



CSG JUSTICE CENTER—MASSACHUSETTS CRIMINAL JUSTICE REVIEW

RESEARCH ADDENDUM - *Working Group Meeting 3 Interim Report July 12, 2016*

The Council of State Governments Justice Center

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JAIL and DOC DETAINEE RELEASE DECISION MAKING

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Data used in this analysis was provided upon request by Hampden, Middlesex, and Essex counties. These counties were selected for a sample of jail data due to the size of their populations as well as their geographic representation. General information on demographics and governing offense types was included as well as admission and release dates, type of admission, status at release, and bail information. DOC also provided information on pretrial detainees including admission and release dates.

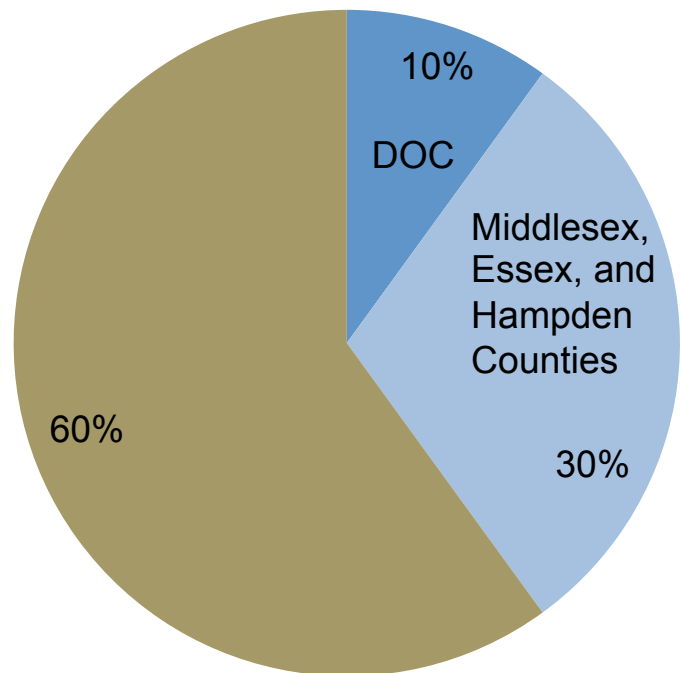


Jail data acquired for this analysis is a sample of the total jail population*

POPULATION IN COUNTY JAIL OR DOC DETAINEE UNITS

Jan 1, 2015

N=5,454



DOC DETAINEE POPULATION—DATA RECEIVED

COUNTY JAIL POPULATION—DATA RECEIVED

COUNTY JAIL POPULATION—DATA NOT ANALYZED

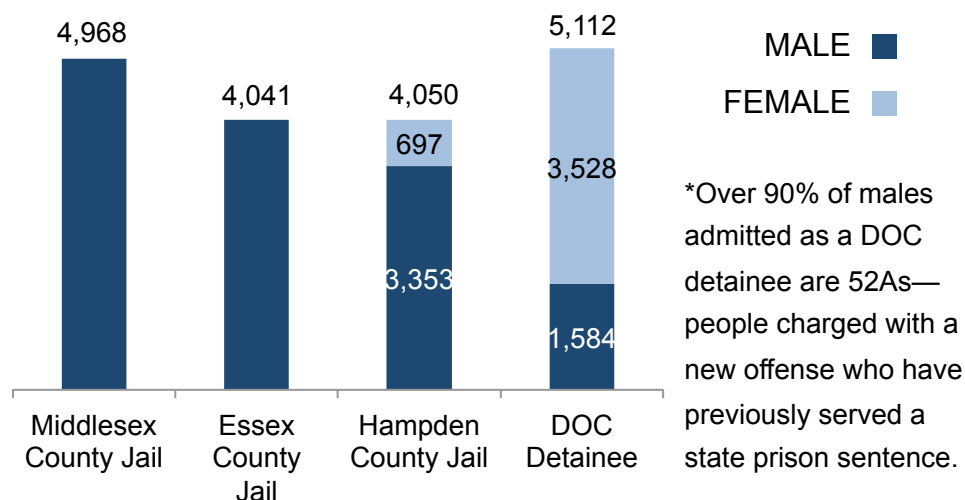
The Justice Center requested and received three county data sets and DOC detainee data, **representing approximately 40% of the detainee population statewide.**

Middlesex, Essex, and Hampden Counties were included in the sample due to the size of their populations, geographic representation, and the scope of data these counties collect electronically at their jails.

ADMISSIONS TO COUNTY JAIL OR DOC DETAINEE UNITS

FY2014

N=18,171



MALE

FEMALE

*Over 90% of males admitted as a DOC detainee are 52As—people charged with a new offense who have previously served a state prison sentence.

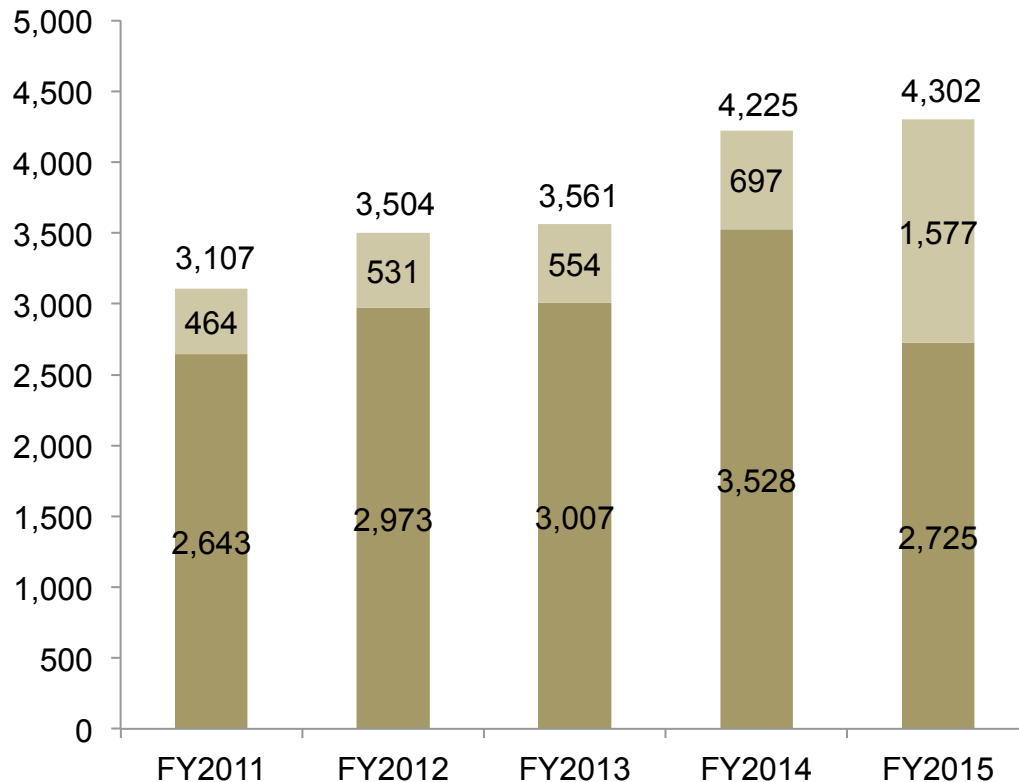
Females admitted as a DOC detainee are transferred from counties that do not have a designated capacity for females. Hampden County operates a regional facility that serves females in Hampden County and surrounding areas, mostly Hampshire and Worcester County.

Department of Correction Weekly Count Sheets, Jan 1, 2015; CSG Justice Center analysis of FY2014 Middlesex, Essex and Hampden county jail data and DOC data.

Female admissions to jail have increased nearly 40 percent in sampled facilities

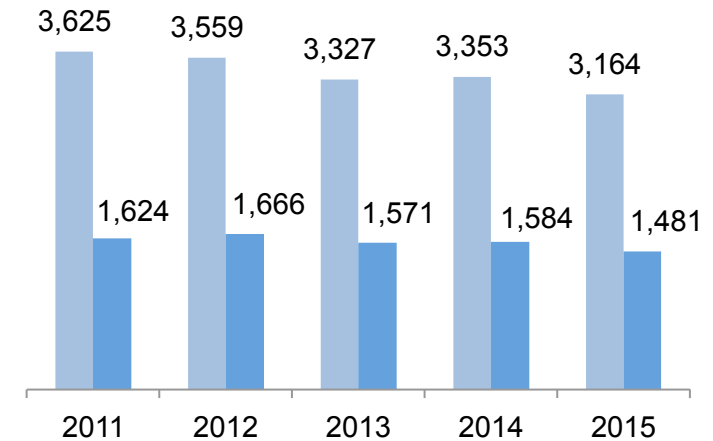
**FEMALE ADMISSIONS TO HAMPDEN COUNTY JAIL
and DOC DETAINEE UNITS**
FY2011–FY2015

HAMPDEN COUNTY JAIL ■ DOC DETAINEE UNITS ■



**MALE ADMISSIONS TO HAMPDEN COUNTY
JAIL and DOC PRETRIAL**
FY2011–FY2015

HAMPDEN COUNTY JAIL ■
DOC DETAINEE UNITS ■

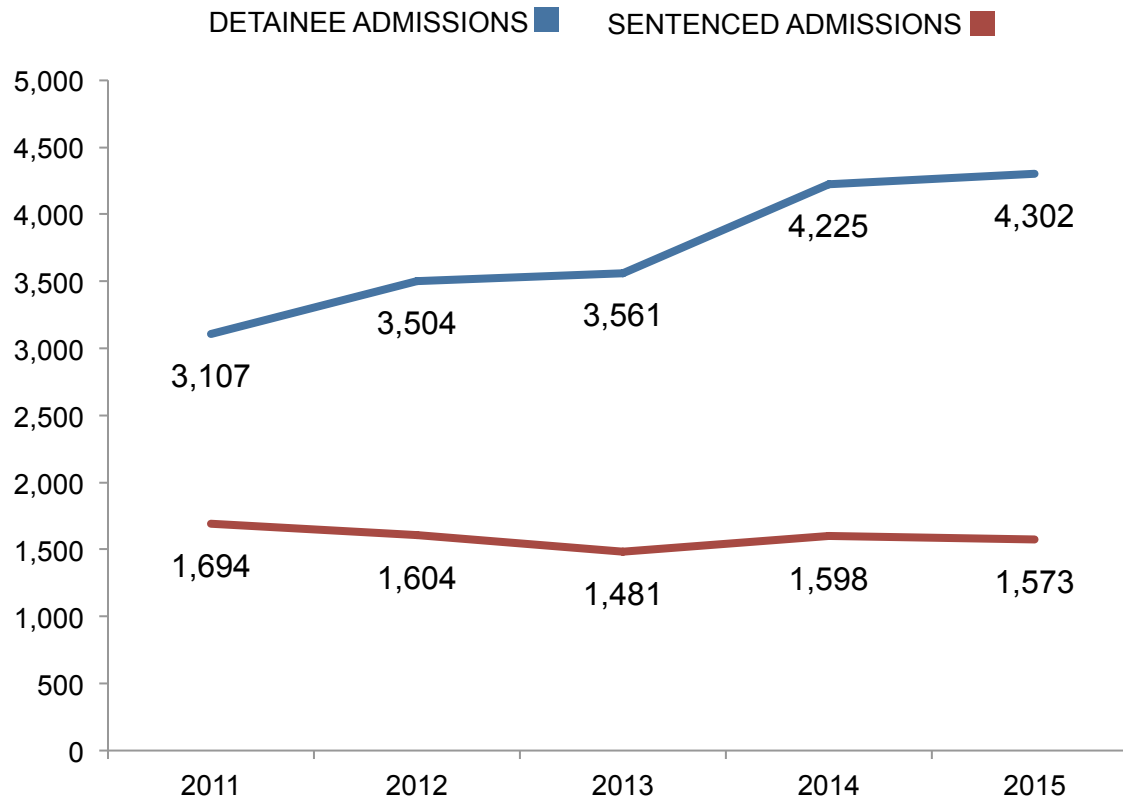


The number of male Hampden County jail admissions and DOC detainees declined during the same period. Over 90% of males admitted as a DOC detainee are 52As—people charged with a new offense who have previously served a state prison sentence.

Females admitted as a DOC detainee are transferred from counties that do not have a designated capacity for females. Hampden County expanded capacity in FY2015 by opening a regional facility accepting females from surrounding jurisdictions, the majority from Hampshire and Worcester counties.

Despite increases in the female pretrial population, female county sentenced admissions have remained stable

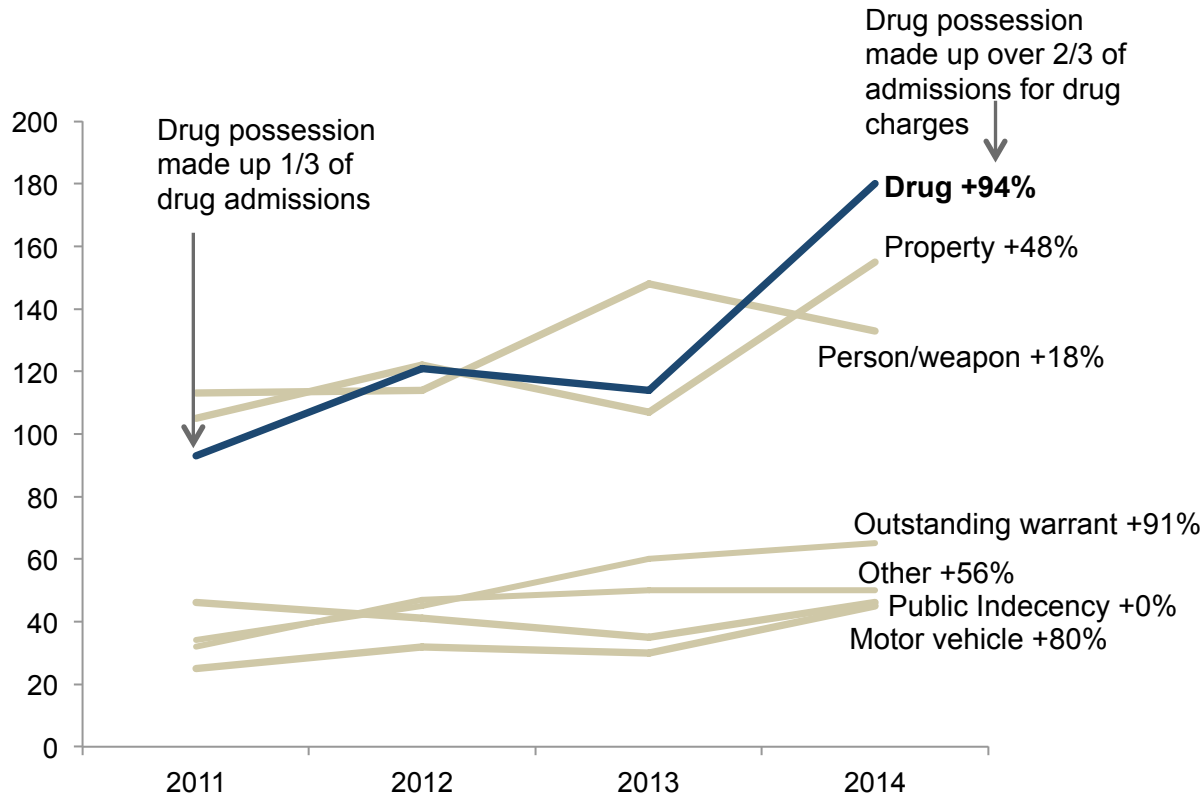
**FEMALE DETAINEE ADMISSIONS TO HAMPDEN COUNTY JAIL/DOC
AND SENTENCED ADMISSIONS TO HOC/DOC
FY2011–FY2015**



Increases in female jail admissions have not correlated with increases in sentenced admissions for females.

Admissions for drug charges had the largest increase of all offense categories for females admitted to Hampden County jail

FEMALE ADMISSIONS TO HAMPDEN COUNTY JAIL FY2011–FY2014



Male admissions to Hampden County jail for drug charges increased 11% during the same time period.

