit. Bonnie said they got complaints about unhealthy canteen options. Sean M. said they use a dietician and that is how they order their food.

¹ It was later decided the 11am-7pm site visit would occur on Day 2 instead of Day 1.

Cassandra from MASC mentioned the specialized training the correctional officers are supposed to receive and that there has been a lot of violence perpetrated by them and they work in stressful environments but should not put their hands on inmates.

A third public member stated that he was in prison for 32 years for crimes that he did not commit. He stated that inmates are being cherry-picked by the Department of Correction to be interviewed. He said the Committee needs to look at inmate programs and those are packed with 200+ men and do not give any good time. He also said he was there when the tablets came into the facilities. He said the issue was that with the tablets, he paid \$1.85 a song and the Department of Correction gets a cut of the money. He said they discussed bringing in video visits previously at the prisons. He spoke about potentially allowing video to classrooms so inmates have the option to watch and learn something and gives tests for free. He stated for video calls, it costs the visitors to be able to speak to their loved ones which is problematic. He asked if he could go to the site visits. He said for mental health, they speak through the door oftentimes which is a HIPAA violation. He also said two days a week they are not allowed to go out for recreation. He spoke about MCI-Cedar Junction and said that it is a public safety issue. He said there is a particular gang on one side of the unit and another gang on the other side and they only run across each other in the hall. He said that the gangs are separated so when they get on the street, they kill each other because they couldn't get to each other in the prison. He said there are men who have been incarcerated that run the programs. They can pull in 200-400 people for a single program. He said that his group started the first community program where they brought in Ayanna Pressley. He challenged the committee members to get that information. He said we are threatening the public by not getting the facts. He stated that he is doing an NBC interview about this.

A former inmate stated she has sat naked, eaten cold food, and has been assaulted by officers. She said the food is horrible and they don't get anything but three small square meals a day. She said they hardly get out. She said they are overworked and have mental health issues and the public would understand why they are so passionate about this. She said she has taken mice feces out of her food. She said they turn the water off if they feel like it. Bonnie said she is aware of limitations by not having anyone who has experienced this on the Committee but they might put time in agenda at future meetings to let future meetings hear from previously incarcerated folks.

Judge Hines clarified that the Committee gets a list of inmates from a roster provided by the Department of Correction and the Committee members select the inmates that they wish to interview. Chris F. said he would like full transparency.

Brian gave a motion to adjourn the meeting and Chris F. seconded it. The meeting adjourned at 1:08pm.