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**Restrictive Housing Oversight Committee
Meeting Minutes**

Date: July 10, 2019
Time: 11:00AM-1:00PM
Place: Department of Correction
Classroom #2
50 Maple St.
Milford, MA

Chairman Peck called the meeting to order at 11:09am.

1. Meeting Minutes Approval

Chris Fallon made a motion to approve the meeting minutes from the April and June meetings. Sean Medeiros seconded it. The motion passed unanimously.

2. Presentation by Sheriff Bowler

Chairman Peck let the Committee know that Sheriff Bowler was unable to make it to the meeting due to a conflict. His presentation will be added to the August meeting agenda.

3. Subcommittee Assignments

Justice Hines happy to work on No.6 or No. 4. Anthony Riccielli acknowledged he would like to work on No. 3. Marlene Sallo arrived to the meeting at 11:17am. Bonnie T. raised a concern that there would not be enough members assigned to the conditions subcommittee. The Committee discussed how to address this and made more assignments to the "conditions" subcommittee. A motion to accept the subcommittees was made by Robert Fleischner and seconded by Chris Fallon. The motion passed unanimously.

ASCA Conference

Michaela to send out all information on ASCA to members and hear back as to who would be interested in attending. Chairman Peck mentioned that if the Committee had a quorum, there would not be any discussion allowed.

Scheduling Future Meetings

Chairman Peck mentioned the August meeting. Brandy Henry will be unable to attend the next meeting and will participate remotely.

Discussion of Future Speakers

Chairman Peck asked the Committee of any suggestions for future speakers. Brandy Henry suggested scheduling the meetings sooner so the Committee members have more time to make arrangements to attend.

Discussion of Site Visits

Chairman Peck opened to the Committee which facilities they would like to visit and suggested that the Committee as a whole split into a few different groups to stay under a quorum and have the ability to speak and discuss during the visits. Bonnie Tenneriello asked how information would be shared between subcommittees and acknowledged that it would be more difficult for the “conditions” subcommittee to gather and analyze all the information. Brandy Henry raised whether or not the Committee would be split based on their subcommittee assignment or by other group assignments. Bonnie mentioned that each subcommittee should report back to the greater group to share information. Justice Hines raised the issue of not being able to accurately share information if not every commissioner has had an opportunity to visit each facility. Chris Fallon mentioned the different layouts of each facility and how it would be useful for all commissioners to see the available resources at each facility and gain a similar understanding to see what they look like and how they are set up. Bonnie agreed and said that this would be very helpful. Robert Fleischner mentioned it would be helpful to view the mental health units at Old Colony and see not only the restrictive housing. Chairman Peck mentioned the option of going into general population to compare the restrictive housing and general population areas.

Chairman Peck asked how the Committee would like to visit each of the facilities. Justice Hines recommended sending out a list of all facilities and recommended that Committee members self-select which they would be interested in visiting. Bonnie Tenneriello recommended that commissioners have the ability to visit SAUs and fairly populated restrictive housing units at different facilities. Brandy Henry mentioned that geographically it would make sense to visit ones close to each other. Bonnie mentioned that the Committee should not ignore MCI-Framingham since it is the only women’s facility in Massachusetts. Robert Fleischner recommended that the commissioners visit Bridgewater State Hospital. Chris Fallon clarified that the state inmates have been moved to Bay Colony. Robert Fleischner said he would be interested in visiting there and would recommend the commissioners visit Old Colony. Chairman Peck asked the Committee how they feel about visiting the counties. Bonnie Tenneriello recommended that Bristol County be visited and conceded that Prisoner’s Legal Services currently has pending litigation with Bristol County. Robert Fleischner asked if all committee members need to visit the twelve county facilities with restrictive housing. Brandy Henry and Marlene Sallo both agreed that the Committee members visit each facility (not all at once) in Massachusetts. Brandy Henry suggested being strategic about which facilities should be visited on one day and that we should try and visit two facilities on the same day. Marlene Sallo asked if the Committee is looking at the facility simply or speaking to various staff and inmates because she is concerned it may not be feasible to visit two facilities in one day. Bonnie Tenneriello