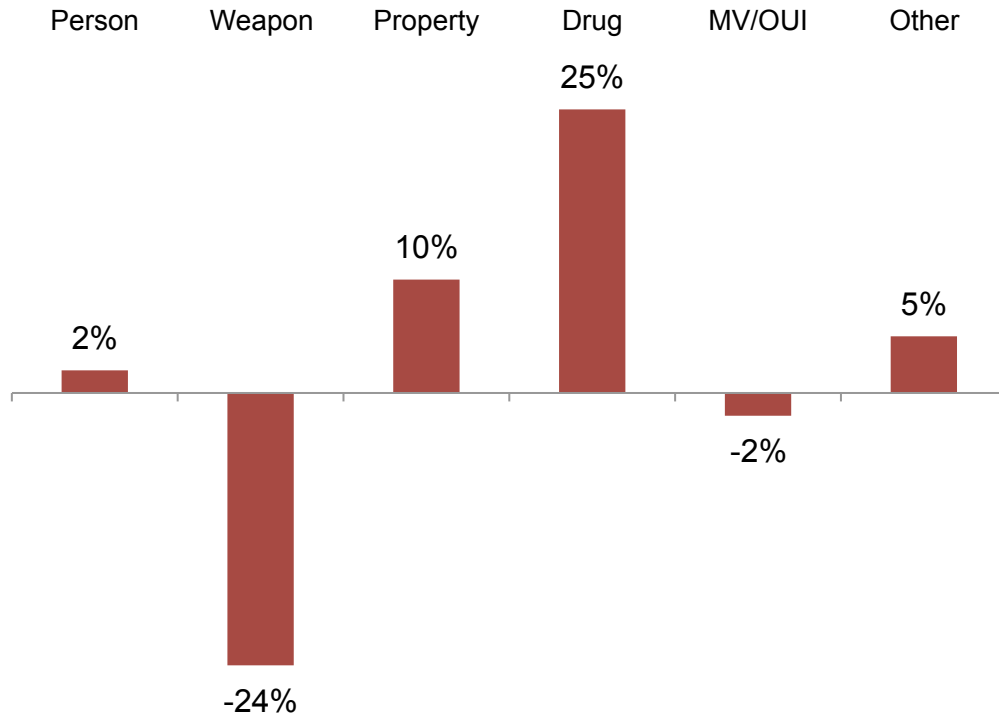
The average length of stay for women released from Hampden County jail or DOC pretrial was approximately 27 days.*

**27 days for women released from DOC pretrial and 28 days for women released from Hampden County jail.*

In sample counties, admissions to county jails for drug charges increased considerably more than admissions for other charges

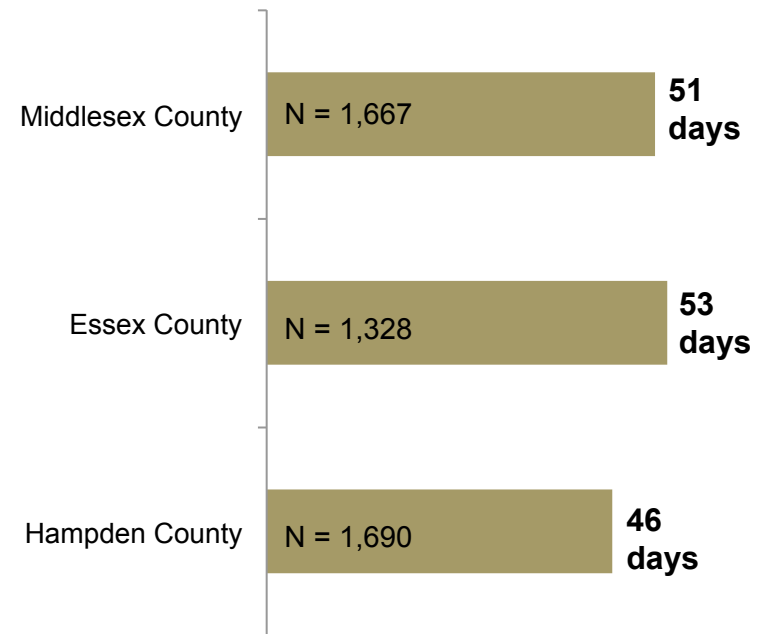
PERCENT CHANGE IN JAIL ADMISSIONS

FY2011–FY2014* Middlesex, Essex, and Hampden County Jails



AVERAGE LENGTH OF STAY FOR PROPERTY AND DRUG RELEASES FROM COUNTY JAIL

FY2014 Middlesex, Essex, and Hampden County Jails



The average length of stay in jail for admissions for property and drug charges was more than 45 days.

**2015 was not included due to significant changes in female populations in Hampden and Essex Counties due to expanded capacity.
CSG Justice Center analysis of FY2011-2014 Middlesex, Essex and Hampden county jail data.*

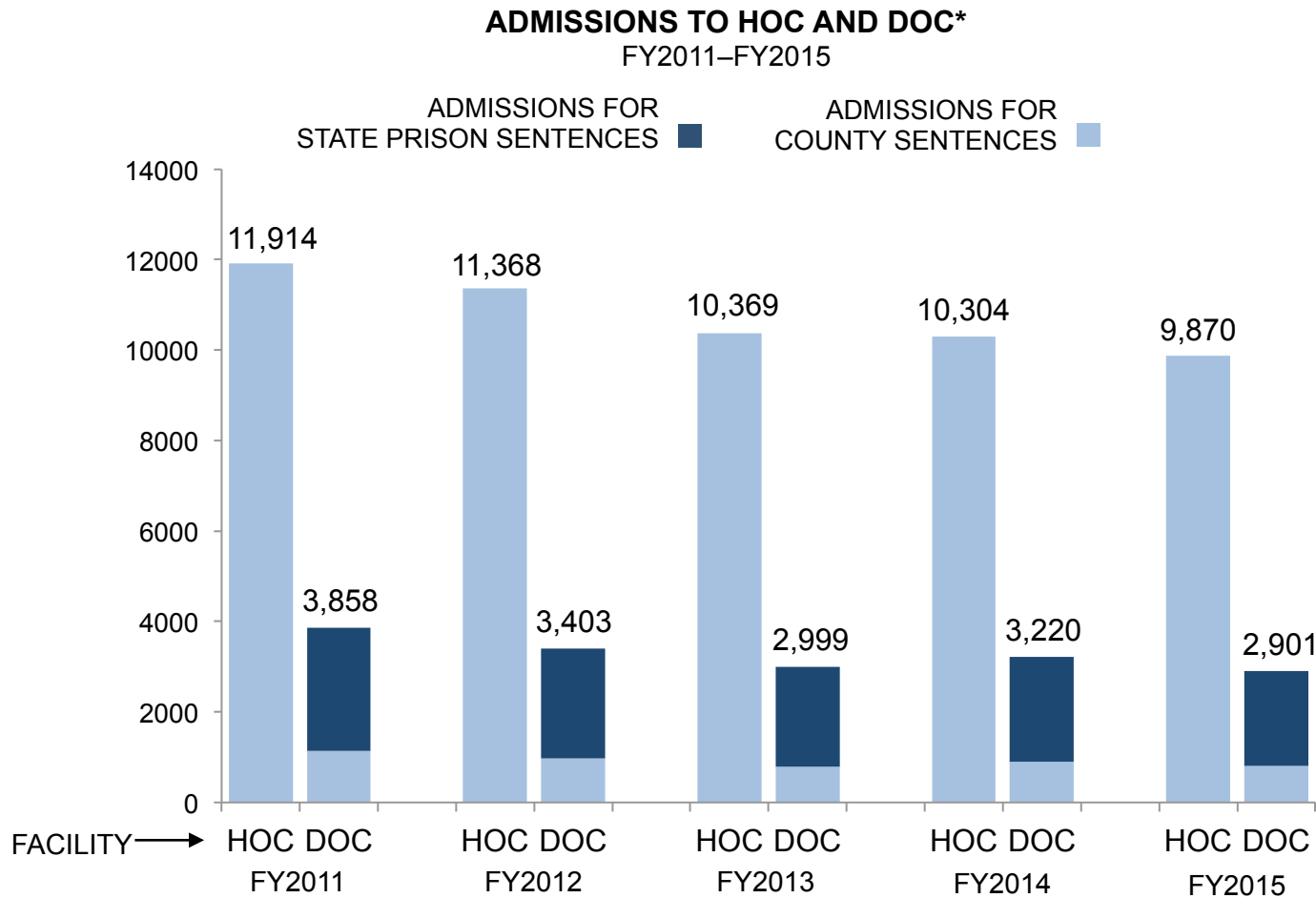
HOC POPULATION

Research Addendum Slides

Statewide HOC data included in this analysis was obtained from the Parole Board's SPIRIT database and includes information on commitments and commitment closures statewide. This data was combined with parole supervision data, also obtained from the Parole Board, to create a release date as well as a return date for parole violators. Criminal Offender Record Information (CORI) data was incorporated in order to categorize the governing offense type as well as identify commitments based on noncriminal behavior. The SPIRIT data should be considered a "proxy" for HOC populations. The data captured in SPIRIT is not entered or maintained by sheriffs' offices. The database primarily functions through the lens of parole and parole eligibility, not as a case management system for HOC facilities. Additional county-level HOC data in this analysis was provided upon request from Middlesex, Essex, and Hampden counties.



Statewide, HOCs had approximately three times the number of admissions as DOC each year

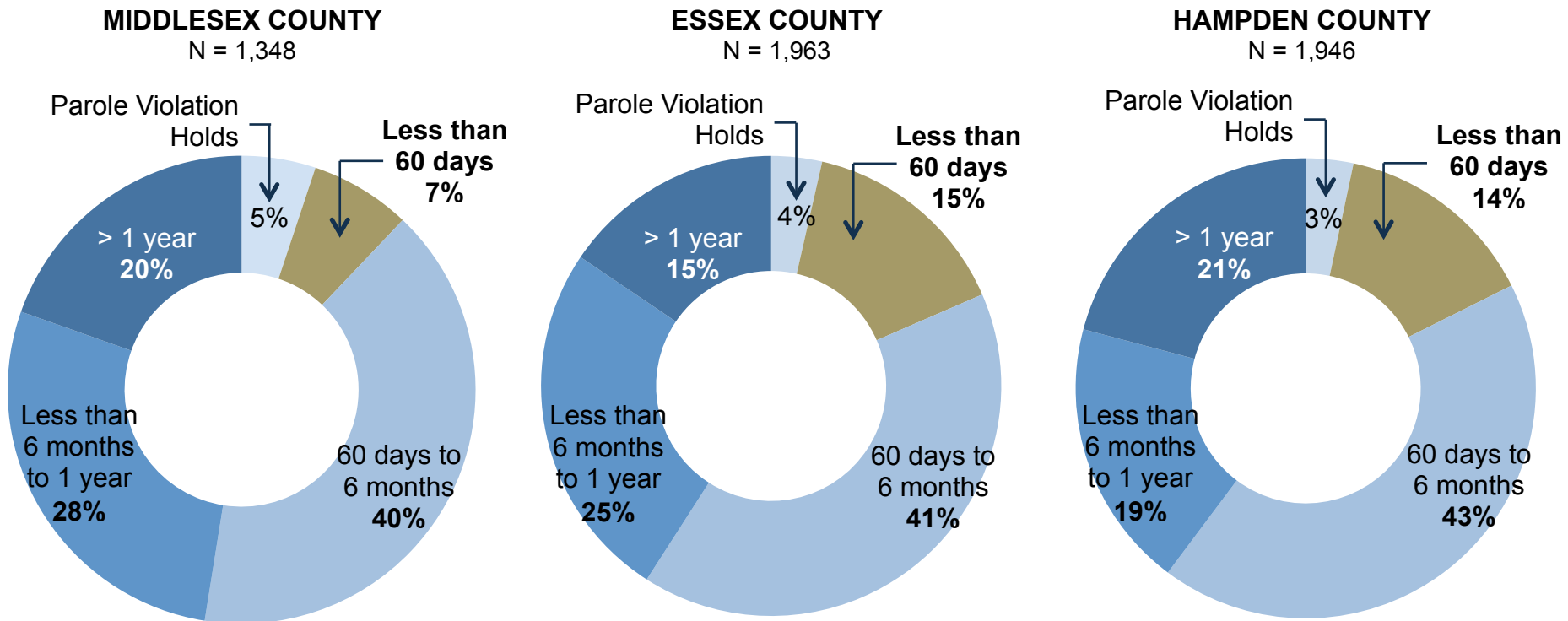


Admissions mirror the differences in volume of court activity between district and superior court.

*Admissions to both DOC and HOC include new court commitments, parole and probation revocations
CSG Justice Center analysis of FY2011-2015 Parole Board's SPIRIT HOC data and DOC data.

Between 7 and 15 percent of HOC admissions in sample counties were serving a sentence of less than 60 days

ADMISSIONS TO HOC BY SENTENCE LENGTH
FY2014 Middlesex, Essex, and Hampden County HOCs

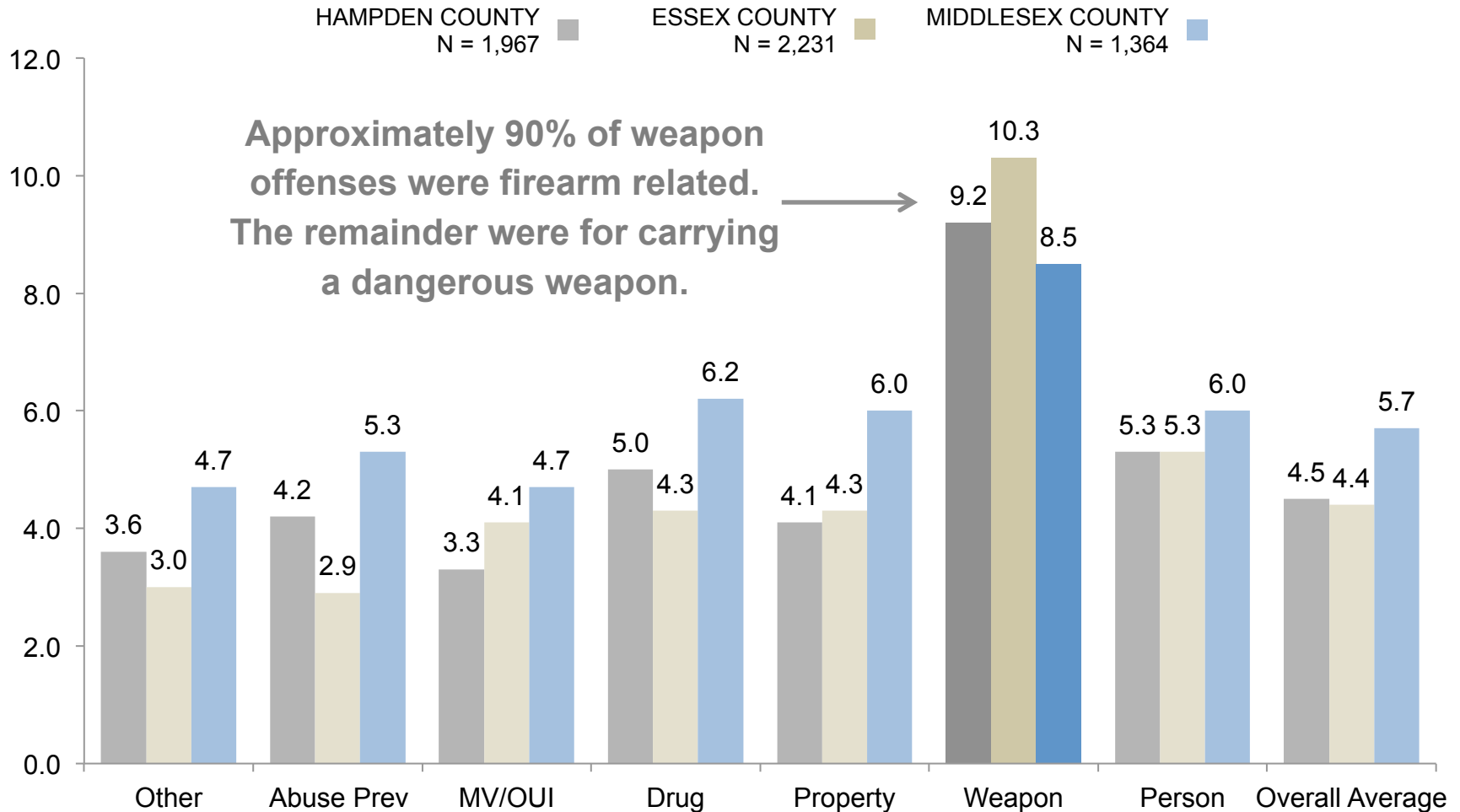


The average length of stay in jail for individuals who are sentenced and transferred to HOC is longer in Middlesex County compared to Essex or Hampden, by 26% and 88% respectively. This could be resulting in more sentences deemed time served and thus fewer short sentences admitted to HOC.

