

COMMONWEALTH OF MASSACHUSETTS  
SUPREME JUDICIAL COURT

SUFFOLK, ss.

SJC-12926

COMMITTEE FOR PUBLIC COUNSEL SERVICES AND  
MASSACHUSETTS ASSOCIATION OF CRIMINAL DEFENSE LAWYERS,  
Petitioners,

v.

CHIEF JUSTICE OF THE TRIAL COURT, ET AL.,  
Respondents

**SPECIAL MASTER'S WEEKLY REPORT**

Pursuant to the Supreme Judicial Court's April 3, 2020 Opinion and Order in this matter, as amended on April 10, 2020 (the "Order"), the attached Appendix contains the Special Master's weekly report for the period ending April 12, 2020.

The Appendix contains charts reflecting the following information for the correctional facilities administered by the Department of Correction and each of the county Sheriffs' offices: (i) overall inmate population; (ii) the number of COVID-19 tests administered by the correctional facilities for all inmates, correctional officers, or other staff members, including contractors; (iii) the number of confirmed positive COVID-19 cases for all inmates, correctional officers, or other staff members, including contractors; and (iv) the number of inmates released pursuant to the procedures or guidance set forth in the Order since April 3, 2020. To date, 367 inmates have been released from state and county correctional facilities.

Dated: April 13, 2020

/s/ Brien T. O'Connor  
Special Master Brien T. O'Connor,  
Ropes & Gray LLP

# Appendix

4/13/2020

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COMMITTEE FOR PUBLIC COUNSEL SERVICES AND  
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**Weekly Report for County Jails**

<b>Aggregate of County Jail Reporting</b>								
<b>Incarceration and Release Stats</b>			<b>Number of COVID-19 Tests Administered by Correctional Facilities</b>			<b>Number of Confirmed COVID-19 Cases</b>		
<b>Reporting Date</b>	<b>Total Inmate Population</b>	<b>Inmates Released Since SJC Order</b>	<b>Inmates</b>	<b>Correctional Officers*</b>	<b>Other Staff*</b>	<b>Inmates</b>	<b>Correctional Officers</b>	<b>Other Staff</b>
<b>5-Apr</b>	6,104	18	21	47	14	1	4	8
<b>6-Apr</b>	6,420	2	25	34	12	6	9	2
<b>7-Apr</b>	7,173	8	10	7	5	6	2	0
<b>8-Apr</b>	7,096	43	6	10	3	6	7	1
<b>9-Apr</b>	7,006	52	8	12	4	2	6	2
<b>10-Apr</b>	6,874	78	24	23	1	14	10	0
<b>13-Apr</b>	6,717	83	30	17	11	14	5	1
<b>Totals</b>		<b>296</b>	<b>127</b>	<b>161</b>	<b>50</b>	<b>54</b>	<b>48</b>	<b>14</b>

\*Because correctional officers and staff generally receive testing and treatment from their personal physicians or some other outside healthcare provider, the confirmed positive cases consist of those correctional officers or staff that have reported that information to the county jails.

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**Weekly Report for County Jails**

Barnstable County								
Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases			
Reporting Date	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	204	1	0	13	3	0	1	1
<b>6-Apr</b>	202	0	0	0	0	0	0	0
<b>7-Apr</b>	201	2	0	0	0	0	0	0
<b>8-Apr</b>	201	0	0	0	0	0	0	0
<b>9-Apr</b>	200	1	0	0	0	0	0	0
<b>10-Apr</b>	195	2	0	0	0	0	0	0
<b>13-Apr</b>	191	3	0	0	0	0	0	0
<b>Totals</b>		<b>9</b>	<b>0</b>	<b>13</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>1</b>

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**Weekly Report for County Jails**

<b>Berkshire County</b>								
<b>Incarceration and Release Stats</b>		<b>Number of COVID-19 Tests Administered by Correctional Facility/Facilities</b>			<b>Number of Confirmed COVID-19 Cases</b>			
<b>Reporting Date</b>	<b>Total Inmate Population</b>	<b>Inmates Released Since SJC Order</b>	<b>Inmates</b>	<b>Correctional Officers</b>	<b>Other Staff</b>	<b>Inmates</b>	<b>Correctional Officers</b>	<b>Other Staff</b>
<b>5-Apr</b>	169	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>6-Apr</b>	167	0	0	0	0	0	0	0
<b>7-Apr</b>	166	0	0	0	0	0	0	0
<b>8-Apr</b>	163	3	1	1	0	0	0	0
<b>9-Apr</b>	157	3	0	2	1	0	0	0
<b>10-Apr</b>	156	0	0	1	0	0	0	0
<b>13-Apr</b>	156	1	2	2	0	0	0	0
<b>Totals</b>		<b>7</b>	<b>3</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>

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**Weekly Report for County Jails**