agreed that they need substantial time to visit and has experienced that it takes quite some time to get a thorough understanding of the facility. Robert Fleischner also mentioned that the Committee should think about the size of the facilities as well to determine what would make sense. Justice Hines emphasized that everyone have the same list or rubric of what they are looking for. She mentioned that we should prioritize getting the list of questions done prior to figuring out who is going where. Chairman Peck requested that commissioners send questions in between now and the August meeting to vote on at the next meeting. Bonnie Tenneriello asked if we would be able to meet with staff while at the facilities. Chris Fallon said that interviews with staff could be set up prior to visits by e-mail. Chris suggested checking what the inmates say against what the staff says to get the full picture. Chris Fallon also suggested getting together a list of what we are interested in looking at whether it be cleanliness, program space, or otherwise. Robert Fleischner mentioned his previous experiences when visiting facilities and how it typically is scheduled. He mentioned that he generally has experienced good cooperation from correctional officers being willing to speak. Chris Fallon mentioned that it might be helpful for Committee members to speak with mental health staff to get an understanding from their perspective as well. Bonnie raised a concern that in her experience of working with prisoners for fifteen years, the Committee should have an understanding of inmates being unwilling to speak to Committee members if there is a correctional officer in the room. She raised issues with respect to confidentiality and trust and how to navigate those issues when on site visits. Chris said that in his experience, inmates speak willingly and said that it is not appropriate to paint with a broad brush since some inmates are very vocal and it truly depends on the person. Bonnie said that while she agrees, she acknowledges that every administrator and inmate is different and that the Committee needs to accurately express the mission of the Committee. Brandy Henry emphasized that the Committee should be transparent about what they are there for and leave it up to the inmate if they would like to speak to them. Kevin Flanagan recommended that if the Committee hears something that should be brought to the attention of mental health staff, the Committee should raise that with them and possibly have a debriefing with mental health prior to exiting the facility. Marlene Sallo asked if there was a possible target start date for visiting facilities. Chairman Peck mentioned September as the target month for beginning the visits. Bonnie Tenneriello asked to try and work on site visits first and address the legislative report once they have begun gathering information.

Future Agenda Items

Chairman Peck mentioned issues of confidentiality and the questionnaire as being future agenda items and asked the group for any others. Bonnie mentioned getting agendas figured out. Robert Fleischner asked if the Department of Mental Health still supervises restrictive housing and asked if we could hear from someone at DMH to see what they do with respect to restrictive housing. Bonnie asked if information sharing could be added to the agenda. She mentioned Google Drive or another program to share information between individuals on the Commission. Chairman Peck agreed this would be a great idea and would help conduct business. He mentioned it may be a secure drive and that we can look into it. Marlene Sallo mentioned DropBox as a potential option. Bonnie asked if there could be an information page added to the mass.gov website and Chairman Peck said we should be able to develop that and will look into

it. He said for transparency, it would be a very good idea to do that. Bonnie mentioned for information sharing, DropBox would be a better option than Google Drive since you do not need a gmail account to access the information.

Topics Not Reasonably Anticipated Within 48 Hours

Justice Hines brought up the Restrictive Housing Oversight Commission regulations and how she was not aware of them and that it is a matter that merits discussion by this group. It was decided that it would be added to the next agenda. Robert Fleischner noted that he did not understand why this Committee was not able to be involved in the process of writing them before they were promulgated on an emergency basis. Robert mentioned that it was very disturbing and not at all transparent. John Melander explained that due to the criminal justice reform act, they needed to be promulgated on an emergency basis since this meeting was going to happen and they had not been in effect yet and promulgated. The thought was that the Committee had already been formed and needed regulations to govern the Committee so they were put into effect on an emergency basis. John mentioned that the Committee should have a full discussion on the final regulations when they are finalized. Justice Hines asked if the public comment period was closed and John answered yes. Justice Hines said that is not right. Bonnie asked the Committee members if they would like to have time to review the regulations before final promulgation. John said that we do have some time and that we can certainly review more comments and could give Justice Hines and others an opportunity to review them and give additional input before DOC finalizes them. Brandy Henry asked if there is a date and John said it is a fluid deadline and that DOC has some time before they lapse. Justice Hines asked if there was a process for reviewing public comments. John mentioned that he is not sure how much precedent there is for Committee's to review their own regulations but that it is appropriate for Committee members to give commentary of the regulations prior to promulgation. Chairman Peck asked if there is a certain date and John said he is not positive but believes it is a September 1st deadline but that they are DOC regulations and not EOPSS regulations. Robert Fleischner asked if legally the agency can accept public comments after that period has closed and John said he needs to look into it further and get back to the Committee on that. Robert Fleischner said that while he understands DOC sends out notice of the hearing to its interested parties list and that it is published, he said that it would have been a courtesy to send this notice to members of the Committee and that he is disappointed since it has to do with business of the Committee it should have been sent. Chairman Peck said that DOC will get the Committee members the regs prior to the next meeting and will look into possibly receiving specific feedback from Committee members. This item will be added to the August meeting agenda for discussion.

Public Comment

Chairman Peck opened it up to public comment and mentioned that Jurrell Laronal is present and will be speaking to the group. He mentioned that he is not on the agenda but is going to commit a significant amount of time to Jurrell. Public members said they are fine with allowing him to speak for most of the public comment portion of the meeting. Jurrell said he did ten years at the DOC and was initially incarcerated at the age of 19 and was released four years ago. He now does community work in Dorchester. He spoke about all the solitary confinement units he spent