In sample counties, weapon offenses had the longest lengths of stay at HOCs

AVERAGE LENGTH OF STAY (LOS) BY OFFENSE TYPE

FY2015 Middlesex, Essex, and Hampden County HOCs

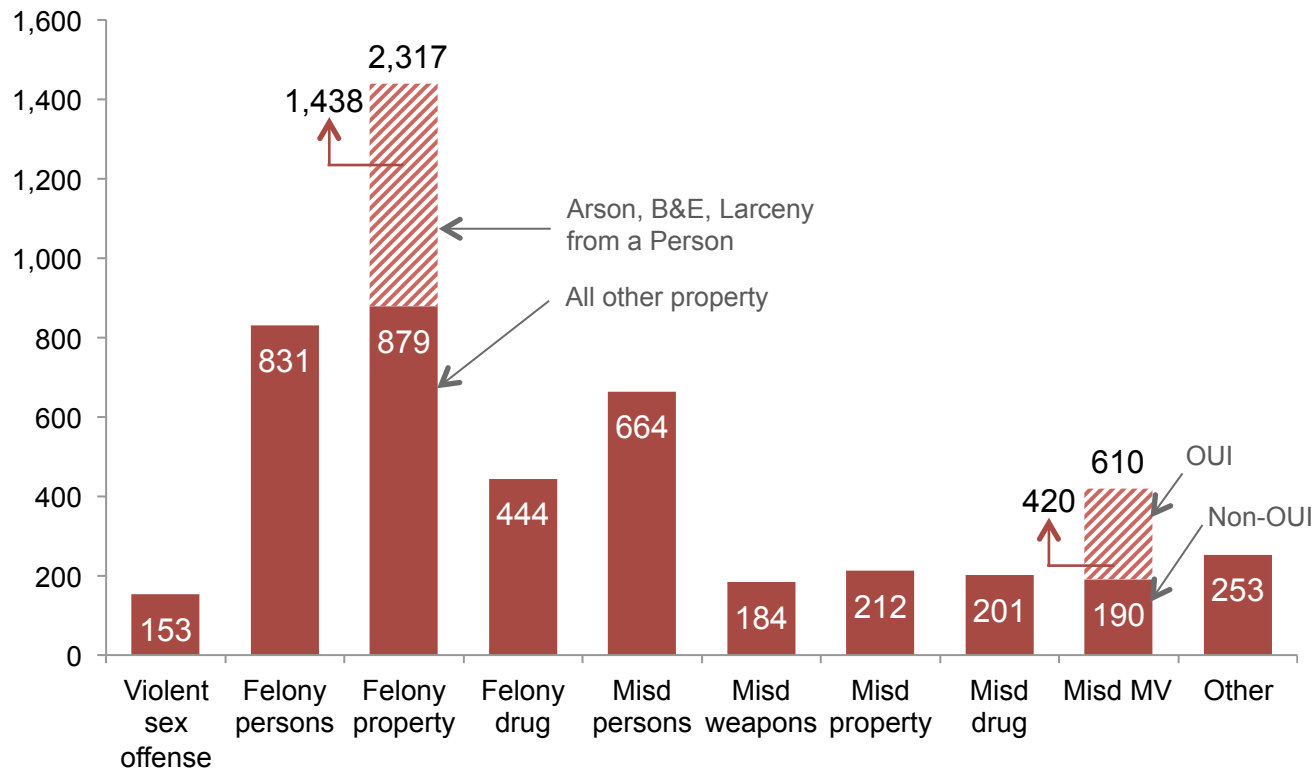


County HOC and Parole SPIRIT HOC data did not identify which sentences were mandatory minimums sentences, thus this analysis was not able to include this breakdown.

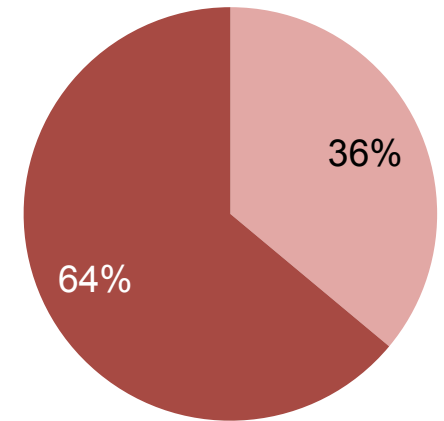
CSG Justice Center analysis of FY2015 Middlesex, Essex and Hampden county HOC data.

Felony property offenses account for the largest subset of the HOC population

ESTIMATED HOC POPULATION
June 30, 2014 Statewide Population Snapshot
N = 4,800*



MISDEMEANOR FELONY



Over 1/3 of the HOC population have a misdemeanor as their most serious committing offense

*6% of HOC records could not be matched to obtain information on offense - Total N = 5,099
CSG Justice Center analysis of FY2014 Parole Board's SPIRIT HOC data.

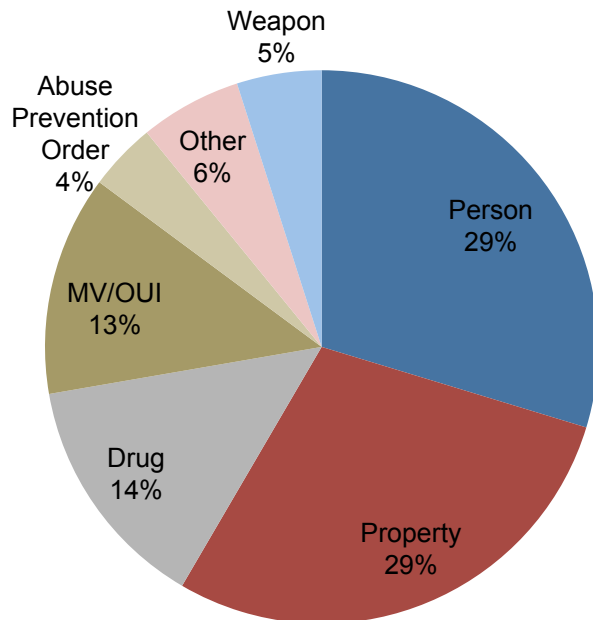
Approximately 40% of HOC populations in sample counties were incarcerated for property or motor vehicle (MV) offenses

HOC POPULATION SNAPSHOT

June 30, 2014 Middlesex, Essex, and Hampden County HOCs

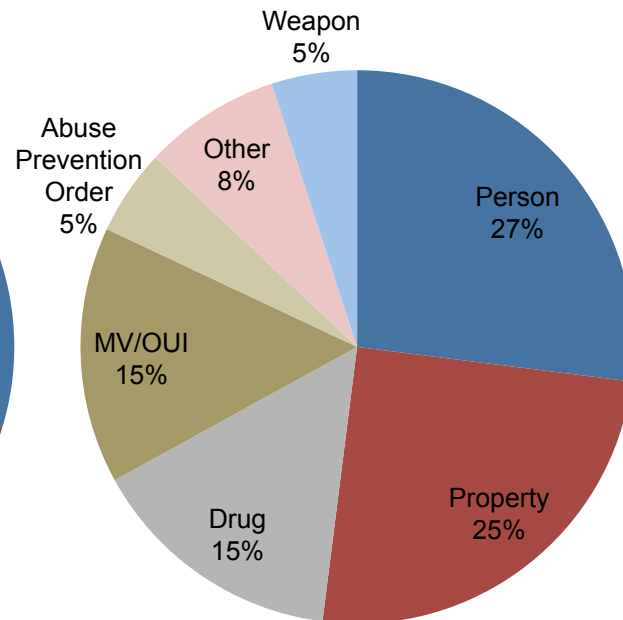
MIDDLESEX COUNTY

N = 609



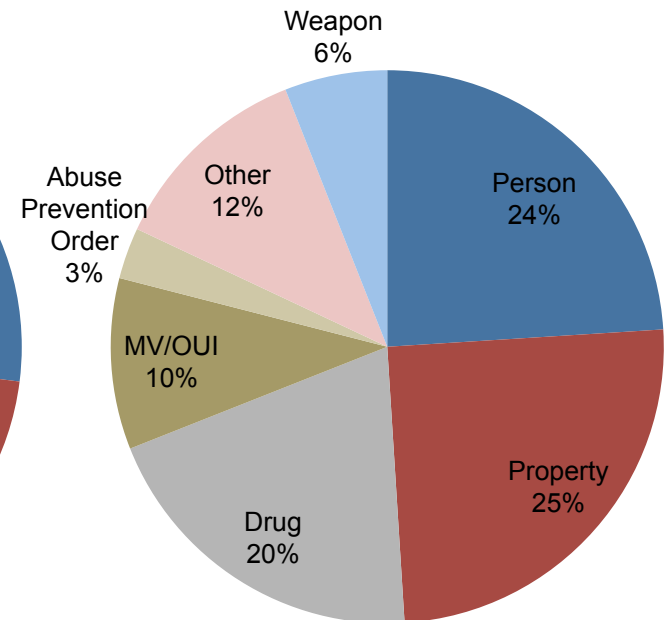
ESSEX COUNTY

N = 786



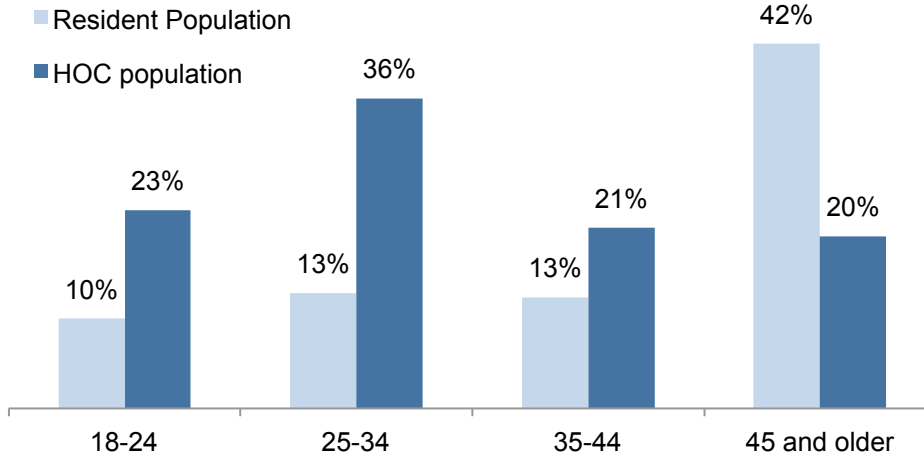
HAMPDEN COUNTY

N = 661

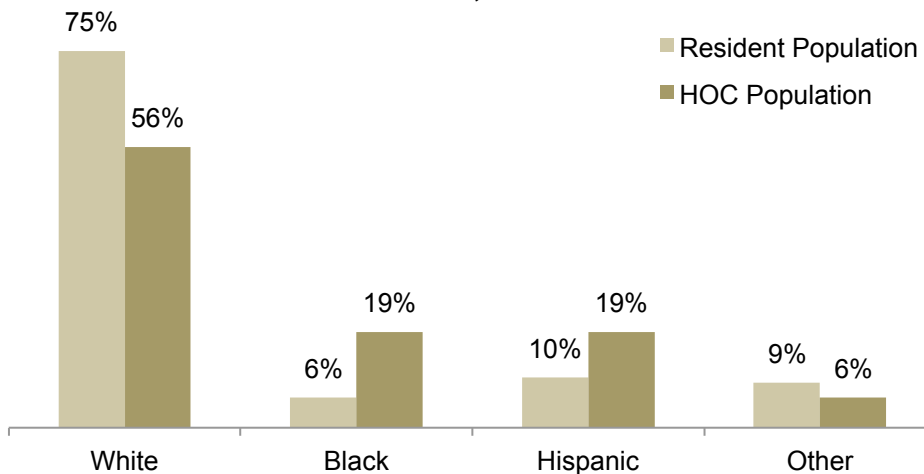


Nearly one-quarter of the HOC population are between the ages of 18 and 24

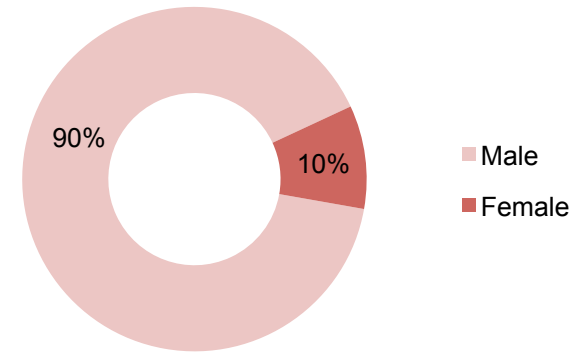
PERCENT OF RESIDENT POPULATION AND HOC POPULATION BY AGE, 2014



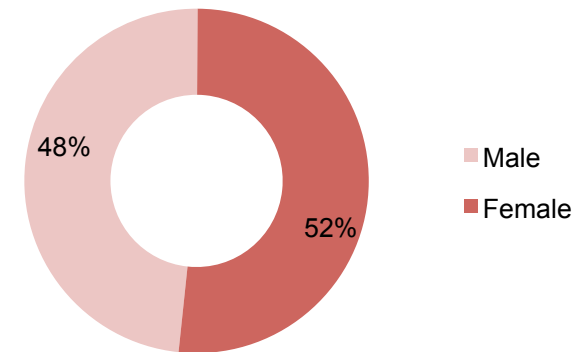
PERCENT OF RESIDENT POPULATION AND HOC POPULATION BY RACE, 2014



PERCENT OF HOC POPULATION BY SEX, 2014

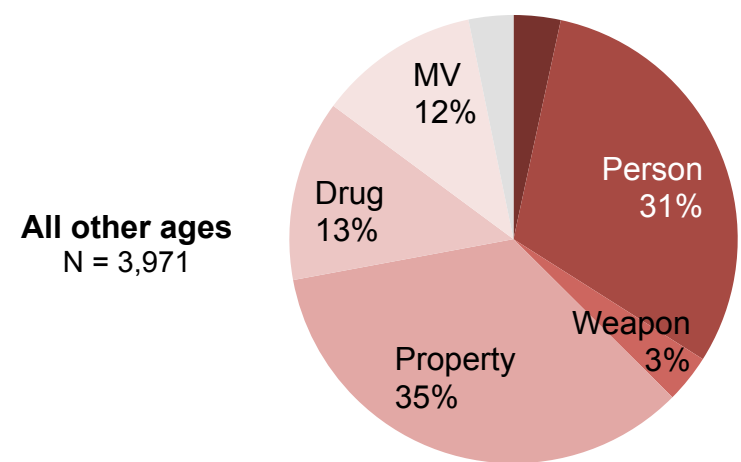
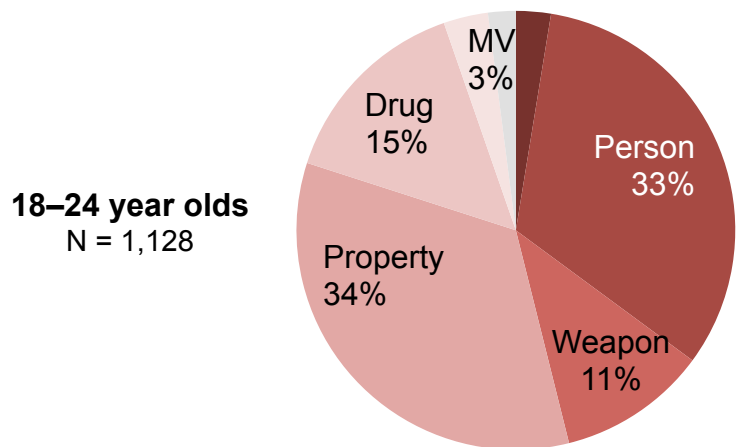


PERCENT OF RESIDENT POPULATION BY SEX, 2014



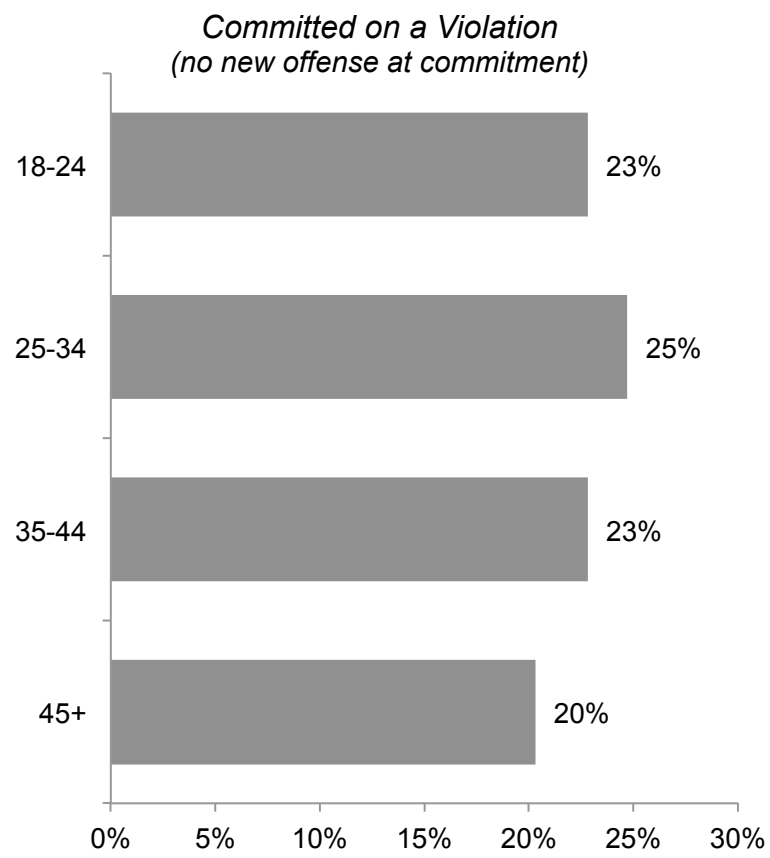
A larger portion of younger individuals are committed to HOCs on a weapon offense, and a smaller portion are committed on a motor vehicle offense compared to other age groups

ESTIMATED HOC POPULATION
June 30, 2014 Statewide Population Snapshot
N = 4,800*



- VIOLENT SEX OFFENSE
- PERSONS
- WEAPONS
- PROPERTY
- DRUG
- MV
- OTHER

ESTIMATED HOC POPULATION
June 30, 2014 Statewide Population Snapshot
N = 5,099



*6% of HOC records could not be matched to obtain information on offense
CSG Justice Center analysis of 2014 Parole Board's SPIRIT HOC data.

