

MASSACHUSETTS DEPARTMENT OF CORRECTION

# QUARTERLY REPORT ON RESTRICTIVE HOUSING

*To the Restrictive Housing Oversight Committee*

*1st Quarter 2021*



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January 2022

## Commonwealth of Massachusetts

Charles D. Baker, Governor

## Executive Office of Public Safety and Security

Terrence M. Reidy, Secretary

## Massachusetts Department of Correction

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## Introduction

Section 39D of Chapter 69 of the Acts of 2018 directs the Commissioner of Correction to report quarterly as to the status of Restrictive Housing in state facilities. According to the mandate, the Commissioner is to report quarterly and provide to the Restrictive Housing Oversight Committee, as to each Restrictive Housing unit within each state correctional facility, the following:

- *the number of prisoners as to whom a finding of Serious Mental Illness has been made and the number of such prisoners held for more than 30 days;*
- *the number of prisoners who have committed suicide or committed non-lethal acts of self-harm;*
- *the number of prisoners according to the reason for their Restrictive Housing;*
- *as to prisoners in Disciplinary Restrictive Housing, a listing of prisoners with names redacted, including an anonymized identification number that shall be consistent across reports, age, race, gender and ethnicity, whether the prisoner has an open mental health case, the date of the prisoner's commitment to discipline, the length of the prisoner's term and a summary of the reason for the prisoner's commitment;*
- *the number of placement reviews conducted pursuant to clause (iv) and (v) of subsection (a) of section 39B and the number of prisoners released from Restrictive Housing as a result of such placement reviews;*
- *the length of original assignment to and total time served in disciplinary restrictive housing for each prisoner released from Disciplinary Restrictive Housing as a result of a placement review;*
- *the count of prisoners released to the community directly or within 30 days of release from Restrictive Housing;*
- *the known disabilities of every prisoner who was placed in Restrictive Housing during the previous 3 months;*
- *the number of mental health professionals who work directly with prisoners in Restrictive Housing;*
- *the number of transfers to outside hospitals directly from Restrictive Housing;*
- *such additional information as the commissioner may determine*

## Methodology

Restrictive Housing (RH) in the MADOC is a *status* in which an inmate can move between units in the institution, or move to units within other MADOC institutions and remain on the same RH status. An RH *status* ends when an inmate is released to general population or to a speciality unit that no longer confines one to a cell for more than 22 hours per day.<sup>1</sup>

The reason an inmate is maintained on RH status can change throughout the RH status; for example, an inmate can begin an RH status pending completion of an investigation and could then be retained in Restrictive Housing to await the disciplinary hearing process. Furthermore, pending the outcome of the disciplinary hearing, an inmate may remain in Restrictive Housing pending a classification review for transfer to higher security, to serve Disciplinary Detention, or, with severe disciplinary offenses, await transfer to the Department Disciplinary Unit (DDU) to serve a sanction. If an inmate's reason for

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<sup>1</sup> For the purposes of this report, inmates who spend less than 24 hours in Restrictive Housing are counted as having spent one day in Restrictive Housing.

continued placement on RH status changed during the reporting quarter, the most recent reason for placement is used in section 2 (see below) or in considering subgroups of inmates (see Subgroups, below).

This report includes inmates who were placed in an RH subgroup (RHU, RH-DD or DDU) status during the first quarter of 2021 (January 1 to March 31, inclusive) as well as those who were already on such a status at the start of the quarter.<sup>2</sup> As such, future reports will capture some of the same inmates if their RH statuses continue through multiple quarters.

The data used for this report comes from the MADOC's Inmate Management System, MADOC Health Services Division and MADOC Prison Division. Unless otherwise stated, inmate commitment numbers were utilized to arrive at the totals for each section.<sup>3</sup>

Data are reported by institution and institution acronyms are used. See Appendix I for full institution names.

### *Restrictive Housing Subgroups*

Inmates mentioned within this report fall into one of three subgroups, depending on their actions and/or where they fall on the spectrum of Restrictive Housing during the reporting quarter:

#### *Restrictive Housing Unit (RHU)*

Inmates on RHU status may be awaiting a rule violation hearing, pending an investigation, pending classification, pending a transfer to another institution, have verified safety needs, or are unwilling to accept placement in general population. Inmates in this group may also be awaiting a DDU hearing for a severe disciplinary violation, or awaiting DDU transfer after receiving a DDU sanction.

#### *Restrictive Housing Units for a Disciplinary Detention Sanction (RH-DD)*

Inmates on RH-DD status have resolved pending discipline reports and have been found guilty of, or pled guilty to, a disciplinary violation of 103 CMR 430.00. These inmates serve up to 15 days for one violation, or up to 30 days for multiple violations arising out of the same or substantially connected incident(s).

#### *Department Disciplinary Unit (DDU)*

Inmates on DDU status are currently serving a sanction in the DDU for committing a severe violation of institutional rules. The DDU is located inside MCI-Cedar Junction.

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<sup>2</sup> MCI Framingham ceased utilizing any form of Restrictive Housing as of April 29, 2020.

<sup>3</sup> It is possible that the same inmate could have been in MADOC custody under different commitment numbers during the quarter.

## Section 1. Serious Mental Illness, Suicide, Self-Injurious Behavior

The following data table describes:

- The number of inmates as to whom a finding of Serious Mental Illness (SMI) has been made and the number of such inmates held for more than 30 days, and
- The number of inmates who have committed suicide<sup>4</sup> or committed non-lethal acts of self-harm<sup>5</sup> (Self-Injurious Behaviors, or SIBs)

An inmate is indicated as SMI if he or she is diagnosed with an SMI prior to or during their RHU, RH-DD or DDU status within the reporting quarter. An inmate is indicated as engaging in SIBs if he or she has a recorded SIB occurrence during the RHU, RH-DD, or DDU status.

**Table 1a. Inmates on RHU Status With SMI, 1<sup>st</sup> Quarter 2021**

Institution <sup>6</sup>	Inmates with SMI	Inmates with SMI, Over 30 Days <sup>7</sup>
CJ	0	0
CON	22	9
GAR	13	1
MTC	12	2
NOR	35	10
OCC	39	5
SBCC	70	21
SHI	19	4

**Table 1b. Inmates on RHU Status Engaging in Self-Injurious Behaviors, 1<sup>st</sup> Quarter 2021**

Institution	Inmate Suicides	Inmates Engaging in SIBs
CJ	0	0
CON	0	3
GAR	0	0
MTC	0	1
NOR	0	3
OCC	0	3
SBCC	0	4
SHI	0	2

<sup>4</sup> Suicide refers to a completed act ending one's life.

<sup>5</sup> These Self-Injurious Behaviors (SIBs) include hanging, self-strangulation, asphyxiation, cutting, self-mutilation, ingestion of a foreign body, insertion of a foreign body, head banging, drug overdose, jumping and biting.

<sup>6</sup> Refers to the most recent institution where inmate was housed while on RH status during the reporting quarter.

<sup>7</sup> Inmates with SMI may have been diagnosed with SMI initially under a different RH reason and then transferred to their most recent RH status.



Tables 1a and 1b (above) describe inmates on RHU status. Tables 1c and 1d (below) describe inmates on RH-DD or DDU status.