time in at various facilities. Jurrell said that he believes correctional officers would retaliate if inmates speak to the Committee and that he would most likely not speak to a Committee like this. He said that in his experience you can be sent to restrictive housing for small things like having too many sneakers in his cell. Jurrell told a story about one incident when he was in general population where a correctional officer retaliated against him and how he got into a physical fight and other staff members jumped him and brought him to restrictive housing. Jurrell mentioned that he brought this up because there is misuse oftentimes with how inmates wind up in restrictive housing. He said restrictive housing is very chaotic even if when the Committee members visit it does not seem that way. He said there are mental health issues, stress, and anxiety associated with being in restrictive housing. He said that while there are physical effects from restraints but that most of the trauma is mental. He mentioned that restrictive housing can cause breakdowns in relationships and not willing to reach out because of the mental effects of solitary confinement. He mentioned that with us being social creatures, it is unnatural to be in restrictive housing. He said his worst experience in solitary confinement was in DDU and that it prompts feelings of aggression toward staff even if unjustified and that it does not reduce conflict between correctional officers and inmates. He believes that it adds fuel to the fire. He mentioned that even for minor infractions, solitary confinement is a first resort option. He believes it does not make the facility safer. He spoke about his experience with self-harm and how someone residing next to him hanged himself and how it really shocked him. Chris Fallon asked what the majority of reasons of why he was sent to restrictive housing was. Jurrell said that it was mostly for fights with inmates and staff. He said there were minor reasons too but assaults were a majority of the reason why he was placed there. Chris asked what the catalyst for his change was since now he is a very active community person. Jurrell said that his support system behind him was the main reason behind the change. Bonnie asked what advice Jurrell has for site visits and the Committee as a whole. Jurrell said his advice would be transparency but that if inmates see a Committee associated with the DOC, they will be unwilling to talk. Chairman Peck asked how the Committee can overcome that obstacle. He said that if the Committee acknowledges they are looking into how the DOC is handling solitary confinement, it might put inmates at ease. Chris Fallon asked if tablets would make a difference. Jurrell said that definitely it would make a difference even if it is something small. He emphasized that the long term solitude is what causes the damage but that the tablet would be very helpful. Chris Fallon asked if moving out of the cell and being at a table with a few people to play cards would be helpful and Jurrell answered that it would definitely help. Sean Medeiros asked if Jurrell could see a facility without restrictive housing and Jurrell answered no. He said that he could see a facility without a lot of the housing units being used but not a facility without them at all. Chairman Peck asked if there are alternatives outside of restrictive housing that Jurrell can think of? Bonnie interjected to refine the question and clarified that when we say restrictive housing, we mean 22 hours a day inside the cell. Chris Fallon clarified that it is really 23 hours a day with one recreational hour a day. Bonnie asked if there are ways to keep people safe that are fighting outside of locking them in restrictive housing? Bonnie asked if there are other ways of handling younger inmates and others. Jurrell said it is very difficult to answer because there are gang issues and other issues that make it a complex issue. Brandy Henry asked how Jurrell deals with issues out in the community now since there is no restrictive housing and how can we use those

methods to inform what occurs in DOC facilities. Jurrell answered that mentoring is huge. Justice Hines asked what Jurrell felt was helpful in dealing with the isolation and mental anguish and if it would be helpful to have a counselor to speak to. Jurrell said that a lot of people would abuse the mental health system in prisons to speak to someone. He said that in order to speak to someone they would have to say they have mental health issues to be seen by a doctor. Marlene Sallo asked what type of support system at DOC would have been helpful? Jurrell said that bridging the communication gap with familial support would be helpful. Chris Fallon asked if bringing in a peer mentor to speak to someone, would that be helpful. Jurrell answered that yes he would take advantage of that. Jurrell acknowledged that increased visitations would be very helpful while in restrictive housing. Justice Hines said that she was overjoyed and has learned so much from hearing him speak. Chairman Peck said that Jurrell does not give himself enough credit and did a lot of hard work to change his behavior. Chairman Peck asked about a unit for young men with intense programming and Jurrell answered that he would need to know the intention behind the unit. Chairman Peck asked what he believes should go into a unit like that. Jurrell answered that common sense de-escalation and cultural changes would have a huge impact on a unit like that. He mentioned training for staff to deal with these inmates would be very good. Chris Fallon asked if Jurrell would be interested in coming back to meet with young offenders and he answered that yes, he would come and share his experience. A public member thanked Jurrell for speaking and called to the attention of the Committee that Jonathan Rivera commit suicide in the DDU after being transferred from Ten-Block. She will be acting as a liaison between the DDU and this committee. She said that in terms of Mr. Rivera, this is very important and that this Committee has investigatory abilities and can request records and find out what happened. She said that when speaking with DDU about alternatives, she said that it largely remains unchanged with the exception of the SMI wing where the treatment consists of 90 minutes of rec and programming respectively. She argued that the SMI wing treatment is very inferior and that they have SMI written on their cell which can be very degrading. She said that from what she is hearing, nothing has changed in terms of food or conditions. She emphasized that these are all issues that this Committee should take up and hold the DOC to account with respect to criminal justice reform and the cultural changes that were supposed to happen. She asked DDU inmates what the most important thing they wanted to convey to the Restrictive Housing Oversight Committee. Many of them answered there has been medical neglect and staff punishment that should be investigated and that disciplinary actions should be reviewed. She mentioned that more units should be similar to the STP and VMU where staff and clinicians are trained. She spoke about a particular individual where he has remained in DDU for 7 years. Chairman Peck warned the public member that she had one minute remaining for comments. Meeting was adjourned at 1:31pm.