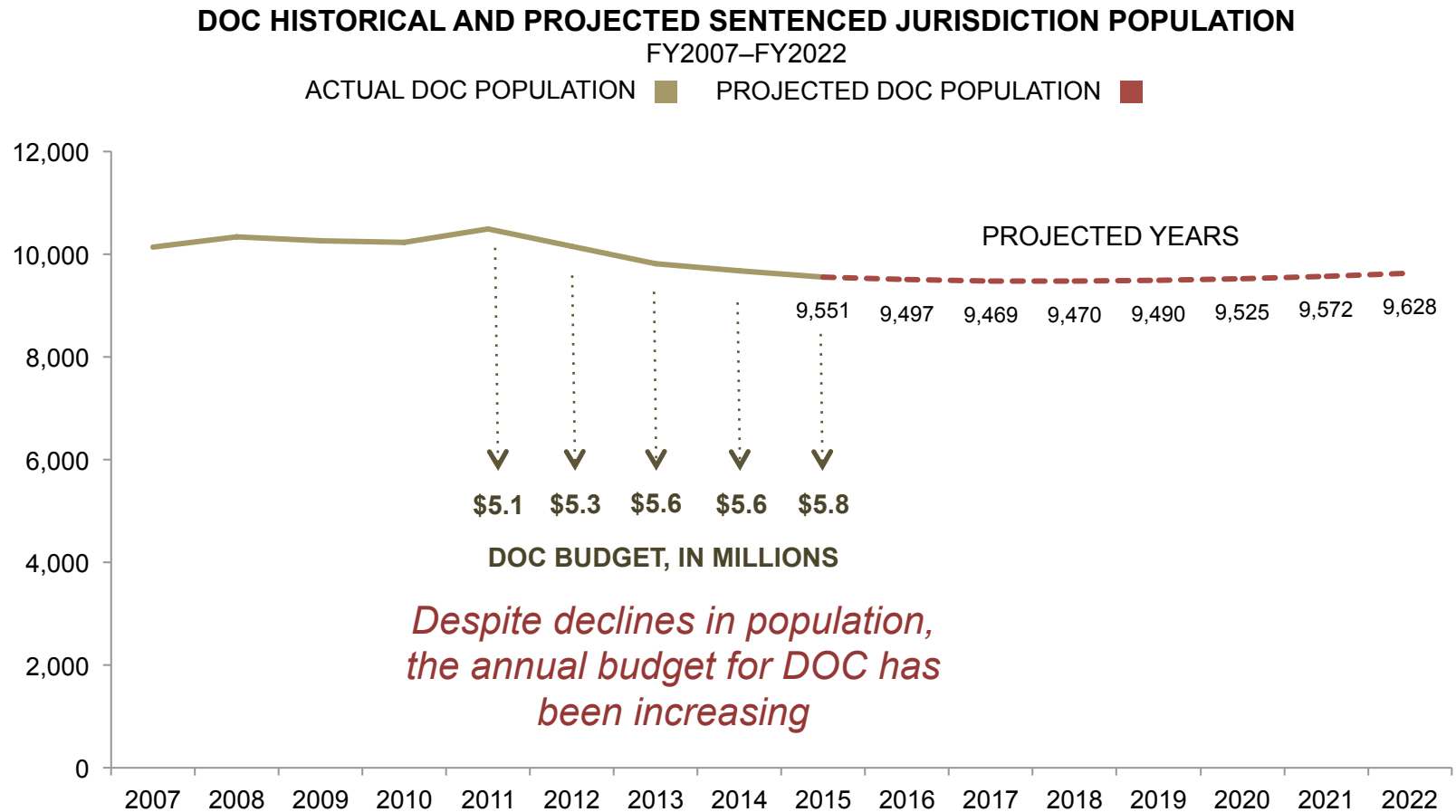
DOC POPULATION

Research Addendum Slides

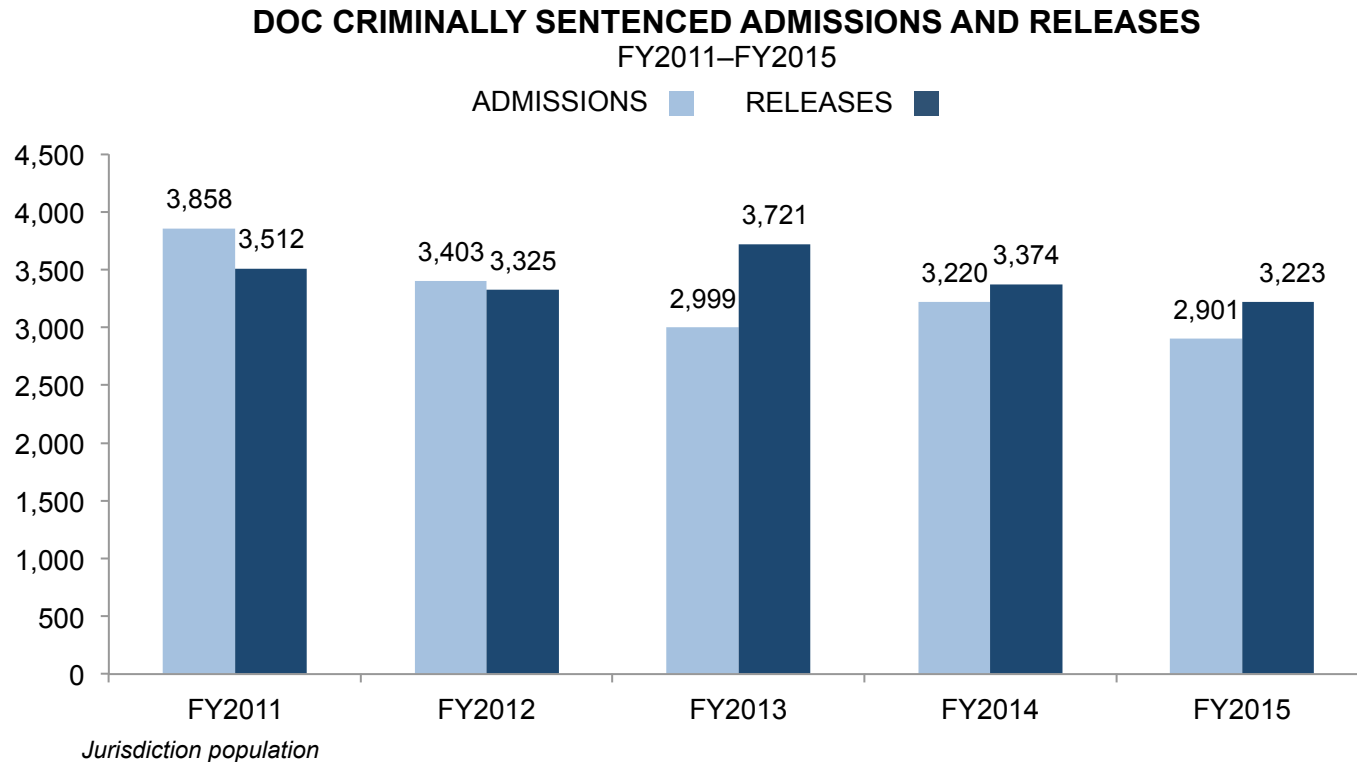
Data for this analysis was extracted by DOC research staff to include sentence and offense information, admission and release types, length of stay, and supervision status for criminally sentenced admissions, releases, and snapshot populations. Criminal Offender Record Information (CORI) was also used for a reconviction analysis. CORI data was obtained from EOPSS using a batch file-matching process using individuals' unique state identifier PCF number.



The DOC population has been declining for several years and is projected to continue to decline slightly over the next few years



Admissions and releases to DOC have been close in number in four of the last five years



| FY2011–FY2015 | TOTAL NUMBER OF ADMISSIONS | TOTAL NUMBER OF RELEASES | % DIFFERENCE |
|-------------------------|----------------------------|--------------------------|--------------|
| <i>Including FY2013</i> | 16,381 | 17,155 | 4.7% |
| <i>Excluding FY2013</i> | 13,382 | 13,434 | 0.4% |

The number of people in DOC serving shorter sentences has declined, but the number serving life sentences has increased

DOC CUSTODY POPULATION BY SENTENCE LENGTH

December 31, 2010-2014

| Year | < 5 years | 5 to < 10 years | 10 to 20+ years | Life |
|----------|-------------|-----------------|-----------------|-------------|
| 2010 | 2,470 | 2,976 | 2,751 | 1,788 |
| 2011 | 2,430 | 3,139 | 2,823 | 1,859 |
| 2012 | 2,257 | 2,902 | 2,808 | 1,910 |
| 2013 | 2,047 | 2,729 | 2,725 | 1,952 |
| 2014 | 2,082 | 2,625 | 2,665 | 1,965 |
| % change | -16% | -12% | -3% | +10% |

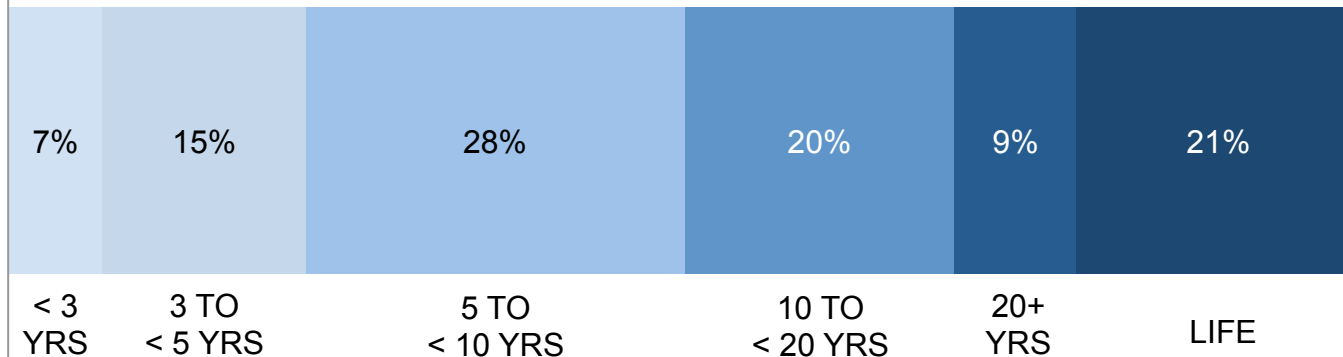
- Admissions for life sentences declined 15% during this period while releases for life sentences declined 30%
- In 2014, those serving 2nd degree life sentences on average had served 20 years and were 29 years old at the time of commitment
- The average current age for all life sentences was 48

Approximately half of the DOC population are serving sentences of 10 years or longer

DOC CUSTODY POPULATION

December 31, 2014*

N = 9,337



Half of life sentences are “without parole”**

*2015 population snapshots were not available at the time of the data request

**Life with the possibility of parole sentences are parole eligible after serving 15 years

CSG Justice Center analysis of 2014 DOC data.

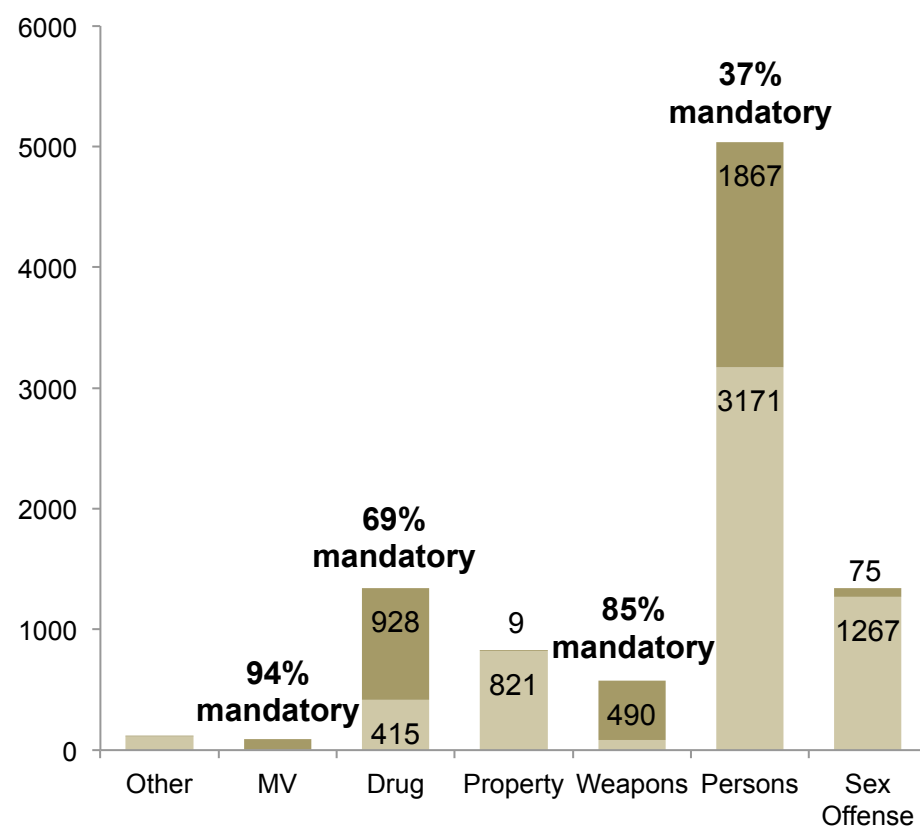
Over one-third of the DOC custody population is serving a mandatory incarceration sentence for a motor vehicle, drug, weapon, or person offense

DOC CUSTODY POPULATION

December 31, 2014*

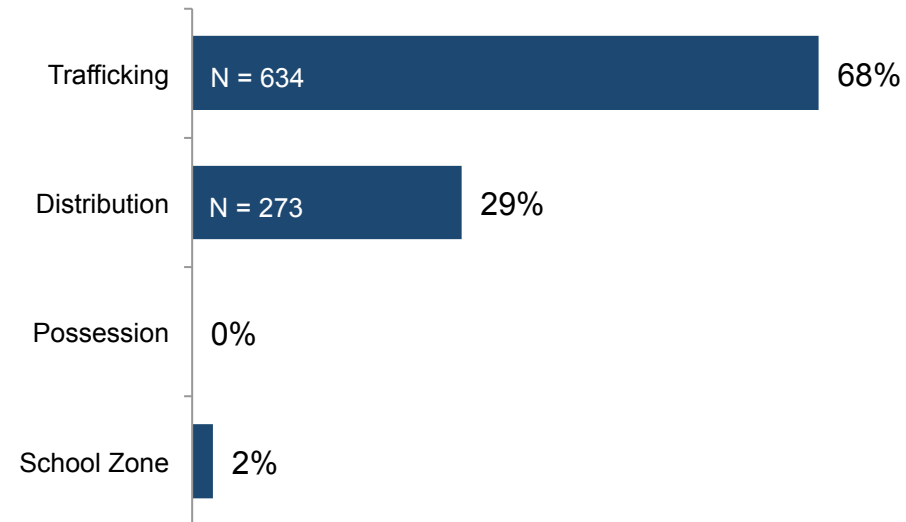
N = 9,337

MANDATORY ■ NON-MANDATORY ■



DOC CUSTODY DRUG OFFENDER POPULATION SERVING A MANDATORY SENTENCE

N = 928



The proportion of the DOC custody population serving a mandatory sentence has declined slightly from 39% in 2010 to 37% in 2014.