Table 1c below lists inmates on RH-DD status (Disciplinary Detention). Inmates on RH-DD status have resolved pending discipline reports and have been found guilty of, or have pled guilty to, a disciplinary violation of 103 CMR 430.00. These inmates may have committed multiple offenses; offenses can carry individual sanctions of up to 15 days disciplinary detention, though the maximum total sanction is 30 days for all violations arising out of the same or substantially connected incidents. However, if the inmate has been found guilty of multiple incidents that are not connected, the inmate may spend more than 30 consecutive days on RH-DD status.

**Table 1c. Inmates on RH-DD or DDU Status With SMI, 1<sup>st</sup> Quarter 2021**

Institution	Inmates with SMI	Inmates with SMI, Over 30 Days
CJ (DDU)	0	0
CJ	0	0
CON	12	0
GAR	10	0
MTC	2	1
NOR	2	1
OCC	25	1
SBCC	32	2
SHI	1	0

**Table 1d. Inmates on RH-DD or DDU Status Engaging in Self-Injurious Behaviors, 1<sup>st</sup> Quarter 2021**

Institution	Inmate Suicides	Inmates Engaging in SIBs
CJ (DDU)	0	0
CJ	0	0
CON	0	0
GAR	0	0
MTC	0	0
NOR	0	1
OCC	0	0
SBCC	0	0
SHI	0	0

## Section 2. Reasons for Placement in Restrictive Housing

The following table describes:

- The number of inmates according to the reason for their Restrictive Housing placement

An inmate placed on RHU status must have an accompanying reason for this status. The reason can change several times throughout the RHU status period; for the purposes of this report, the most *recent* reason within the reporting quarter is utilized.

Note that the data below does not represent inmates on RH-DD or DDU status because their ‘reason’ and status are one and the same. Details of these subgroups are outlined in Section 4 of this report.

**Table 2. Inmates on RHU Status by Institution and Reason for Placement, 1<sup>st</sup> Quarter 2021**

Institution <sup>8</sup>	Verified Safety Needs	Awaiting Hearing - Violation of Institutional Rules or Regulations	Unwilling to Accept General Population Bed	Pending Classification	Pending Completion of Investigation	Pending Transfer	Awaiting DDU Hearing	Awaiting DDU Transfer
CJ	0	0	0	0	0	0	0	0
CON	4	24	5	1	4	3	3	4
GAR	0	9	10	1	6	2	1	1
MTC	0	5	9	0	4	0	1	1
NOR	2	41	8	8	15	8	7	3
OCC	0	16	16	3	4	1	1	4
SBCC	0	72	14	0	12	1	21	24
SHI	5	19	6	0	9	8	1	3

## Section 3. Placement Reviews

The following table describes:

- The number of placement reviews conducted pursuant to clause (iv) and (v) of subsection (a) of section 39B and the number of inmates released from Restrictive Housing as a result of such placement reviews

<sup>8</sup> Refers to the most recent institution where the inmate was housed while on RH status during the reporting quarter.

Although not required by M.G.L. c. 127, § 39B, the MADOC affords all inmates on RH status who are not serving disciplinary sanctions 90-Day RH reviews, in addition to all other placement reviews required by M.G.L. c. 127, § 39B. 90-Day RH reviews may be conducted earlier than 90 days into an RH status at the discretion of the reviewing institution. Table 3a below lists the number of inmates who have received a 90-day RH review and the number of releases as a result of a review.

In accordance with clause (iv) of subsection (a) of M.G.L. c. 127, § 39B, after inmates are placed in Disciplinary Restrictive Housing, they must receive placement reviews not later than 6 months after placement and every 90 days thereafter. The DDU placement reviews listed below reflect these data.

While ongoing DDU placement reviews are preceded by a 24 hour notice, the inmate may waive the right to a placement review upon receipt of the 24 hour notice. Therefore, Table 3b below lists both the number of DDU placement reviews offered via 24 hour notice, and the number that actually occurred.

**Table 3a. Placement Reviews for Inmates on RH Status, 1<sup>st</sup> Quarter 2021**

Reviewing Institution	90-Day RHU Placement Reviews	Inmates Released Due to Review <sup>9</sup>
CJ	0	0
CON	10	2
GAR	2	1
MTC	0	0
NOR	7	1
OCC	4	0
SBCC	16	5
SHI	1	0

**Table 3b. Placement Reviews for Inmates on DDU Status, 1<sup>st</sup> Quarter 2021**

Reviewing Institution	DDU Placement Reviews (occurred)	DDU Placement Review Processes (offered)	Inmates Released Due to Review
CJ (DDU)	9	18	0

<sup>9</sup> Inmates on RH status are afforded placement reviews every Monday, Wednesday and Friday where a panel determines if their continued placement on RH status is warranted; these reviews may lead to the inmate's release from RH status well before 90 days. Inmates are released from RH status once the Placement Review Committee determines placement in RH is no longer necessary to reasonably manage risks of harm.

## Section 4. Disciplinary Restrictive Housing

The following data tables contain:

- A listing of inmates in Disciplinary Restrictive Housing with names redacted, including an anonymized identification number that shall be consistent across reports, age, race, gender and ethnicity, whether the inmate has an Open Mental Health case, the date of the inmate’s commitment to discipline, the length of the inmate’s term and a summary of the reason for the inmate’s commitment

Inmates described in Table 4a below are serving a sanction term in the DDU for an offense in Category 1 or Category 2 as set forth in 103 CMR 430, Inmate Discipline.<sup>10</sup> The stay of an inmate sanctioned to the DDU may be determined by more than one disciplinary report sanction. For the purposes of this report, the sanction term is aggregated to reflect all disciplinary sanctions an inmate is expected to serve. Therefore, in some cases an inmate’s sanction term may exceed the 120-month maximum for a single disciplinary report.

**Table 4a. Department Disciplinary Unit (DDU) Inmates, 1<sup>st</sup> Quarter 2021**

Mock ID	Gender	Age <sup>11</sup>	Race	Hispanic <sup>12</sup>	OMH <sup>13</sup>	Start Date	Term (Months)	Offense <sup>14</sup>
ID-119442	M	37	ASIAN	N	Y	4/7/2013	113	1-19
ID-145987	M	31	BLACK	N	Y	12/15/2016	60	1-19
ID-149716	M	28	ASIAN	N	N	11/21/2013	110	1-19
ID-194737	M	21	WHITE	Y	Y	5/9/2018	44	1-02
ID-200196	M	46	BLACK	N	N	12/3/2018	32	1-02
ID-203153	M	67	AMERICAN INDIAN	N	N	4/22/2019	34	1-20
ID-204336	M	37	WHITE	Y	N	6/12/2019	21	1-03
ID-209727	M	36	BLACK	N	N	1/30/2020	32	2-03
ID-210819	M	42	BLACK	N	Y	3/23/2020	34	1-03
ID-211817	M	30	WHITE	N	N	5/13/2020	15	1-03
ID-212465	M	30	WHITE	Y	N	6/22/2020	16	1-03
ID-212880	M	29	BLACK	N	N	7/16/2020	8	1-03
ID-213552	M	38	BLACK	N	N	8/17/2020	8	1-03
ID-214189	M	33	BLACK	N	N	9/8/2020	17	1-03
ID-214190	M	27	BLACK	N	N	9/8/2020	12	2-03
ID-214634	M	25	WHITE	Y	Y	3/25/2021	12	2-03

<sup>10</sup> Only Category 1 and 2 offenses have the option of carrying DDU sanctions. See Appendix II for offenses.

<sup>11</sup> Inmate’s age at Start Date.

<sup>12</sup> Race and ethnicity (Hispanic or non-Hispanic) are self-reported by the inmate at the time of admission.