<b>Bristol County</b>								
<b>Incarceration and Release Stats</b>			<b>Number of COVID-19 Tests Administered by Correctional Facility/Facilities</b>			<b>Number of Confirmed COVID-19 Cases</b>		
<b>Reporting Date</b>	<b>Total Inmate Population</b>	<b>Inmates Released Since SJC Order</b>	<b>Inmates</b>	<b>Correctional Officers</b>	<b>Other Staff</b>	<b>Inmates</b>	<b>Correctional Officers</b>	<b>Other Staff</b>
<b>5-Apr</b>	695	0	0	0	0	0	0	0
<b>6-Apr</b>	690	1	0	0	0	0	0	0
<b>7-Apr</b>	688	0	0	0	0	0	0	0
<b>8-Apr</b>	684	0	0	0	0	0	0	0
<b>9-Apr</b>	678	3	0	0	0	0	0	0
<b>10-Apr</b>	656	1	0	0	0	0	0	0
<b>13-Apr</b>	631	0	0	0	0	0	0	0
<b>Totals</b>		<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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**Weekly Report for County Jails**

<b>Dukes County</b>								
Incarceration and Release Stats			Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
Reporting Date	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	11	0	0	0	0	0	0	0
<b>6-Apr</b>	11	0	0	0	0	0	0	0
<b>7-Apr</b>	11	0	0	0	0	0	0	0
<b>8-Apr</b>	12	0	0	0	0	0	0	0
<b>9-Apr</b>	11	1	0	0	0	0	0	0
<b>10-Apr</b>	11	1	0	0	0	0	0	0
<b>13-Apr</b>	11	1	0	0	0	0	0	0
<b>Totals</b>		<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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**Weekly Report for County Jails**

Essex County								
Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases			
Reporting Date	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	1,162	0	8	24	6	1	2	1
<b>6-Apr</b>	1,170	0	10	24	6	6	2	1
<b>7-Apr</b>	1,161	0	7	2	1	2	0	0
<b>8-Apr</b>	1,149	0	2	2	1	5	1	0
<b>9-Apr</b>	1,136	8	2	4	0	1	2	0
<b>10-Apr</b>	1,126	15	19	4	0	14	1	0
<b>13-Apr</b>	1,107	9	15	6	0	6	0	0
<b>Totals</b>		<b>32</b>	<b>63</b>	<b>66</b>	<b>14</b>	<b>35</b>	<b>8</b>	<b>2</b>



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**Weekly Report for County Jails**

Franklin County								
Incarceration and Release Stats			Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
Reporting Date	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	141	0	0	0	0	0	0	0
<b>6-Apr</b>	141	0	0	0	0	0	0	0
<b>7-Apr</b>	139	1	0	0	0	0	0	0
<b>8-Apr</b>	136	3	0	1	0	0	0	0
<b>9-Apr</b>	133	3	0	3	0	0	1	0
<b>10-Apr</b>	131	3	0	0	0	0	0	0
<b>13-Apr</b>	131	1	0	7	4	0	1	0
<b>Totals</b>		<b>11</b>	<b>0</b>	<b>11</b>	<b>4</b>	<b>0</b>	<b>2</b>	<b>0</b>

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**Weekly Report for County Jails**

Hampden County								
Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases			
Reporting Date	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	931	n/a	3	1	n/a	pending	0	4
<b>6-Apr</b>	933	0	1	0	1	pending	0	0
<b>7-Apr</b>	920	0	1	3	3	0	0	0
<b>8-Apr</b>	909	1	1	1	0	0	1	0
<b>9-Apr</b>	909	4	1	0	1	0	0	1
<b>10-Apr</b>	902	7	0	0	0	0	0	0
<b>13-Apr</b>	877	10	0	2	1	0	1	1
<b>Totals</b>		<b>22</b>	<b>7</b>	<b>7</b>	<b>6</b>	<b>0</b>	<b>2</b>	<b>6</b>

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**Weekly Report for County Jails**

Hampshire County								
Incarceration and Release Stats			Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
Reporting Date	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	167	17	0	0	0	0	0	0
<b>6-Apr</b>	157	1	0	0	0	0	0	0
<b>7-Apr</b>	157	2	0	0	0	0	0	0
<b>8-Apr</b>	157	0	0	0	0	0	0	0
<b>9-Apr</b>	157	1	0	0	0	0	0	0
<b>10-Apr</b>	154	1	2	0	1	0	0	0
<b>13-Apr</b>	153	0	4	0	0	2	0	0
<b>Totals</b>		<b>22</b>	<b>6</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>

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**Weekly Report for County Jails**