Mandatory persons offenses include life sentences.

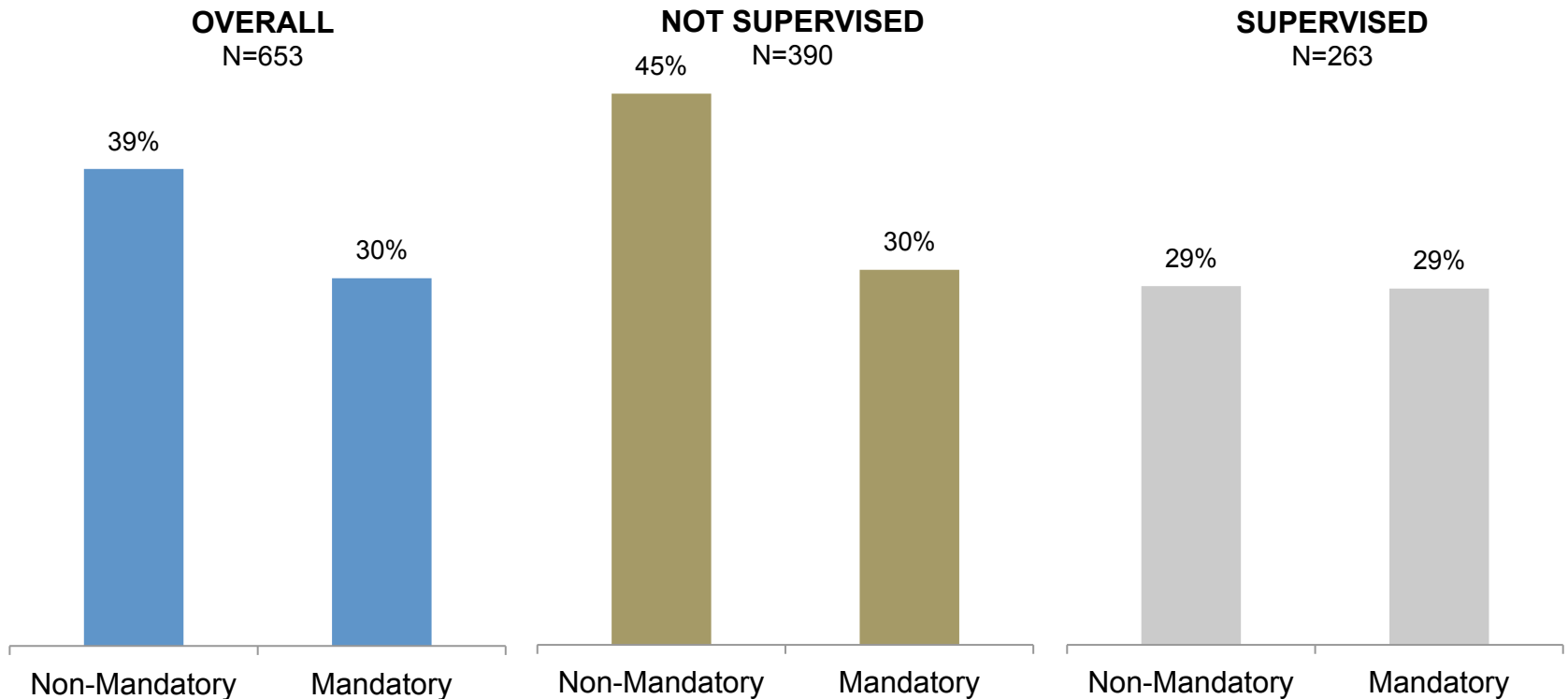
*2015 population snapshots were not available at the time of the data request
CSG Justice Center analysis of 2014 DOC data.

Mandatory sentences for drug offenses have slightly lower reconviction rates than non-mandatory drug sentences

THREE-YEAR RECONVICTION RATE—DRUG OFFENDERS ONLY

FY2011 Prison Releases to the Community

N = 653



Differences in recidivism were level when looking only at sentences that were released to supervision

DEMOGRAPHIC ANALYSIS OF INCARCERATED POPULATIONS

Research Addendum Slides

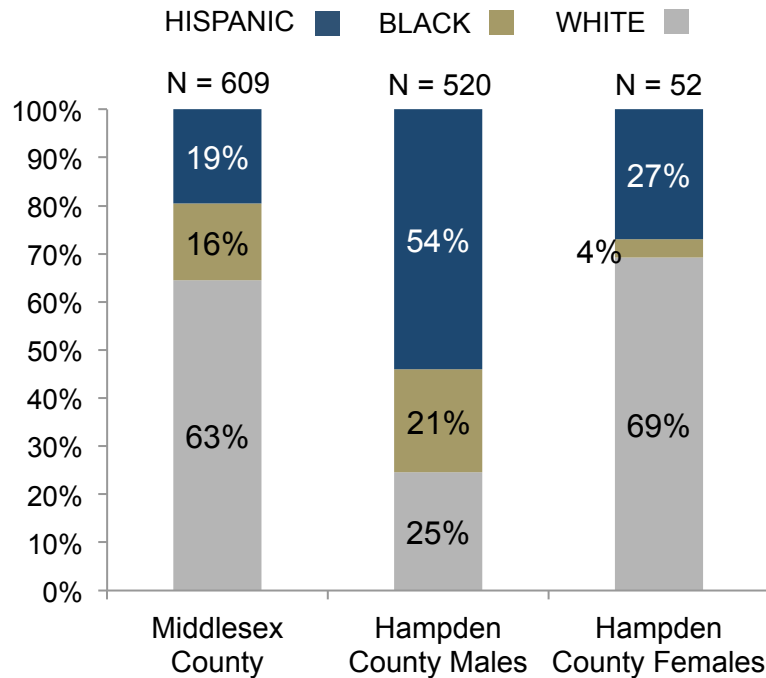
Data for this analysis includes demographic information on sentenced populations at DOC and HOC, jail populations at two sample counties, as well as a resident population comparison group. DOC data was obtained from DOC research staff while the HOC data was obtained from the parole board's SPIRIT data. Jail data was provided upon request by Middlesex and Hampden counties. Essex County also provided jail data, but demographic information could not be analyzed in a comparable way. Resident population was obtained from the U.S. Census American Community Survey for 2014.



Demographic composition of jail populations varies across county locations

DEMOGRAPHIC DISTRIBUTION OF JAIL POPULATION

June 30, 2014 Hampden and Middlesex County Jail Snapshot

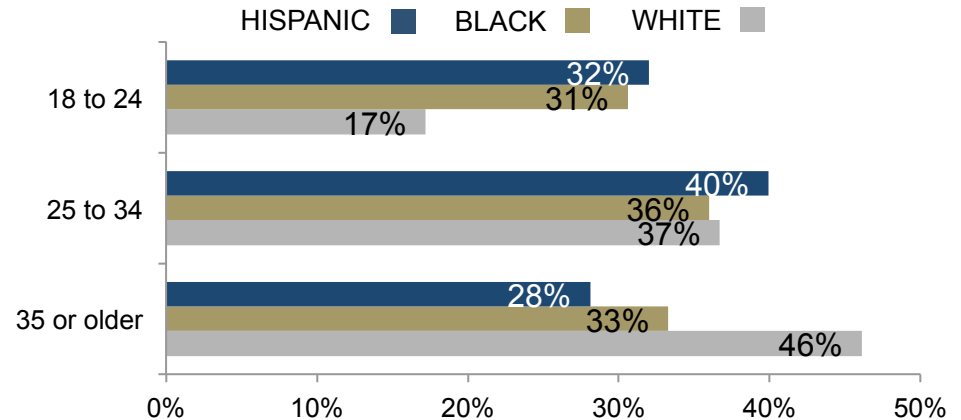


| | HAMPDEN COUNTY RESIDENT POPULATION | MIDDLESEX COUNTY RESIDENT POPULATION |
|----------|------------------------------------|--------------------------------------|
| White | 66% | 76% |
| Black | 8% | 5% |
| Hispanic | 22% | 7% |

HAMPDEN COUNTY JAIL MALE POPULATION

June 30, 2014 Snapshot

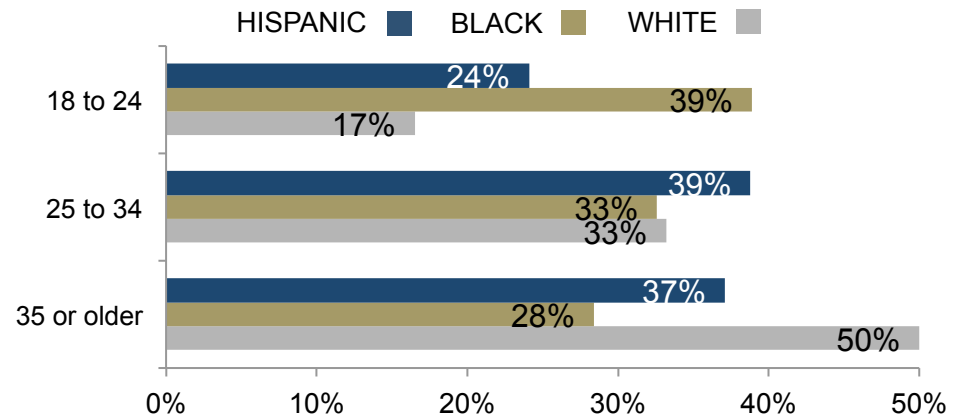
N = 520



MIDDLESEX COUNTY JAIL POPULATION

June 30, 2014 Snapshot

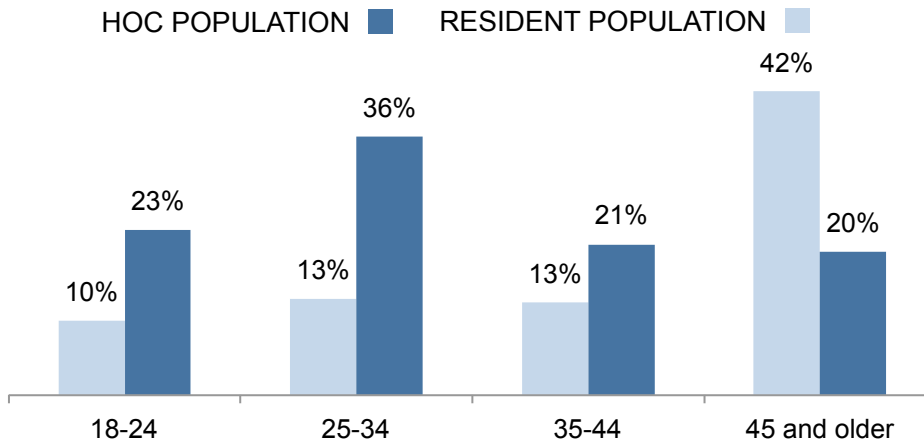
N = 609



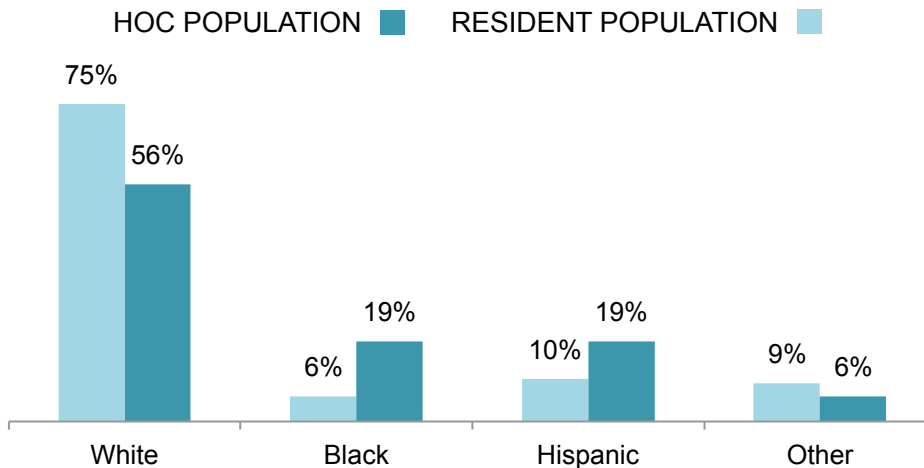
Middlesex County does not house females locally, and therefore does not have a female population. Essex County data were not included due to the fact that 55% of admissions were coded as "Other".

Within HOCs, black and Hispanic individuals are represented at greater rates than they are in the general population