<sup>13</sup> This field is a flag that signifies whether or not the inmate was on the institution’s Open Mental Health (OMH) caseload prior to entering this status, or at any time during their status. See Appendix I for a full definition.

<sup>14</sup> See Appendix II for a full list of offenses.

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Mock ID	Gender	Age <sup>11</sup>	Race	Hispanic <sup>12</sup>	OMH <sup>13</sup>	Start Date	Term (Months)	Offense <sup>14</sup>
ID-215078	M	34	BLACK	N	N	10/13/2020	57	1-02
ID-215581	M	29	WHITE	Y	N	11/3/2020	8	1-03
ID-215582	M	41	BLACK	N	Y	11/3/2020	23	2-03
ID-216070	M	24	WHITE	N	N	11/17/2020	26	1-03
ID-216710	M	27	WHITE	Y	N	12/9/2020	9	1-02
ID-216834	M	30	OTHER	N	Y	12/11/2020	75	1-02
ID-216984	M	30	BLACK	N	N	12/16/2020	14	1-03
ID-216985	M	29	WHITE	Y	Y	12/16/2020	28	1-03
ID-217124	M	26	WHITE	N	N	12/22/2020	55	1-02
ID-217578	M	23	BLACK	N	N	1/14/2021	5	1-03
ID-217579	M	29	WHITE	Y	Y	1/14/2021	14	1-03
ID-217580	M	30	WHITE	Y	Y	1/14/2021	17	1-03
ID-217582	M	20	WHITE	Y	Y	1/14/2021	9	1-03
ID-217584	M	31	WHITE	Y	N	1/14/2021	6	1-03
ID-217631	M	33	BLACK	N	N	1/19/2021	16	1-03
ID-217632	M	21	BLACK	N	N	1/19/2021	3	1-03
ID-217634	M	27	WHITE	Y	Y	1/19/2021	13	2-03
ID-217972	M	22	WHITE	N	Y	2/8/2021	4	1-03
ID-218143	M	34	BLACK	N	N	2/16/2021	60	1-02
ID-218182	M	35	BLACK	N	N	2/17/2021	2	1-17
ID-218183	M	41	WHITE	N	N	2/17/2021	33	1-03
ID-218299	M	26	BLACK	N	N	2/24/2021	3	2-03
ID-218688	M	28	BLACK	N	N	3/15/2021	4	1-03
ID-218689	M	20	BLACK	N	N	3/15/2021	7	2-03
ID-79149	M	57	WHITE	Y	Y	4/27/2019	12	2-03
ID-85514	M	65	WHITE	N	N	5/31/2016	60	1-03

Table 4b below lists inmates on RH-DD status (Disciplinary Detention). Inmates on RH-DD status have resolved pending discipline reports and have been found guilty of, or have pled guilty to, a disciplinary violation of 103 CMR 430.00. These inmates may have committed multiple offenses; offenses can carry individual sanctions of up to 15 days disciplinary detention, though the maximum total sanction is 30 days for all violations arising out of the same or substantially connected incidents. However, if the inmate has been found guilty of multiple incidents that are not connected, the inmate may spend more than 30 consecutive days on RH-DD status.

Rows which are nearly blank indicate a second or third sanction for the inmate described above them.

**Table 4b. RH Disciplinary Detention (RH-DD) Inmates, 1<sup>st</sup> Quarter 2021**

Mock ID	Gender	Age <sup>15</sup>	Race	Hispanic <sup>16</sup>	OMH <sup>17</sup>	Start Date	Term (Days)	Offense <sup>18</sup>
ID-100796	M	52	WHITE	N	Y	2/16/2021	10	3- 02
ID-208127	M	36	BLACK	N	N	11/18/2019	15	2- 24
ID-214089	M	39	WHITE	Y	Y	9/4/2020	15	1- 15
ID-214100	M	32	WHITE	Y	N	9/4/2020	10	2- 07
						9/4/2020	15	1- 18
ID-214379	M	25	WHITE	N	N	9/15/2020	15	1- 20
						9/15/2020	15	2- 11
ID-214717	M	31	WHITE	N	N	9/27/2020	10	2- 07
ID-215155	M	43	WHITE	N	Y	10/16/2020	15	1- 15
ID-215176	M	42	WHITE	Y	N	10/17/2020	15	1- 03
						10/17/2020	15	2- 24
ID-215476	M	23	BLACK	N	Y	10/29/2020	10	2- 32
ID-215547	M	29	BLACK	N	Y	11/2/2020	15	2- 24
ID-215647	M	35	BLACK	N	N	11/6/2020	15	1- 15
						11/6/2020	15	2- 11
ID-215852	M	32	BLACK	N	N	11/11/2020	15	2- 24
ID-215939	M	62	WHITE	N	N	11/12/2020	5	3- 16
ID-216081	M	23	WHITE	Y	N	11/18/2020	12	2- 11
ID-216418	M	32	BLACK	N	N	11/30/2020	10	2- 24
ID-216487	M	37	BLACK	N	N	12/2/2020	15	2- 04
ID-216567	M	40	WHITE	N	Y	12/4/2020	4	3- 27
ID-216679	M	30	WHITE	Y	Y	12/8/2020	15	2- 04
ID-216811	M	28	WHITE	Y	N	12/11/2020	10	3- 27
ID-216823	M	22	WHITE	N	Y	12/9/2020	15	2- 21
ID-216941	M	36	BLACK	N	N	12/15/2020	10	2- 07
ID-217022	M	25	WHITE	Y	N	12/18/2020	15	1- 20
ID-217042	M	28	WHITE	N	Y	12/18/2020	10	2- 24

<sup>15</sup> Inmate's age at Start Date.

<sup>16</sup> Race and ethnicity (Hispanic or non-Hispanic) are self-reported by the inmate at the time of admission.

<sup>17</sup> This field is a flag that signifies whether or not the inmate was on the institution's Open Mental Health (OMH)

<sup>18</sup> See Appendix II for a full list of offenses.