Middlesex County								
Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases			
Reporting Date	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	688	0	0	0	0	0	1	0
<b>6-Apr</b>	684	0	4	3	0	0	1	0
<b>7-Apr</b>	678	1	1	0	0	4	1	0
<b>8-Apr</b>	674	5	1	1	1	1	4	1
<b>9-Apr</b>	667	9	5	3	0	1	2	0
<b>10-Apr</b>	659	2	3	13	0	0	8	0
<b>11-Apr</b>	648	12	3	8	0	2	3	0
<b>12-Apr</b>	648	0	0	3	0	3	2	0
<b>13-Apr</b>	646	0	0	0	0	0	3	0
<b>Totals</b>		<b>29</b>	<b>17</b>	<b>31</b>	<b>1</b>	<b>11</b>	<b>25</b>	<b>1</b>

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**Weekly Report for County Jails**

Norfolk County								
Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases			
Reporting Date	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	425	0	3	0	1	0	0	1
<b>6-Apr</b>	419	0	0	0	0	0	0	0
<b>7-Apr</b>	415	0	0	0	0	0	0	0
<b>8-Apr</b>	408	2	0	0	0	0	0	0
<b>9-Apr</b>	397	11	0	0	0	0	0	0
<b>10-Apr</b>	388	12	0	0	0	0	0	0
<b>13-Apr</b>	375	9	0	0	0	0	0	0
<b>Totals</b>		<b>34</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>

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**Weekly Report for County Jails**

Plymouth County								
Incarceration and Release Stats			Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
Reporting Date	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	799	0	3	9	4	0	0	1
<b>6-Apr</b>	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>7-Apr</b>	792	2	0	1	1	0	0	0
<b>8-Apr</b>	788	6	1	0	0	0	0	0
<b>9-Apr</b>	779	6	0	0	0	0	0	0
<b>10-Apr</b>	765	5	0	0	0	0	0	0
<b>13-Apr</b>	755	7	0	0	2	0	0	0
<b>Totals</b>		<b>26</b>	<b>4</b>	<b>10</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>1</b>

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**Weekly Report for County Jails**

Suffolk County								
Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases			
Reporting Date	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>6-Apr</b>	1,144	0	10	n/a	n/a	0	6	1
<b>7-Apr</b>	1,139	0	0	0	0	0	0	0
<b>8-Apr</b>	1,124	23	0	0	0	0	0	0
<b>9-Apr</b>	1,103	2	0	0	0	0	1	0
<b>10-Apr</b>	1,072	9	0	0	0	0	1	0
<b>13-Apr</b>	1,044	3	7	0	0	6	0	0
<b>Totals</b>		<b>37</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>8</b>	<b>1</b>

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**Weekly Report for County Jails**

Worcester County								
Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases			
Reporting Date	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	712	0	4	n/a	0	0	0	0
<b>6-Apr</b>	702	0	0	7	5	0	0	0
<b>7-Apr</b>	706	0	1	1	0	0	1	0
<b>8-Apr</b>	691	0	0	4	1	0	1	0
<b>9-Apr</b>	679	0	0	0	2	0	0	1
<b>10-Apr</b>	659	20	0	5	0	0	0	0
<b>13-Apr</b>	640	39	2	0	4	0	0	0
<b>Totals</b>		<b>59</b>	<b>7</b>	<b>17</b>	<b>12</b>	<b>0</b>	<b>2</b>	<b>1</b>



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**Weekly Report for Department of Corrections**

DOC/Parole Board							
Reporting Date	Total Inmate Population	Number of COVID-19 Tests Administered by Correctional Facilities			Number of Confirmed COVID-19 Cases		
		Inmates	Correctional Officers*	Other Staff*	Inmates	Correctional Officers	Other Staff
<b>5-Apr</b>	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>6-Apr</b>	8,083	129	n/a	n/a	40	17	10
<b>7-Apr</b>	8,038	16	n/a	n/a	16	4	2
<b>8-Apr</b>	8,013	6	n/a	n/a	2	0	1
<b>9-Apr</b>	7,995	4	n/a	n/a	4	7	1
<b>10-Apr</b>	7,972	18	n/a	n/a	15	0	1
<b>12-Apr</b>	7,972	10	n/a	n/a	7	0	0
<b>Totals</b>		<b>183</b>	<b>0</b>	<b>0</b>	<b>84</b>	<b>28</b>	<b>15</b>

DOC/Parole Board				
DOC & Parole Board Release Status				
Sentenced Inmates Released Since SJC Order	Pretrial Detainees Released Since SJC Order	Inmates Released on Parole Since SJC Order	Medical Parole Approved**	
<b>Totals</b>	<b>9</b>	<b>4</b>	<b>58</b>	<b>23</b>

\*Because correctional officers and staff generally receive testing and treatment from their personal physicians or some other outside healthcare provider, the confirmed positive cases consist of those correctional officers or staff that have reported that information to the DOC.

\*\*Although these inmates have been approved for medical parole, an inmate will only be approved for release from DOC custody once the Parole Board has approved the inmate's home plan. In addition, the Special Master has been working with DOC, the Parole Board, and CPCS to facilitate the finalization of release plans and the process for considering inmates who may be eligible for medical parole, but for whom a medical petition has not been filed.