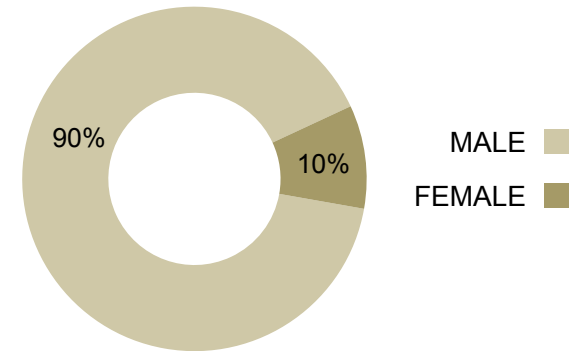
PERCENT OF RESIDENT POPULATION AND HOC POPULATION BY AGE, 2014



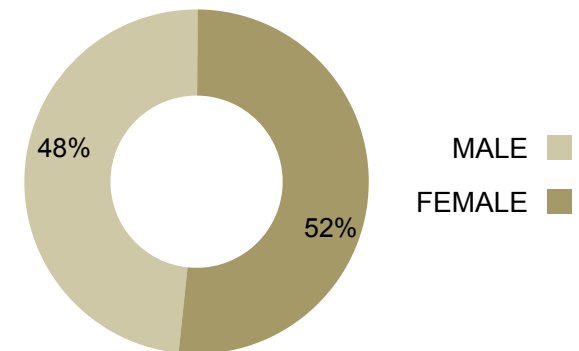
PERCENT OF RESIDENT POPULATION AND HOC POPULATION BY RACE, 2014



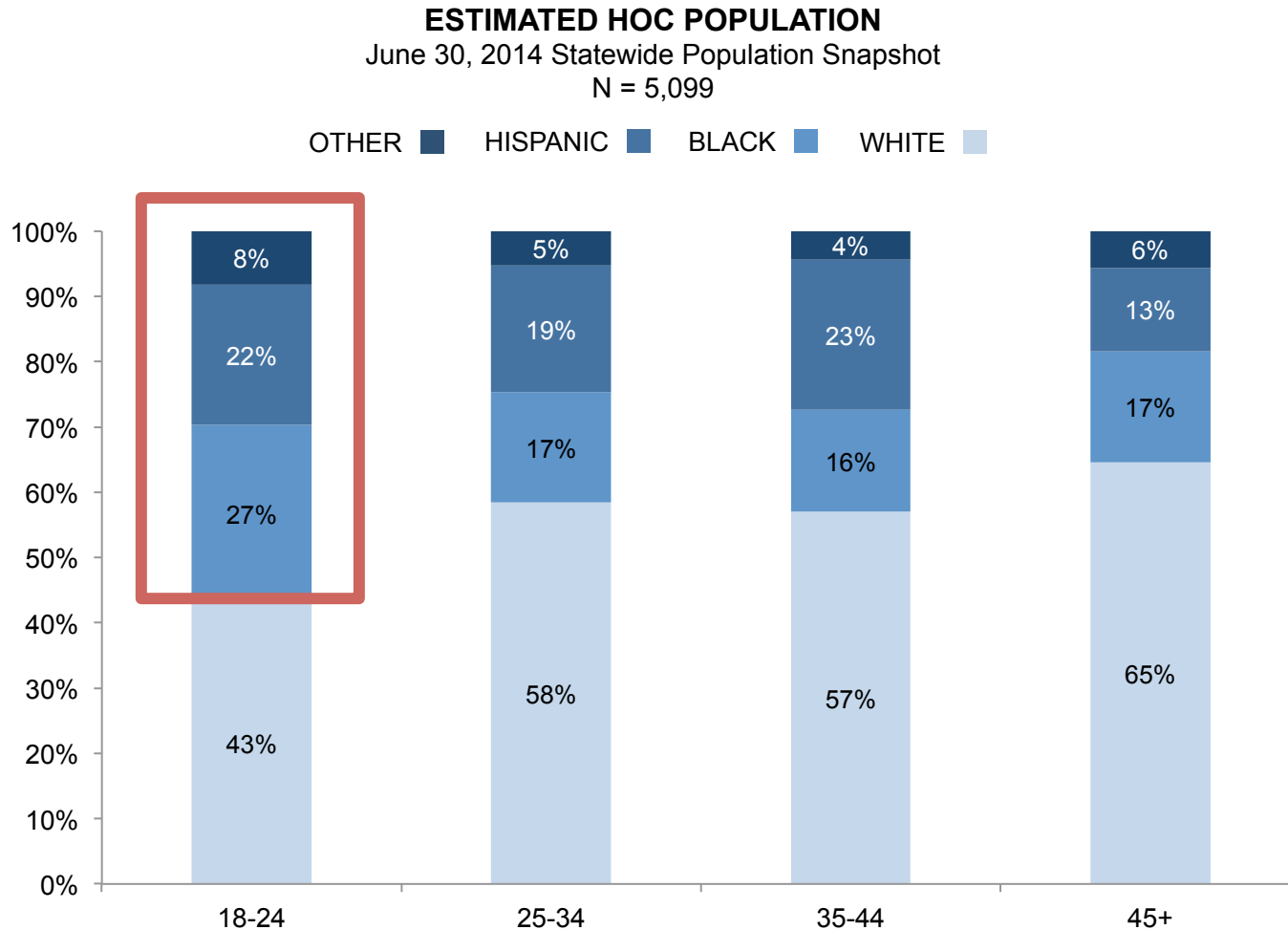
PERCENT OF HOC POPULATION BY SEX, 2014



PERCENT OF RESIDENT POPULATION BY SEX, 2014



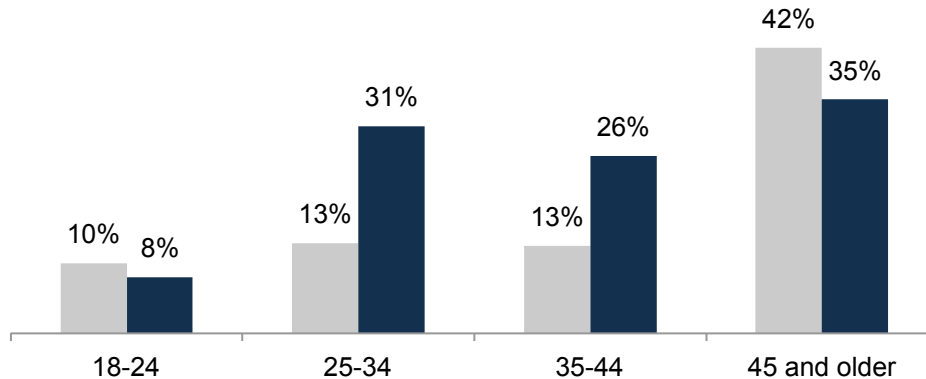
A larger proportion of the 18- to 24-year-old HOC population are people of color as compared to other age groups



Black, Hispanic, and individuals age 25-34 are represented in DOC populations at more than twice the rate they are in the general population

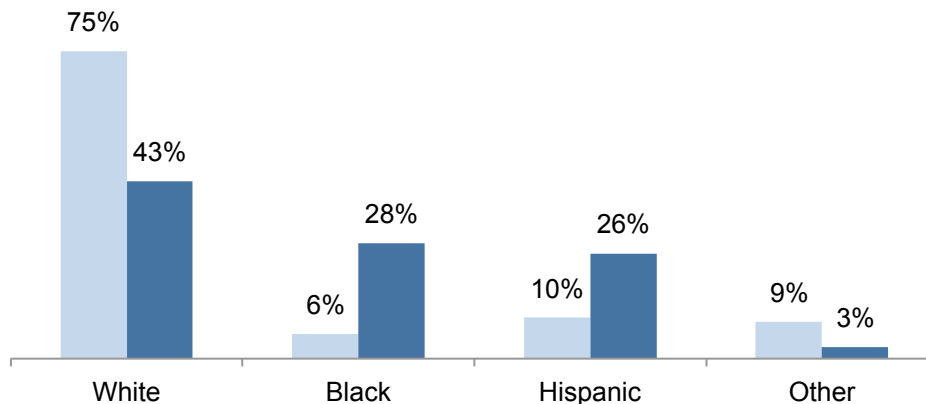
PERCENT OF RESIDENT POPULATION AND DOC POPULATION BY AGE, 2014

DOC POPULATION ■ RESIDENT POPULATION ■

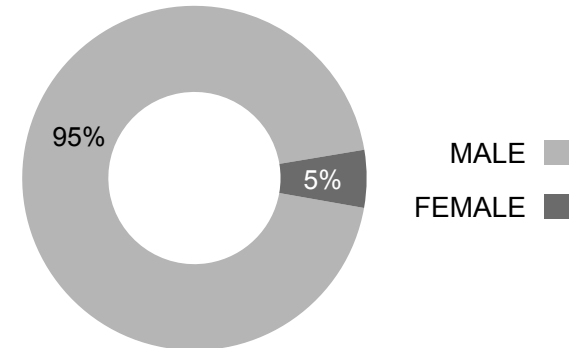


PERCENT OF RESIDENT POPULATION AND DOC POPULATION BY RACE, 2014

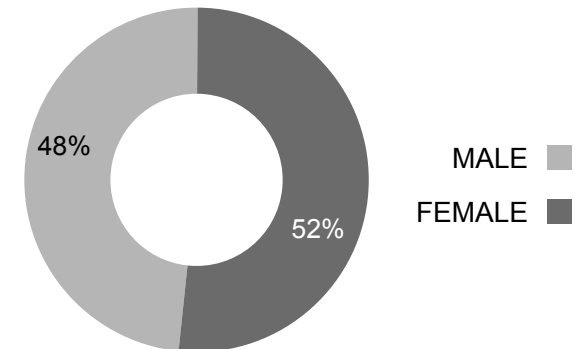
DOC POPULATION ■ RESIDENT POPULATION ■



PERCENT OF DOC POPULATION BY SEX, 2014



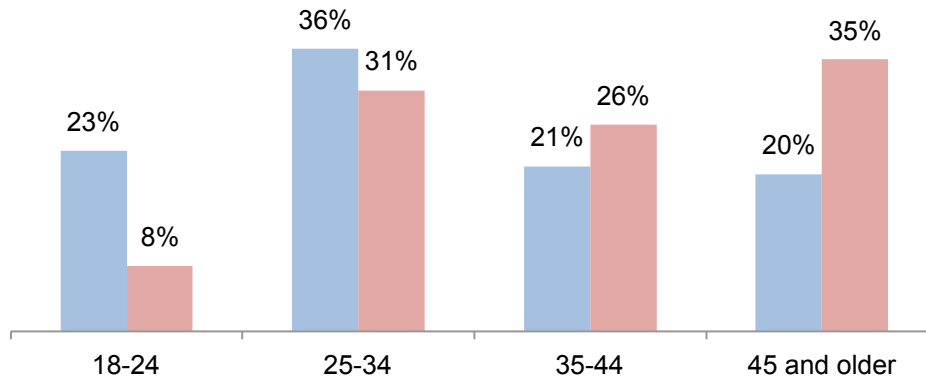
PERCENT OF RESIDENT POPULATION BY SEX, 2014



The DOC population has a higher proportion of older, male, and non-white individuals than the HOC population

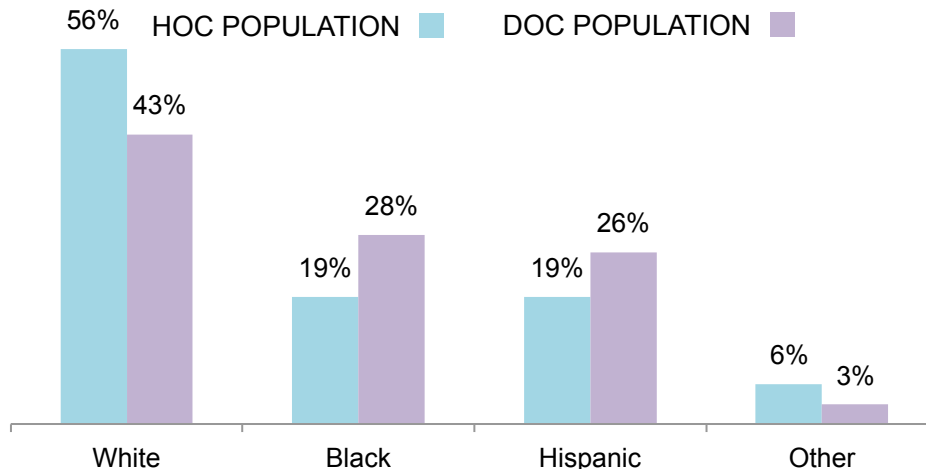
**PERCENT OF HOC AND DOC POPULATION
BY AGE, 2014**

HOC POPULATION ■ DOC POPULATION ■

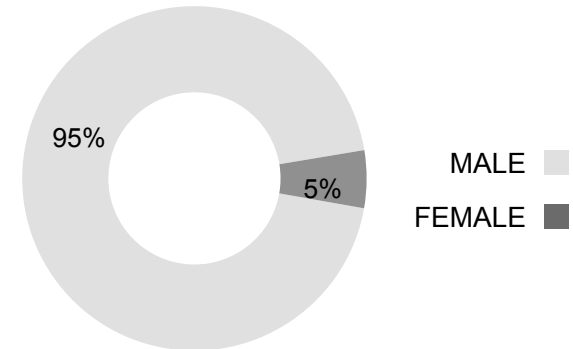


**PERCENT OF HOC AND DOC POPULATION
BY RACE, 2014**

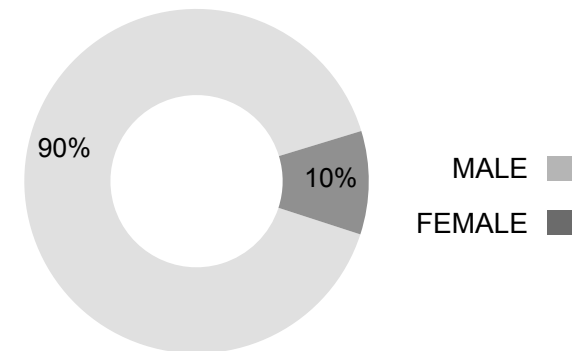
HOC POPULATION ■ DOC POPULATION ■



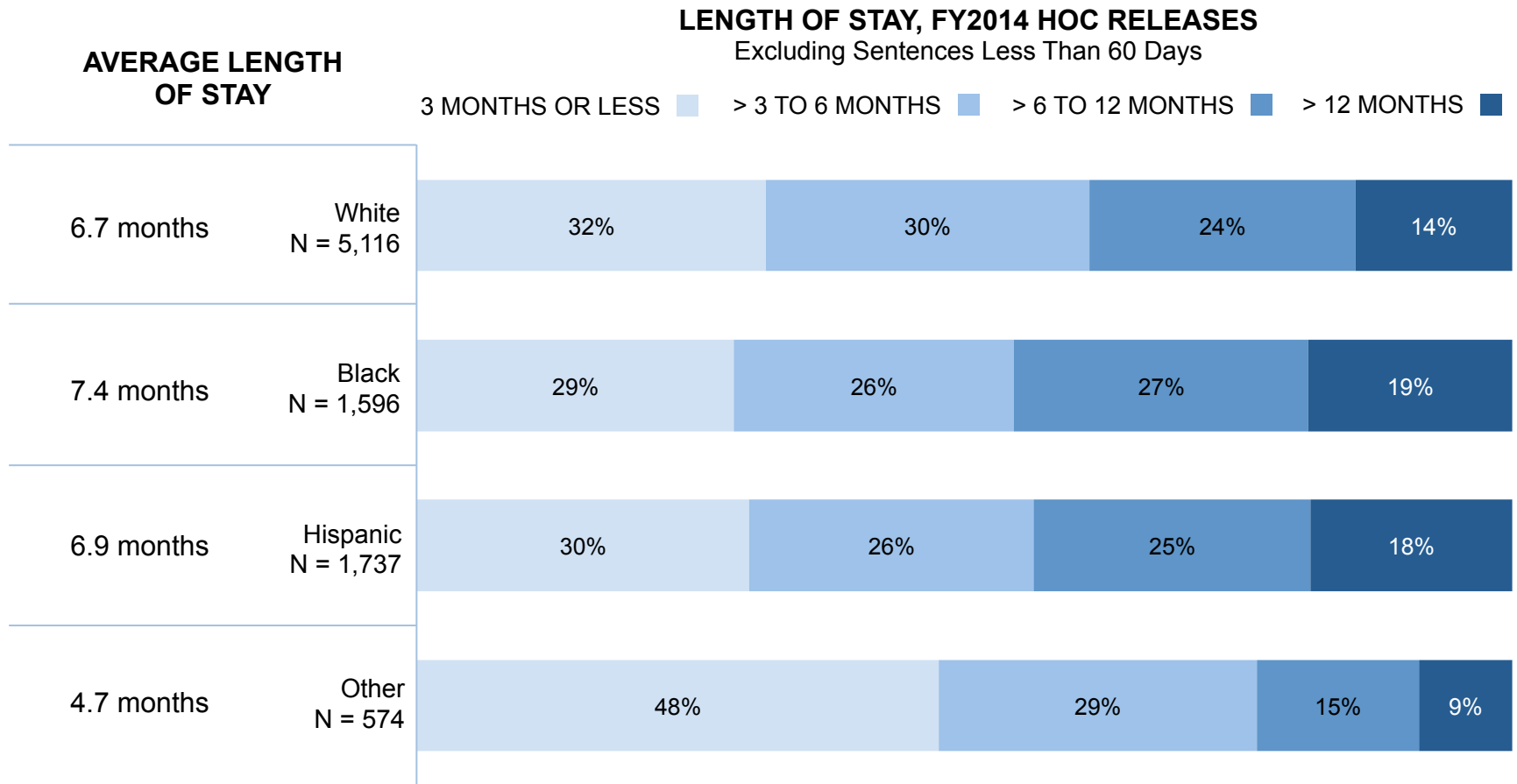
**PERCENT OF DOC POPULATION
BY SEX, 2014**