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Mock ID	Gender	Age <sup>15</sup>	Race	Hispanic <sup>16</sup>	OMH <sup>17</sup>	Start Date	Term (Days)	Offense <sup>18</sup>
ID-217048	M	46	WHITE	Y	Y	12/19/2020	15	1- 08
						12/19/2020	15	2- 04
ID-217075	M	32	BLACK	Y	N	12/21/2020	15	2- 24
ID-217097	M	39	WHITE	Y	N	12/21/2020	10	2- 07
ID-217126	M	31	OTHER	Y	Y	12/22/2020	15	2- 24
ID-217138	M	28	BLACK	N	N	12/22/2020	10	2- 07
ID-217139	M	43	BLACK	Y	Y	12/22/2020	15	2- 24
ID-217194	M	29	BLACK	N	Y	12/24/2020	15	2- 04
ID-217204	M	29	WHITE	N	N	12/25/2020	15	2- 24
ID-217205	M	29	WHITE	Y	N	12/25/2020	15	2- 24
ID-217211	M	28	WHITE	Y	N	12/25/2020	7	3- 27
ID-217212	M	22	WHITE	Y	Y	12/26/2020	7	3- 27
ID-217219	M	37	BLACK	N	Y	12/27/2020	10	3- 27
ID-217222	M	46	WHITE	Y	N	12/27/2020	10	2- 07
ID-217223	M	28	BLACK	N	N	12/27/2020	10	2- 07
ID-217234	M	34	BLACK	N	N	12/28/2020	15	2- 24
ID-217248	M	52	WHITE	N	N	12/29/2020	15	2- 24
ID-217250	M	21	WHITE	Y	N	12/29/2020	3	2- 19
ID-217259	M	46	WHITE	N	Y	12/29/2020	12	2- 24
ID-217264	M	55	BLACK	N	N	12/29/2020	10	1- 08
ID-217276	M	40	WHITE	Y	N	12/30/2020	15	2- 24
ID-217280	M	31	ASIAN	N	N	12/30/2020	15	2- 24
ID-217311	M	22	BLACK	N	Y	12/31/2020	10	3- 27
ID-217323	M	31	BLACK	N	N	12/31/2020	10	2- 07
ID-217324	M	30	WHITE	Y	N	12/31/2020	10	2- 07
ID-217331	M	38	WHITE	Y	Y	1/1/2021	10	2- 04
ID-217332	M	25	WHITE	Y	N	1/1/2021	10	2- 04
ID-217335	M	33	WHITE	Y	Y	1/1/2021	4	3- 04
ID-217339	M	36	BLACK	N	Y	1/2/2021	10	2- 04
ID-217341	M	39	BLACK	N	N	1/2/2021	10	2- 07
ID-217349	M	27	WHITE	N	Y	1/3/2021	10	2- 07
ID-217351	M	31	WHITE	N	Y	1/3/2021	4	2- 19
ID-217354	M	40	WHITE	N	Y	1/3/2021	3	3- 26
ID-217360	M	52	WHITE	N	N	1/3/2021	10	2- 07
ID-217372	M	49	WHITE	N	Y	1/4/2021	10	2- 07
ID-217397	M	40	BLACK	N	N	1/5/2021	15	1- 15
ID-217401	M	43	BLACK	Y	N	1/5/2021	5	3- 02
ID-217402	M	35	WHITE	Y	Y	1/5/2021	5	3- 27
ID-217407	M	52	WHITE	N	Y	1/5/2021	10	2- 24
ID-217412	M	54	BLACK	N	N	1/5/2021	3	2- 19
ID-217413	M	51	WHITE	Y	N	1/5/2021	5	3- 04
ID-217415	M	23	WHITE	Y	Y	1/5/2021	15	2- 32

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Mock ID	Gender	Age <sup>15</sup>	Race	Hispanic <sup>16</sup>	OMH <sup>17</sup>	Start Date	Term (Days)	Offense <sup>18</sup>
ID-217417	M	42	WHITE	Y	Y	1/6/2021	10	2- 03
ID-217424	M	27	BLACK	N	N	1/6/2021	10	3- 26
						1/6/2021	15	2- 24
ID-217447	M	66	WHITE	N	N	1/6/2021	15	2- 24
ID-217448	M	32	BLACK	N	N	1/6/2021	7	3- 04
ID-217454	M	39	BLACK	Y	Y	1/7/2021	7	2- 24
ID-217467	M	38	BLACK	N	Y	1/8/2021	5	3- 27
ID-217468	M	36	BLACK	N	N	1/8/2021	15	1- 15
ID-217472	M	36	WHITE	N	Y	1/8/2021	4	3- 05
ID-217474	M	34	BLACK	N	N	1/8/2021	3	2- 15
ID-217475	M	27	BLACK	N	N	1/8/2021	10	3- 27
ID-217481	M	57	WHITE	N	N	1/9/2021	10	2- 07
ID-217485	M	22	WHITE	Y	Y	1/9/2021	15	1- 08
ID-217489	M	28	BLACK	N	N	1/10/2021	3	3- 05
ID-217496	M	33	WHITE	N	Y	1/11/2021	15	2- 24
ID-217500	M	37	BLACK	N	N	1/11/2021	10	3- 27
ID-217509	M	22	WHITE	Y	N	1/11/2021	8	2- 24
ID-217520	M	21	BLACK	N	Y	1/12/2021	15	2- 24
ID-217540	M	47	BLACK	N	N	1/12/2021	10	2- 07
ID-217543	M	48	WHITE	N	Y	1/12/2021	10	2- 07
ID-217550	M	32	WHITE	N	Y	1/13/2021	15	2- 24
ID-217560	M	47	WHITE	Y	Y	1/13/2021	8	2- 16
ID-217587	M	22	BLACK	N	Y	1/14/2021	15	2- 24
ID-217598	M	25	BLACK	N	Y	1/15/2021	15	2- 24
ID-217609	M	24	BLACK	N	N	1/17/2021	10	3- 27
ID-217620	M	36	WHITE	Y	N	1/19/2021	15	2- 24
ID-217621	M	29	BLACK	N	Y	1/19/2021	15	2- 24
ID-217624	M	45	WHITE	Y	N	1/19/2021	10	3- 04
ID-217625	M	37	WHITE	N	Y	1/19/2021	10	2- 07
ID-217630	M	33	BLACK	N	N	1/19/2021	10	2- 13
ID-217635	M	42	BLACK	N	N	1/19/2021	15	1- 18
ID-217651	M	48	BLACK	N	N	1/20/2021	5	2- 19
ID-217663	M	30	BLACK	Y	N	1/21/2021	10	3- 27
ID-217668	M	29	BLACK	N	N	1/21/2021	10	3- 27
ID-217671	M	29	WHITE	N	N	1/21/2021	5	3- 27
ID-217676	M	29	WHITE	Y	N	1/21/2021	8	2- 07
ID-217678	M	38	BLACK	N	Y	1/21/2021	10	2- 07
ID-217698	M	31	WHITE	Y	Y	1/23/2021	15	2- 24
ID-217702	M	35	BLACK	N	Y	1/24/2021	15	2- 24
ID-217717	M	27	WHITE	Y	Y	1/25/2021	10	3- 04
ID-217718	M	32	WHITE	N	N	1/25/2021	15	1- 15
ID-217758	M	24	BLACK	N	N	1/26/2021	15	2- 24