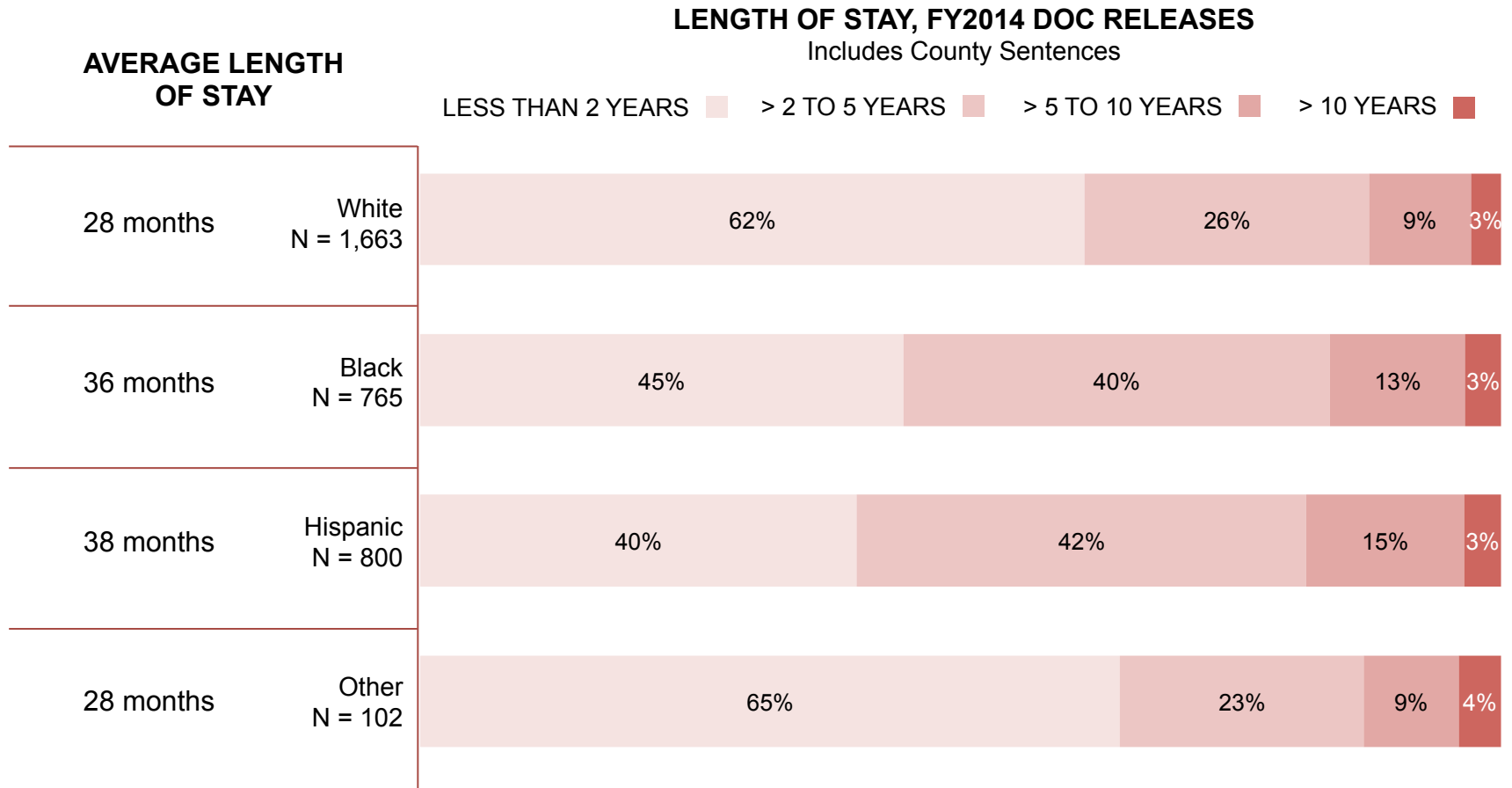
**PERCENT OF HOC POPULATION
BY SEX, 2014**



A larger portion of black and Hispanic individuals released from HOCs served sentences over one year than white or other individuals



Black and Hispanic individuals released from DOCs served an average of 10 months more than white or other individuals



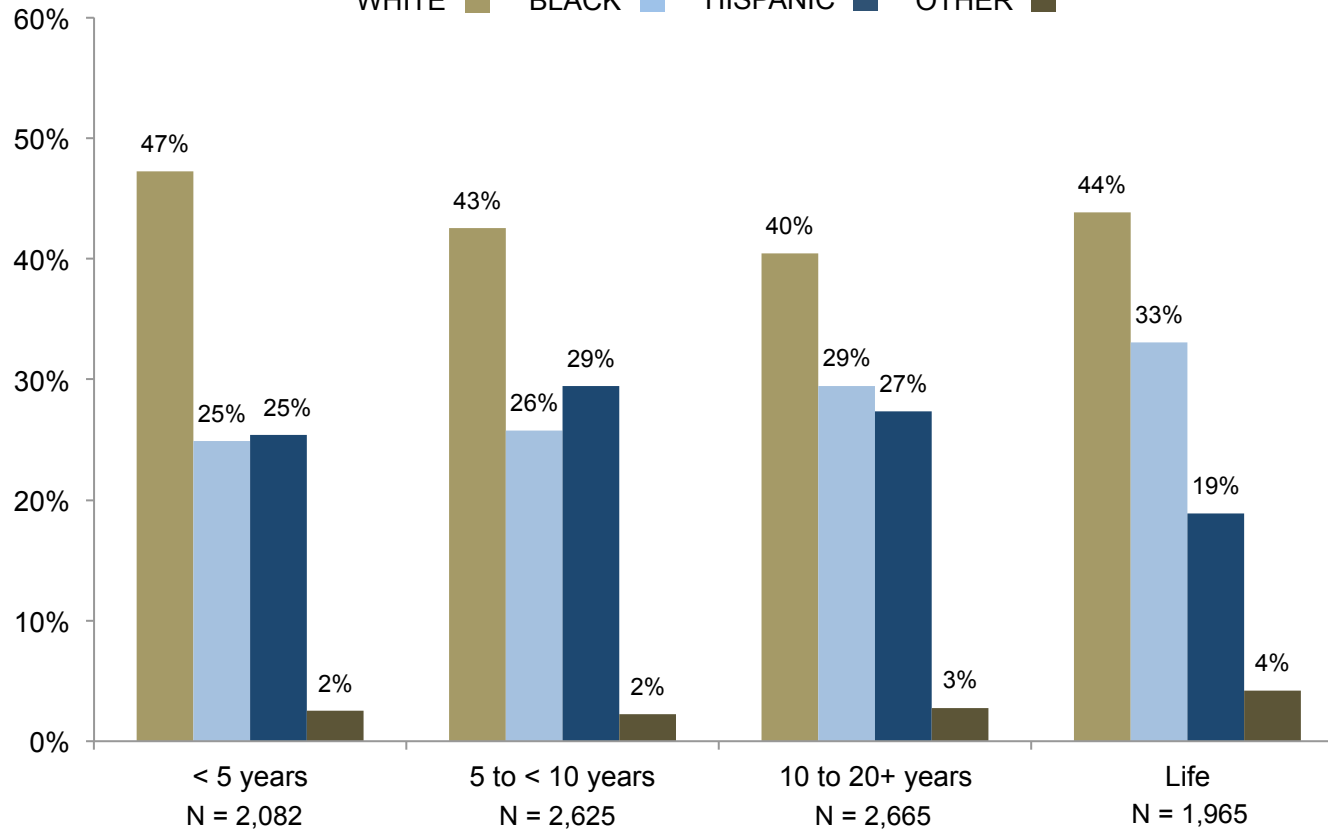
Disproportionality of the DOC population increases with sentence length

DOC CUSTODY POPULATION

December 31, 2014

N = 9,337

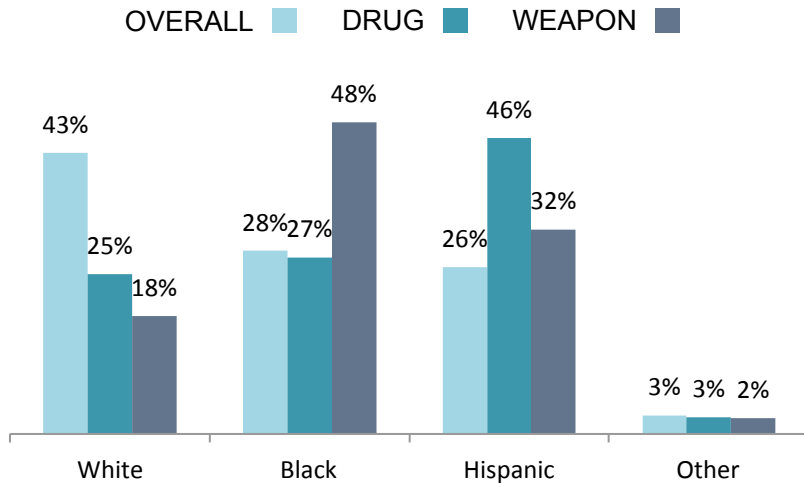
WHITE BLACK HISPANIC OTHER



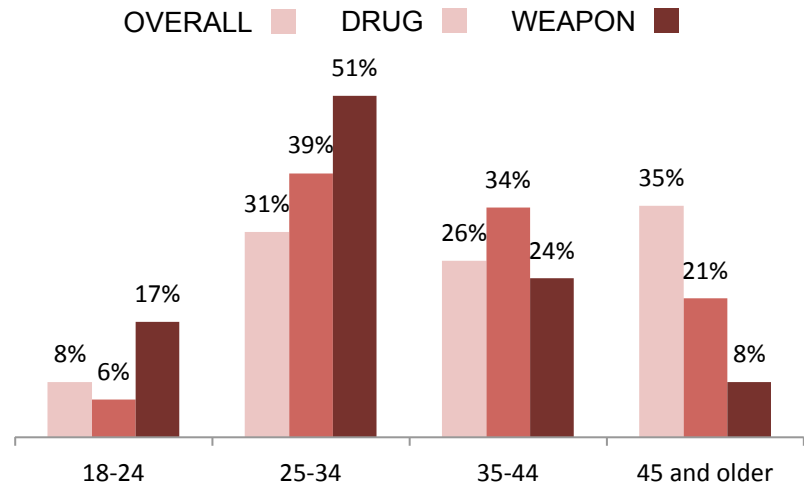
Growth or a lack of decline in the population serving 10+ years and life sentences may result in greater disproportionality in the DOC population

Black and Hispanic individuals comprised a larger portion of the population in DOC for drug and weapon offenses than other groups and were more often younger than the overall DOC population

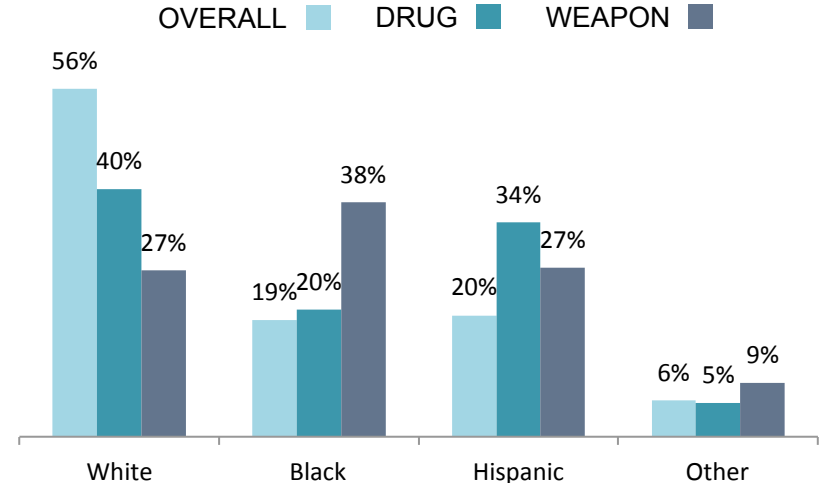
2014 DRUG, WEAPON, AND OVERALL DOC POPULATION BY RACE



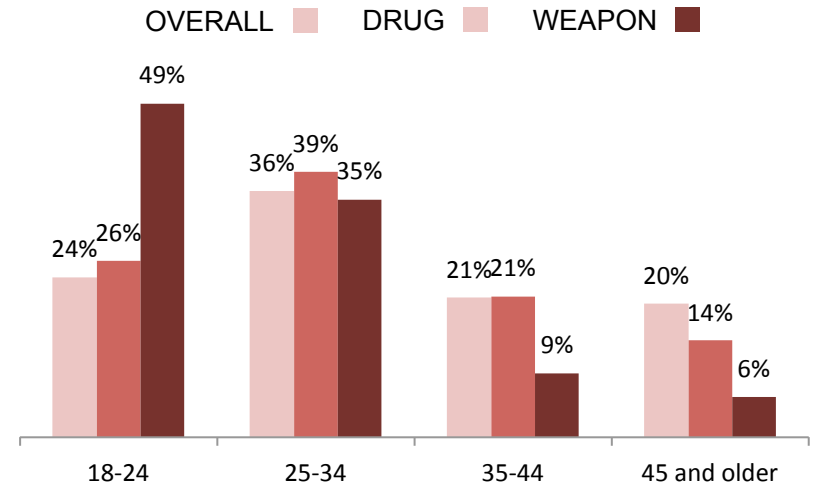
2014 DRUG, WEAPON, AND OVERALL DOC POPULATION BY AGE



2014 DRUG, WEAPON, AND OVERALL HOC POPULATION BY RACE



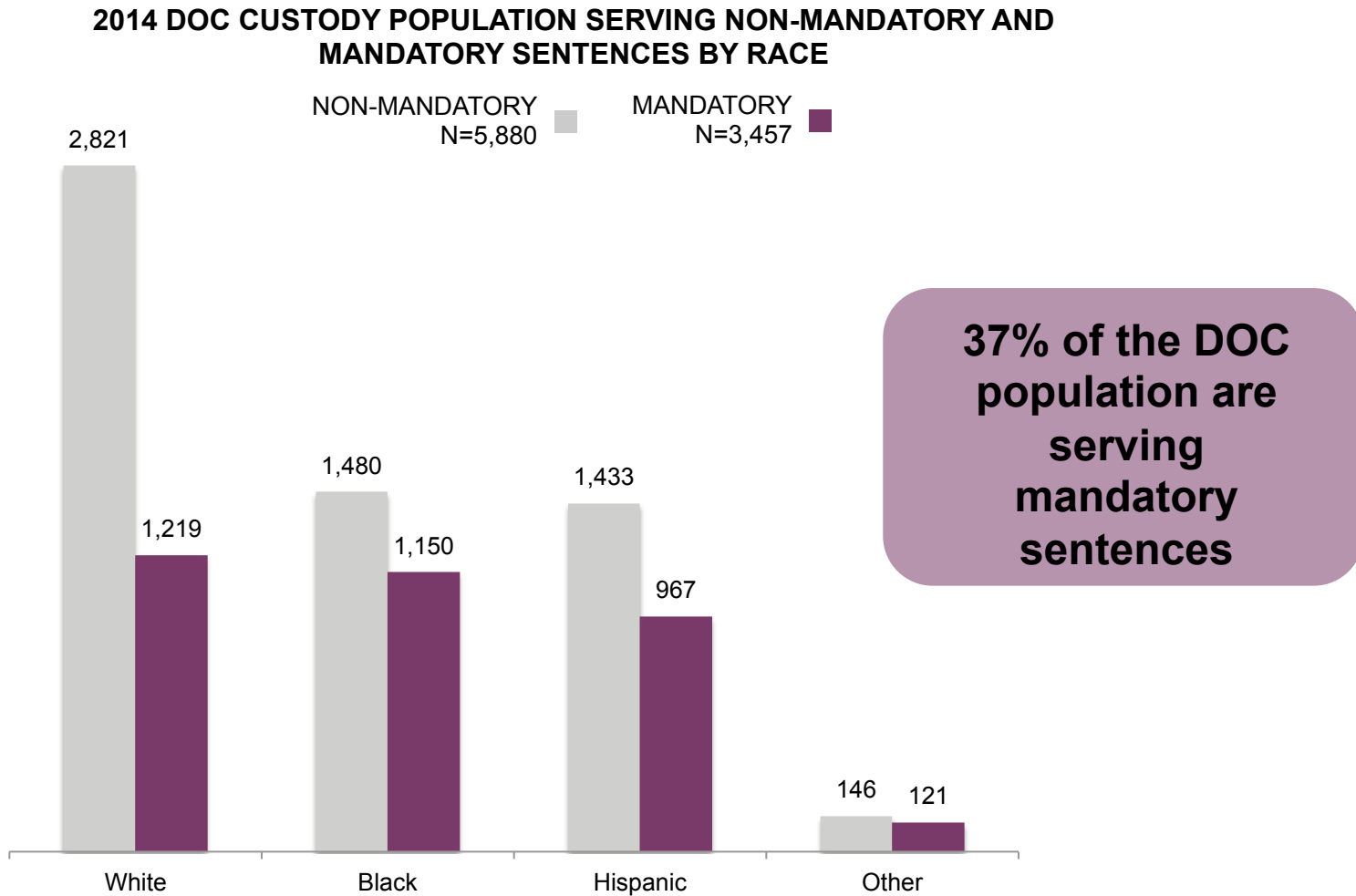
2014 DRUG, WEAPON, AND OVERALL HOC POPULATION BY AGE



DOC custody population on 12/31/2014, including county sentences.