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Mock ID	Gender	Age <sup>15</sup>	Race	Hispanic <sup>16</sup>	OMH <sup>17</sup>	Start Date	Term (Days)	Offense <sup>18</sup>
ID-217760	M	33	BLACK	Y	Y	1/26/2021	7	3- 27
ID-217763	M	24	WHITE	N	Y	1/26/2021	10	3- 27
ID-217764	M	34	BLACK	N	Y	1/26/2021	10	3- 27
ID-217775	M	31	BLACK	N	N	1/27/2021	15	1- 20
ID-217789	M	29	BLACK	N	N	1/27/2021	5	2- 24
ID-217799	M	38	ASIAN	N	N	1/28/2021	15	2- 24
ID-217806	M	25	BLACK	Y	Y	1/28/2021	10	3- 05
ID-217807	M	22	BLACK	N	Y	1/28/2021	15	2- 24
ID-217809	M	27	WHITE	N	Y	1/28/2021	5	3- 27
ID-217829	M	46	WHITE	N	Y	1/29/2021	7	1- 15
ID-217836	M	36	WHITE	N	Y	1/31/2021	5	3- 16
ID-217841	M	28	BLACK	N	N	1/31/2021	10	2- 07
ID-217845	M	60	WHITE	N	Y	2/1/2021	10	2- 07
ID-217857	M	36	WHITE	Y	Y	2/2/2021	3	3- 05
ID-217860	M	34	WHITE	Y	N	2/2/2021	15	2- 24
ID-217861	M	52	WHITE	N	Y	2/2/2021	10	3- 27
ID-217866	M	40	WHITE	Y	N	2/2/2021	7	2- 11
ID-217910	M	64	OTHER	Y	N	2/4/2021	5	2- 13
ID-217912	M	34	BLACK	N	N	2/4/2021	15	1- 15
ID-217916	M	30	ASIAN	N	N	2/5/2021	10	2- 07
ID-217917	M	37	WHITE	N	N	2/5/2021	10	2- 07
ID-217930	M	57	BLACK	N	Y	2/5/2021	10	2- 07
ID-217932	M	27	WHITE	Y	Y	2/6/2021	5	3- 23
ID-217936	M	38	WHITE	N	Y	2/6/2021	10	2- 02
ID-217939	M	37	BLACK	N	Y	2/7/2021	10	2- 07
ID-217940	M	30	BLACK	N	Y	2/7/2021	10	2- 07
ID-217941	M	37	WHITE	Y	N	2/7/2021	10	2- 03
ID-217959	M	23	BLACK	N	Y	2/8/2021	10	3- 27
ID-217961	M	45	WHITE	Y	Y	2/8/2021	8	2- 16
ID-217980	M	31	WHITE	N	Y	2/9/2021	5	2- 19
ID-218005	M	25	BLACK	N	N	2/9/2021	10	2- 07
ID-218007	M	36	WHITE	Y	Y	2/9/2021	10	2- 04
ID-218017	M	18	BLACK	N	Y	2/10/2021	10	2- 24
ID-218018	M	27	BLACK	N	Y	2/10/2021	10	2- 24
ID-218019	M	33	BLACK	N	N	2/10/2021	15	1- 20
ID-218022	M	35	WHITE	N	Y	2/10/2021	10	2- 24
ID-218030	M	34	BLACK	N	Y	2/10/2021	8	3- 27
ID-218031	M	37	WHITE	Y	Y	2/10/2021	8	3- 27
ID-218039	M	56	WHITE	Y	Y	2/10/2021	10	2- 07
ID-218040	M	55	BLACK	Y	N	2/10/2021	10	2- 07
ID-218059	M	22	BLACK	N	Y	2/11/2021	10	2- 13
ID-218071	M	26	BLACK	N	N	2/12/2021	15	2- 24

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ID-218103	M	25	BLACK	N	Y	2/13/2021	4	3- 16
ID-218107	M	57	WHITE	N	Y	2/13/2021	1	3- 16
ID-218109	M	38	WHITE	Y	Y	2/13/2021	15	2- 24
ID-218110	M	28	BLACK	N	N	2/13/2021	15	2- 24
ID-218111	M	28	WHITE	Y	N	2/13/2021	15	2- 24
ID-218112	M	24	BLACK	N	N	2/13/2021	15	2- 24
ID-218119	M	40	BLACK	N	N	2/15/2021	12	2- 07
ID-218129	M	37	WHITE	N	Y	2/15/2021	10	2- 07
ID-218130	M	47	WHITE	N	N	2/15/2021	10	2- 07
ID-218146	M	49	BLACK	N	N	2/16/2021	10	2- 11
ID-218148	M	32	WHITE	N	Y	2/16/2021	5	2- 14
ID-218161	M	25	WHITE	N	Y	2/17/2021	4	3- 05
ID-218169	M	38	BLACK	N	N	2/17/2021	15	2- 07
ID-218174	M	43	WHITE	N	Y	2/17/2021	10	2- 24
ID-218175	M	23	BLACK	N	Y	2/17/2021	10	2- 03
ID-218181	M	52	OTHER	Y	N	2/17/2021	2	3- 27
ID-218193	M	27	BLACK	N	N	2/18/2021	10	2- 04
ID-218195	M	22	WHITE	N	Y	2/18/2021	5	3- 26
ID-218197	M	41	WHITE	Y	Y	2/18/2021	15	2- 24
ID-218221	M	56	BLACK	N	N	2/19/2021	5	2- 19
ID-218224	M	41	BLACK	N	Y	2/19/2021	2	3- 16
ID-218231	M	35	BLACK	N	N	2/19/2021	15	2- 24
ID-218232	M	25	BLACK	N	N	2/19/2021	15	2- 24
ID-218235	M	46	WHITE	N	Y	2/20/2021	12	2- 03
ID-218239	M	52	WHITE	N	N	2/21/2021	15	2- 24
ID-218241	M	25	WHITE	Y	N	2/21/2021	15	2- 24
ID-218243	M	34	BLACK	Y	N	2/21/2021	15	2- 24
ID-218253	M	22	BLACK	N	Y	2/22/2021	10	2- 24
ID-218265	M	44	WHITE	Y	Y	2/22/2021	12	2- 03
ID-218278	M	44	WHITE	N	Y	2/22/2021	15	2- 21
ID-218282	M	27	BLACK	N	Y	2/23/2021	15	2- 24
ID-218297	M	33	WHITE	Y	Y	2/24/2021	10	2- 07
ID-218306	M	33	WHITE	N	N	2/24/2021	10	2- 24
ID-218330	M	65	WHITE	N	Y	2/26/2021	5	3- 04
ID-218334	M	45	BLACK	N	Y	2/26/2021	4	3- 16
ID-218339	M	26	BLACK	Y	N	2/26/2021	3	2- 19
ID-218343	M	23	BLACK	N	Y	2/26/2021	10	3- 27
ID-218347	M	30	BLACK	N	N	2/27/2021	15	1- 15
ID-218351	M	41	BLACK	N	N	2/27/2021	12	2- 11
ID-218352	M	45	BLACK	N	Y	2/27/2021	10	3- 27
ID-218355	M	28	BLACK	N	Y	2/27/2021	7	3- 27
ID-218356	M	36	WHITE	Y	Y	2/27/2021	5	3- 04

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Mock ID	Gender	Age <sup>15</sup>	Race	Hispanic <sup>16</sup>	OMH <sup>17</sup>	Start Date	Term (Days)	Offense <sup>18</sup>
ID-218368	M	29	WHITE	N	Y	2/28/2021	10	2- 07
ID-218369	M	32	WHITE	N	Y	2/28/2021	10	2- 07
ID-218370	M	25	WHITE	N	N	2/28/2021	10	2- 07
ID-218371	M	27	WHITE	Y	N	2/28/2021	10	2- 07
ID-218374	M	29	BLACK	N	Y	2/28/2021	3	3- 04
ID-218384	M	30	WHITE	Y	Y	3/1/2021	5	2- 11
ID-218436	M	42	OTHER	Y	N	3/3/2021	10	3- 27
ID-218448	M	28	BLACK	N	N	3/3/2021	10	2- 16
ID-218452	M	27	WHITE	Y	Y	3/3/2021	10	2- 07
ID-218453	M	30	BLACK	N	Y	3/3/2021	10	2- 07
ID-218460	M	49	WHITE	N	Y	3/4/2021	5	3- 04
ID-218467	M	33	BLACK	N	Y	3/4/2021	15	1- 15
ID-218472	M	45	WHITE	Y	N	3/4/2021	10	2- 24
ID-218504	M	22	WHITE	N	N	3/5/2021	8	2- 13
ID-218545	M	29	WHITE	N	N	3/9/2021	15	1- 08
ID-218559	M	27	WHITE	Y	Y	3/9/2021	5	2- 24
ID-218569	M	36	WHITE	Y	Y	3/10/2021	3	2- 16
ID-218585	M	28	BLACK	N	Y	3/10/2021	15	1- 08
ID-218586	M	25	BLACK	N	N	3/10/2021	10	2- 07
ID-218587	M	27	OTHER	Y	N	3/10/2021	10	2- 07
ID-218595	M	71	WHITE	N	N	3/11/2021	7	3- 16
ID-218615	M	41	WHITE	Y	Y	3/12/2021	5	2- 24
ID-218618	M	32	WHITE	Y	Y	3/11/2021	15	2- 02
ID-218619	M	49	WHITE	Y	Y	3/12/2021	15	1- 15
ID-218622	M	23	WHITE	Y	N	3/12/2021	5	3- 27
ID-218623	M	28	WHITE	Y	N	3/12/2021	10	2- 11
ID-218646	M	27	OTHER	Y	Y	3/12/2021	3	3- 16
ID-218651	M	27	BLACK	N	Y	3/13/2021	10	2- 07
ID-218652	M	33	WHITE	Y	Y	3/13/2021	10	2- 07
ID-218653	M	20	ASIAN	N	Y	3/13/2021	7	2- 24
ID-218654	M	57	BLACK	N	Y	3/13/2021	10	2- 07
ID-218655	M	54	BLACK	N	Y	3/13/2021	10	2- 07
ID-218660	M	38	BLACK	N	Y	3/14/2021	12	2- 07
ID-218661	M	33	BLACK	N	N	3/14/2021	10	2- 07
ID-218663	M	30	WHITE	N	Y	3/14/2021	10	3- 26
ID-218695	M	31	WHITE	N	Y	3/15/2021	5	3- 27
ID-218708	M	44	WHITE	N	Y	3/16/2021	10	2- 07
ID-218710	M	37	WHITE	Y	Y	3/16/2021	10	3- 27
ID-218711	M	40	WHITE	N	Y	3/16/2021	10	3- 27
ID-218718	M	52	WHITE	N	N	3/16/2021	7	3- 04
ID-218719	M	26	BLACK	Y	N	3/16/2021	5	2- 19
ID-218725	M	32	BLACK	N	Y	3/16/2021	10	2- 13

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Mock ID	Gender	Age <sup>15</sup>	Race	Hispanic <sup>16</sup>	OMH <sup>17</sup>	Start Date	Term (Days)	Offense <sup>18</sup>
ID-218739	M	30	BLACK	N	Y	3/17/2021	15	2- 24
ID-218752	M	42	OTHER	Y	N	3/17/2021	5	2- 14
ID-218753	M	43	BLACK	N	Y	3/17/2021	5	2- 14
ID-218757	M	27	WHITE	Y	N	3/17/2021	5	2- 24
ID-218758	M	40	WHITE	Y	N	3/17/2021	5	2- 18
ID-218763	M	38	BLACK	N	Y	3/17/2021	3	3- 27
ID-218772	M	35	WHITE	Y	Y	3/18/2021	10	3- 27
ID-218778	M	39	WHITE	N	N	3/18/2021	5	3- 27
ID-218790	M	37	BLACK	N	N	3/18/2021	10	2- 11
ID-218791	M	39	BLACK	N	Y	3/18/2021	10	2- 11
ID-218792	M	29	BLACK	N	N	3/18/2021	10	2- 11
ID-218800	M	33	WHITE	N	Y	3/18/2021	15	2- 24
ID-218805	M	29	WHITE	Y	N	3/18/2021	6	2- 24
ID-218818	M	27	WHITE	Y	Y	3/19/2021	4	3- 24
ID-218826	M	26	OTHER	N	Y	3/19/2021	5	3- 27
ID-218833	M	38	WHITE	Y	Y	3/21/2021	5	3- 26
ID-218840	M	29	WHITE	Y	Y	3/21/2021	5	3- 27
ID-218845	M	21	WHITE	Y	N	3/22/2021	15	2- 24
ID-218864	M	21	BLACK	N	N	3/22/2021	15	1- 15
ID-218894	M	32	WHITE	Y	Y	3/23/2021	10	2- 07
ID-218895	M	25	WHITE	Y	Y	3/23/2021	10	2- 07
ID-218898	M	48	WHITE	Y	N	3/23/2021	5	3- 04
ID-218900	M	36	WHITE	N	N	3/23/2021	10	2- 10
ID-218902	M	43	BLACK	N	N	3/23/2021	15	2- 24
ID-218908	M	36	BLACK	N	Y	3/24/2021	5	3- 27
ID-218923	M	47	BLACK	N	Y	3/24/2021	10	3- 25
ID-218924	M	53	BLACK	N	Y	3/24/2021	10	2- 07
ID-218926	M	20	BLACK	N	N	3/25/2021	10	2- 07
						3/25/2021	15	2- 11
ID-218936	M	45	WHITE	N	N	3/25/2021	15	1- 15
ID-218941	M	30	WHITE	N	N	3/25/2021	4	2- 19
ID-218951	M	58	WHITE	N	Y	3/26/2021	10	2- 04
ID-218958	M	31	BLACK	N	Y	3/26/2021	12	2- 11
ID-218989	M	56	WHITE	N	N	3/28/2021	10	2- 07
ID-219005	M	38	WHITE	Y	Y	3/29/2021	10	3- 27
ID-219021	M	57	BLACK	N	Y	3/29/2021	10	3- 27
ID-219022	M	39	BLACK	N	N	3/29/2021	15	1- 15
ID-219023	M	26	OTHER	N	Y	3/29/2021	10	3- 27
ID-219031	M	36	BLACK	N	Y	3/29/2021	3	3- 26
ID-219037	M	28	WHITE	N	Y	3/30/2021	10	2- 16
ID-219050	M	38	WHITE	Y	Y	3/30/2021	10	2- 07
ID-219054	M	65	WHITE	N	Y	3/30/2021	10	2- 07

#### Section 4a. DDU Time Served and Release Upon Review

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The following information describes:

- The length of original assignment to and total time served in Disciplinary Restrictive Housing for each inmate released from Disciplinary Restrictive Housing as a result of a placement review

In the **first** quarter of 2021, there were **zero (0)** releases from DDU as a result of a DDU placement review.

## Section 5. Releases to the Community from Restrictive Housing

The following data table describes:

- The count of inmates released to the community directly or within 30 days of release from Restrictive Housing<sup>19</sup>

**Table 5. Inmates Released Within 30 Days of RHU, RH-DD or DDU Status, 1<sup>st</sup> Quarter 2021**

Releasing Institution	Inmates Released Directly or Within 30 Days of <u>RHU</u> Status	Inmates Released Directly or Within 30 Days of <u>RHU-DD</u> Status	Inmates Released Directly or Within 30 Days of <u>DDU</u> Status
CJ	0	0	0
CON	6	1	0
GAR	0	0	0
MTC	1	0	0
NOR	5	0	0
OCC	2	0	0
SBCC	4	1	0
SHI	3	1	0

<sup>19</sup> While inmates mentioned here completed an RHU, RH-DD, or DDU status during the reporting quarter, their release may have occurred during the following quarter, provided the release was within 30 days of the end of the RHU, RH-DD, or DDU status.

## Section 6. Disability, Mental Health Staffing, Hospital Transfers

The following data table describes:

- The known disabilities<sup>20</sup> of every inmate who was placed in Restrictive Housing during this quarter
- The number of mental health professionals who work directly with inmates in Restrictive Housing
- The number of transfers to outside hospitals<sup>21</sup> directly from Restrictive Housing

**Table 6. Inmates on RHU, RH-DD or DDU Status with Known Disabilities or Hospital Transfers, 1<sup>st</sup> Quarter 2021**

Institution <sup>22</sup>	Inmates with a Visual, Hearing or Mobility Disability	Inmates Transferred to a Hospital during RHU/DDU Placement
CJ (DDU)	0	0
CJ	0	0
CON	3	1
GAR	7	0
MTC	3	0
NOR	4	0
OCC	3	1
SBCC	10	0
SHI	2	1

In the **first** quarter of 2021, a total of **104** mental health staff worked directly with inmates on RHU, RH-DD or DDU status.

<sup>20</sup> A disability is defined as a physical or mental impairment that substantially limits a major life activity. Mental impairments are addressed in Section 1 of this report.

<sup>21</sup> For the purposes of this report, outside hospital trips lasting 24 hours or more were considered hospital transfers.

<sup>22</sup> Refers to the most recent institution where the inmate was housed while on RHU status during the reporting quarter.

**Appendix I. Definitions and Acronyms**

<b>Acronym</b>	<b>Term</b>	<b>Definition</b>
<b>DDU</b>	<b>Department Disciplinary Unit</b>	(103 CMR 430.05) A restricted area or areas designated by the Commissioner to which an inmate has received a sanction recommended by a Special Hearing Officer.
	<b>Disability</b>	A physical or mental impairment that substantially limits a major life activity. Disabilities fall into three categories: Visual, Hearing, and Mobility. An inmate is defined as having a disability if the inmate has 1 or more disabilities prior to the initial start date of the RH/DDU placement or a disability at any time during their RH and/or DDU housing status.
<b>RH-DD</b>	<b>Disciplinary Detention</b>	(103 CMR 430.05) The Restrictive Housing of an inmate who has been found guilty of a serious violation of 103 CMR 430.00. Such sanction shall not exceed 15 days for one offense and no more than 30 days for all violations arising out of the same or substantially connected incident(s), unless specifically authorized by the Commissioner. Disciplinary detention does not refer to inmates sanctioned to a DDU (see DDU, below).
	<b>Disciplinary Restrictive Housing</b>	(103 CMR 430.05) A placement of an inmate in Restrictive Housing in a state correctional facility for disciplinary purposes to serve a Disciplinary Detention or DDU sanction after a finding has been made that the inmate has committed a breach of discipline.
<b>IMS</b>	<b>Inmate Management System</b>	(103 CMR 430.05) The Department's automated information system that provides processing, storage and retrieval of inmate-related information needed by Department personnel and other authorized users within the criminal justice system.
<b>MCI</b>	<b>Massachusetts Correctional Institution</b>	
<b>MADOC</b>	<b>Massachusetts Department of Correction</b>	
<b>OMH</b>	<b>Open Mental Health (OMH)</b>	An inmate who is diagnosed with a mental illness or determined to be in need of mental health intervention on an ongoing basis. At any time during his or her incarceration, an inmate may become an open mental health case (OMH) based on a mental health crisis, including suicidal threats or self-injurious behavior and/or the display of signs and/or symptoms of mental illness or emotional distress. Based upon clinical indications and within the discretion of the Primary Care Clinician (PCC), in consultation with the site Psychiatrist (if on medication) and/or Site Mental Health Director, an inmate may also be removed from the active mental health caseload.



		However, any inmate carrying the Gender Dysphoria (GD) diagnosis will remain an open mental health case.
	<b>Placement Review</b>	A multidisciplinary examination to determine whether restrictive housing continues to be necessary to reasonably manage risks of harm, notwithstanding any previous finding of a disciplinary breach, exigent circumstances or other circumstances supporting a placement in restrictive housing; provided, however, that when a placement review is conducted pursuant to clause (iv) or (v) of subsection (a) of section 39B, the examiners performing a placement review shall include, but not be limited to, 1 member of the security staff, 1 member of the programming staff and 1 member of the mental health staff.
	<b>Release to Community</b>	The release of an inmate from the jurisdiction of the Massachusetts DOC by parole or by discharge to the community. Conditions warranting a release to the community generally include: court release (see Crime Lab), expiration of fine, payment of fine, parole and expiration of sentence.
<b>RH</b>	<b>Restrictive Housing</b>	(103 CMR 423.06) A placement that requires an inmate to be confined to a cell for more than twenty-two (22) hours per day for the safe and secure operation of the facility. Restrictive Housing does not include the following: any placement ordered by a medical or mental health provider, including but not limited to, the placement of an inmate in a Health Services Unit; the placement of an inmate in a hospital; the placement of an inmate in a medical setting where treatment is being provided; or the placement of an inmate on a mental health watch.
<b>RH Status</b>	<b>Restrictive Housing Status</b>	An inmate is on Restrictive Housing Status while in restrictive housing and until the inmate is released to general population or to a specialty unit that no longer confines one to a cell for more than 22 hours per day. An inmate may move to different restrictive housing units within or between facilities during a single restrictive housing status.
<b>SMI</b>	<b>Serious Mental Illness</b>	(M.G.L. c.127, §1) A current or recent diagnosis by a qualified mental health professional of one or more of the following disorders described in the 5 <sup>th</sup> edition of the <i>Diagnostic and Statistical Manual of Mental Disorders</i> : (a) schizophrenia and other psychotic disorders; (b) major depressive disorders; (c) all types of bipolar disorders; (d) a neurodevelopmental disorder,

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		<p>dementia or other cognitive disorder;</p> <p>(e) any disorder commonly characterized by breaks with reality or perceptions of reality;</p> <p>(f) all types of anxiety disorders;</p> <p>(g) trauma and stressor related disorders;</p> <p>or</p> <p>(h) severe personality disorders; or a finding by a qualified mental health professional that the inmate is at serious risk of substantially deteriorating mentally or emotionally while confined in Restrictive Housing, or already has so deteriorated while confined in Restrictive Housing, such that diversion or removal is deemed to be clinically appropriate by a qualified mental health professional.</p>
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<b>Institution Acronym</b>	<b>Full Name</b>	<b>Security Level</b>
CJ	MCI Cedar Junction	Medium with Maximum Component
CON	MCI Concord	Medium
FRA	MCI Framingham	Medium
GAR	NCCI Gardner	Medium
MTC	Massachusetts Treatment Center	Medium
NOR	MCI Norfolk	Medium
OCC	Old Colony Correctional Center	Medium
SBCC	Souza Baranowski Correctional Center	Maximum
SHI	MCI Shirley	Medium

## **Appendix II. Code of Offenses (103 CMR 430.24)**

### Category One.

- 1-1 Killing of another.
- 1-2 Aggravated assault on a staff member, contract employee, member of the public, volunteer or animal.
- 1-3 Aggravated assault of another inmate or parolee.
- 1-4 Aggravated assault on a visitor.
- 1-5 Taking or holding any person hostage.
- 1-6 Escape or attempted escape.
- 1-7 Possession, manufacture, or introduction of an explosive device or any ammunition, or any components of an explosive device or ammunition.
- 1-8 Possession, manufacture, or introduction of any gun, firearm, weapon, sharpened instrument, knife or poison of any component thereof.
- 1-9 Sexual assault on a staff member, contract employee, member of the public, or volunteer.
- 1-10 Sexual assault or sexual abuse of another inmate.
- 1-11 Sexual assault on a visitor.
- 1-12 Rioting.
- 1-13 Inciting others to riot or inciting other inmates to participate in a major group demonstration within any institution.
- 1-14 Setting a fire, using or placing a bomb or incendiary device.
- 1-15 Introduction, distribution or transfer of any narcotic, controlled substance, illegal drug, unauthorized drug or drug paraphernalia.
- 1-16 Engaging in or inciting an organized work stoppage.
- 1-17 Fighting with, assaulting or threatening another person, due to security threat group activities or gang activities.
- 1-18 Engaging, encouraging, recruiting or pressuring others to engage in security threat group activities.
- 1-19 Fighting with or assaulting any person in an area designated for visiting, while visits are occurring.
- 1-20 Attempting to commit any of the above offenses, making plans to commit any of the above offenses or aiding another person to commit any of the above offenses shall be considered the same as the commission of the offense itself.

### Category Two.

- 2-1 Unauthorized possession of items or material likely to be used in an escape.
- 2-2 Causing a valid threat of transmission of a contagious disease to any person due to intentional or reckless action.
- 2-3 Assault on a staff member, contract employee, member of the public, volunteer, or animal.
- 2-4 Assault on another inmate or parolee.
- 2-5 Assault on a visitor.
- 2-6 Making a bomb threat, or using a hoax device, or a hoax substance.
- 2-7 Fighting with any person.

- 2-8 Refusing to submit to urinalysis, breathalyzer, or other standard sobriety test or altering or interfering with any such test, or failing to provide a urine sample when ordered to do so by a staff member without medical or mental health justification.
- 2-9 Refusing or failing to submit to testing required by statute, or order, such as DNA blood tests, when ordered to do so by a staff member.
- 2-10 Engaging in or inciting a group demonstration inside the correctional institution or a hunger strike inside the correctional institution.
- 2-11 Unauthorized use or possession of drugs, narcotics, illegal drugs, unauthorized drugs or drug paraphernalia.
- 2-12 Possession, manufacture or introduction of unauthorized keys.
- 2-13 Indecent exposure, or masturbating in the view of another person.
- 2-14 Receiving test results indicating the presence of unauthorized drugs, alcohol or other intoxicants.
- 2-15 Interfering with staff members, medical personnel, firefighters, or law enforcement personnel in the performance of their duties during an emergency.
- 2-16 Tampering with, damaging, blocking or interfering with any locking or security device or window.
- 2-17 Impersonating any staff member, contract employee, volunteer or visitor.
- 2-18 Causing an inaccurate count by means of unauthorized absence, hiding, concealing oneself or other form of deception or distraction.
- 2-19 Possessing, making, introducing or transferring intoxicants and alcohol, or possession of ingredients, equipment, formula, or instructions that are used in making intoxicants and alcohol.
- 2-20 Possession of the clothing of a staff member or contract employee, or visitor.
- 2-21 Causing injury to another person by resisting orders, resisting forced movement or physical efforts to restrain.
- 2-22 Making a false fire alarm or tampering with, damaging, blocking or interfering with fire alarms, fire extinguishers, fire hoses, fire exits, or other firefighting equipment or devices.
- 2-23 Counterfeiting, committing forgery, altering or unauthorized reproduction of any document, article of identification, money, security, or official paper.
- 2-24 Conduct which interferes with the security or orderly running of the institution.
- 2-25 Wearing or displaying colors or any type of emblem, insignia or logo suggesting possible membership or affiliation with a gang, group party or other association whenever such wearing or display may, when the Superintendent has reasonable cause to believe, pose a threat to the security, good order or safety of the institution.
- 2-26 Possessing, wearing or using security threat group paraphernalia or photographs.
- 2-27 Failure to timely report to a location or program assignment resulting in a declaration of escape status.
- 2-28 Distribution or sale of tobacco.
- 2-29 Engaging in intimate acts and/or sexual acts with another.
- 2-30 Stalking.
- 2-31 Possession of a cell phone, unauthorized electronic device, or paraphernalia for a cell phone or unauthorized electronic device, regardless of whether the cell phone/device is operable.

2-32 Attempting to commit any of the above offenses, making plans to commit any of the above offenses or aiding another person to commit any of the above offenses shall be considered the same as the commission of the offense itself.

Category Three.

- 3-1 Lying to or providing false information to a staff member.
- 3-2 Receipt or possession of contraband of items not authorized for retention by inmates.
- 3-3 Reserved for Future Use.
- 3-4 Threatening another with bodily harm or with any offense against another person, their property or their family.
- 3-5 Refusing a direct order by any staff member.
- 3-6 Impersonating another inmate.
- 3-7 Refusing a transfer to another institution.
- 3-8 Extortion, blackmail, or demanding or receiving money or anything of value in return for protection against others, or under threat of informing.
- 3-9 Throwing objects, materials, substances, or spitting at another.
- 3-10 Theft of property or possession of stolen property.
- 3-11 Unauthorized accumulation/misuse of prescribed medication.
- 3-12 Possession, manufacture, or introduction of an unauthorized tool.
- 3-13 Organizing or participating in an unauthorized group activity or meeting inside the correctional institution.
- 3-14 Giving, selling, borrowing, lending, or trading money or anything of value to, or accepting or purchasing money or anything of value from another inmate or an inmate's friend(s) or family.
- 3-15 Flooding a cell or other area of the institution.
- 3-16 Refusing a cell or housing assignment.
- 3-17 Causing an individual to be penalized or proceeded against by providing false information.
- 3-18 Gambling and/or possession of gambling paraphernalia.
- 3-19 Giving, receiving or offering any person a bribe or anything of value for an unauthorized favor or service.
- 3-20 Receiving a tattoo while incarcerated, tattooing another, or possessing tattoo paraphernalia and/or body piercing.
- 3-21 Fraud, embezzlement, or obtaining goods, services, money or anything of value under false pretense.
- 3-22 Creating an emergency by feigning illness or injury.
- 3-23 Possession of tobacco products and/or an incendiary device.
- 3-24 Being out of place or in an unauthorized area outside of the inmate's unit.
- 3-25 Communicating, directly or indirectly with any staff member, contract employee, volunteer or their relatives at their home addresses, home telephone numbers, email addresses, social media accounts or for non-official business.
- 3-26 Use of obscene, abusive or insolent language or gesture.
- 3-27 Conduct which disrupts the normal operation of the facility or unit.
- 3-28 Possession of an altered appliance.

- 3-29 Engaging in an unauthorized visit while on a community work crew or a pre-release work assignment.
- 3-30 Attempting to commit any of the above offenses, making plans to commit any of the above offenses or aiding another person to commit any of the above offenses shall be considered the same as the commission of the offense itself.

Category Four.

- 4-1 Receipt or possession of contraband.
- 4-2 Mutilating, defacing or destroying state property or the property of another person.
- 4-3 Unauthorized possession of money or other negotiable items.
- 4-4 Use of mail or telephone in violation of established rules or regulations.
- 4-5 Telephoning or sending written communications to any person contrary to previous written warnings and/or documented disciplinary action.
- 4-6 Possession of any photographic, or hand drawn material and/or unauthorized publication that depicts sexually explicit acts, and/or nudity.
- 4-7 Reserved for Future Use.
- 4-8 Misuse or waste of issued supplies, goods, services, or property.
- 4-9 Failure to maintain acceptable hygiene.
- 4-10 Failure to maintain acceptable hygiene or appearance of a housing area.
- 4-11 Violating any departmental rule or regulation, or any other rule, regulation, or condition of an institution or community-based program.
- 4-12 Failure to comply with standing count procedures.
- 4-13 Being out of place or in an unauthorized area within a unit.
- 4-14 Reserved for Future Use.
- 4-15 Attempting to commit any of the above offenses, making plans to commit any of the above offenses or aiding another person to commit any of the above offenses shall be considered the same as the commission of the offense itself.