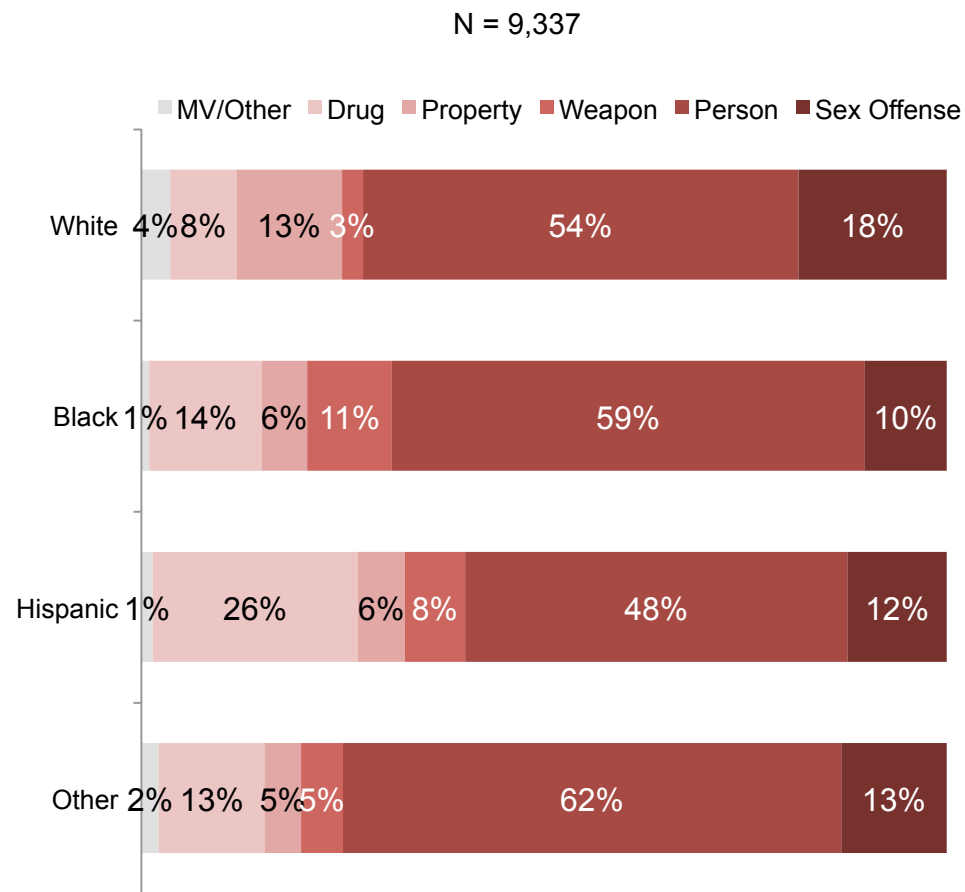
CSG Justice Center analysis of 2014 Parole Board's SPIRIT HOC data and DOC data.

44 percent of black individuals and 40 percent of Hispanics in DOC are serving mandatory sentences, compared to only 30 percent of white individuals

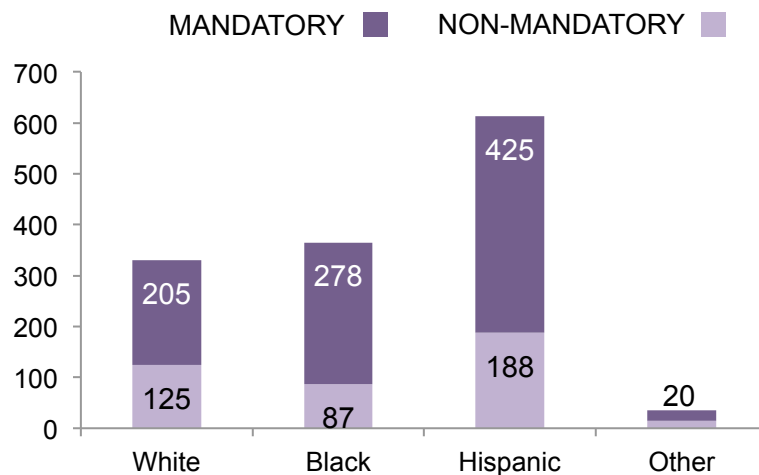


Black and Hispanic individuals were incarcerated in DOCs for a drug or weapon offense more often than other groups, and their sentences for drug and weapon offenses were more often a mandatory sentence

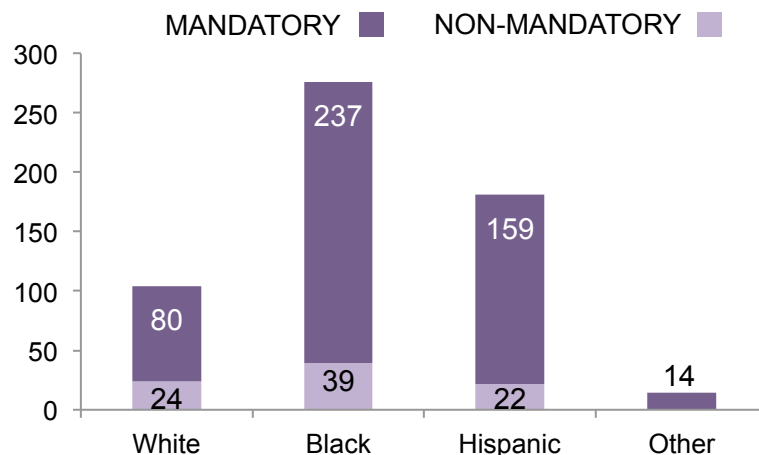
2014 DOC CUSTODY POPULATION BY OFFENSE TYPE AND RACE



2014 DOC POPULATION—DRUG OFFENSE



2014 DOC POPULATION—WEAPON OFFENSE



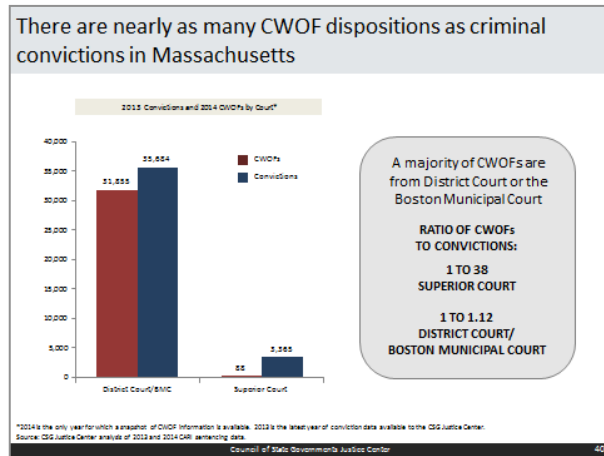
ADDITIONAL CWOOF ANALYSIS

Research Addendum Slides

Data for this analysis was provided upon request by the Massachusetts Trial Court and include all CWOOF dispositions in FY2014 and probation sentences in FY2013. The recidivism analysis was conducted using data from EOPSS (CORI data for arraignment and conviction), the parole board (SPIRIT data for HOC incarceration), and the DOC (state prison incarceration). CORI data was obtained from EOPSS using a batch file-matching process using individuals' unique state identifier PCF number. In addition to a re-arraignment and reconviction analysis, CORI data was used to identify the final disposition of CWOOF cases and whether violations occurred during the CWOOF period.



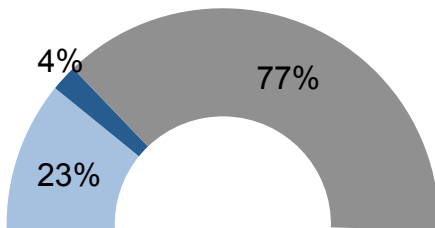
The majority of CWOFF dispositions end in dismissal



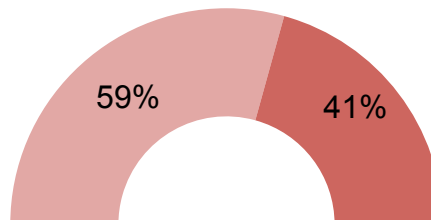
Sentencing analysis in April presented information on **31,943** CWOFF dispositions in FY2014.

Additional findings:

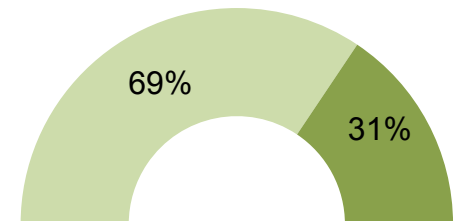
Over three-quarters of CWOFF dispositions in FY2014 ended as a **dismissal**, 4% ended in a commitment, and nearly a quarter are ongoing as of May 2016.



41% of CWOFF dispositions had a violation notice or finding.

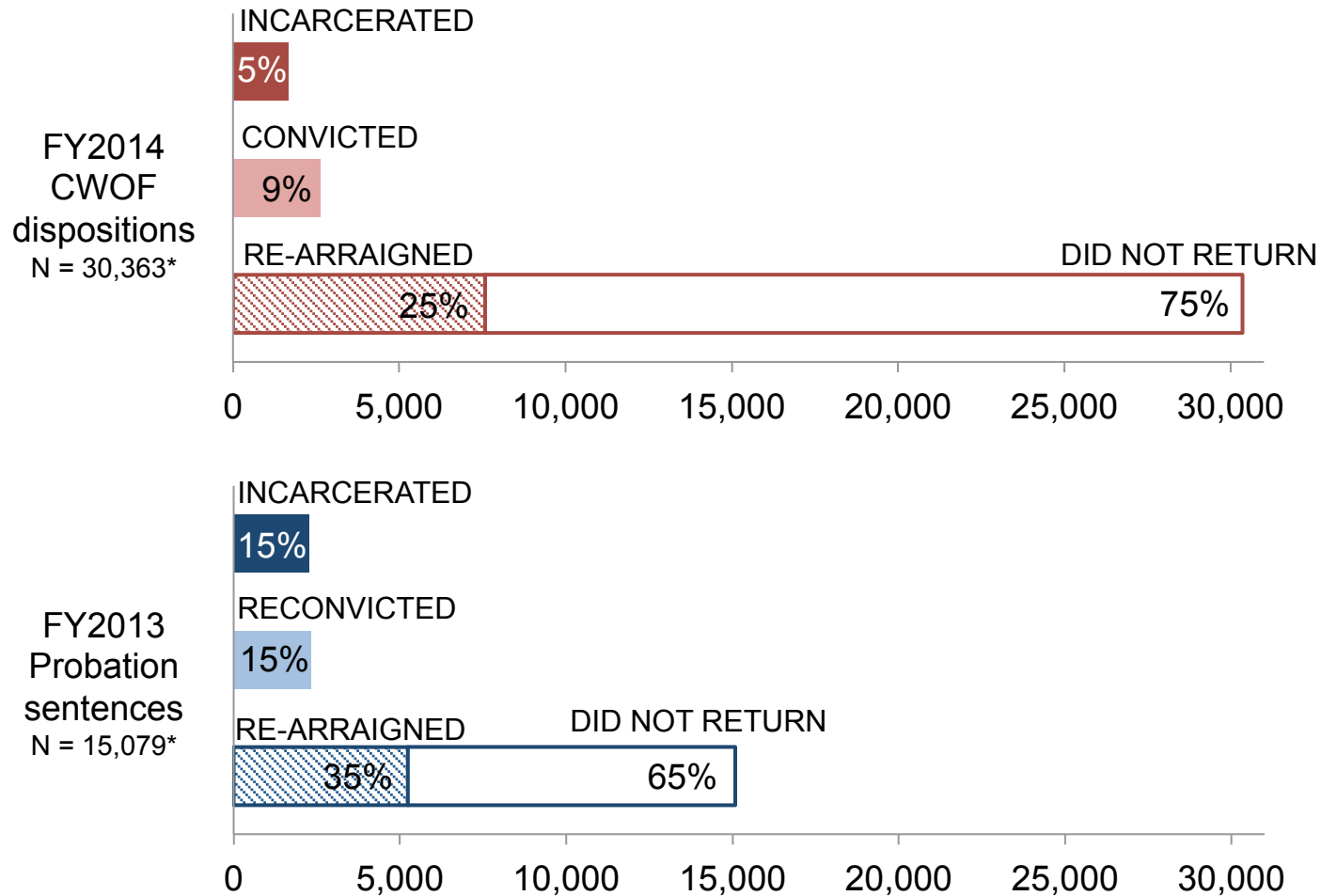


31% of CWOFF dispositions had a default warrant for a failure to appear.



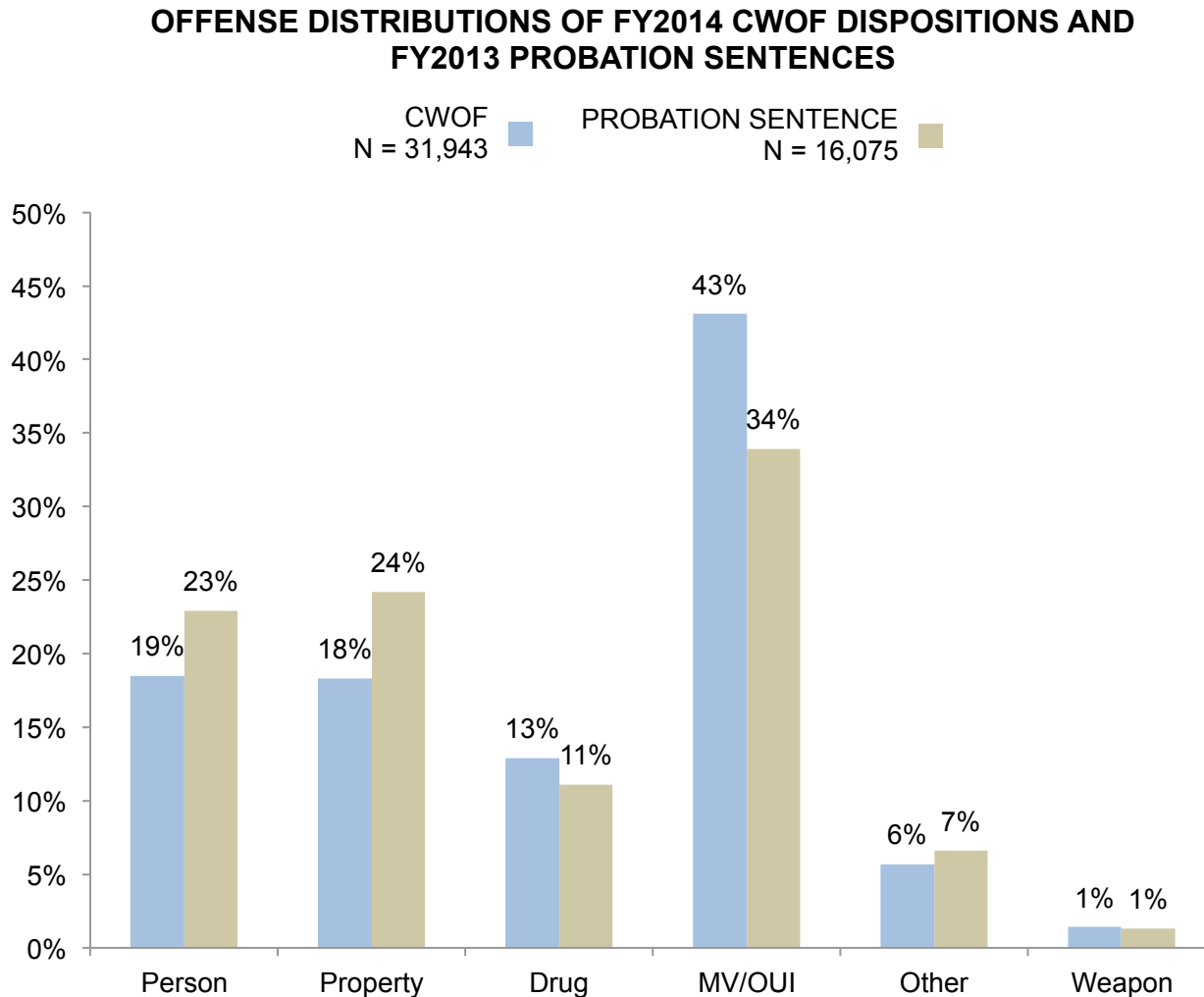
One-quarter of CWOFF dispositions were re-arraigned in one year

ONE-YEAR RE-ARRAIGNMENT, RECONVICTION, AND INCARCERATION RATES FOR FY2014 CWOFF DISPOSITIONS AND FY2013 PROBATION SENTENCES



*First disposition or sentence of the year selected; FY2013 was the latest year of sentencing data available.
CSG Justice Center analysis of 2014 CWOFF, 2013 sentencing, CORI, Parole SPIRIT HOC, and DOC data.

A larger portion of sentences to probation were for a person or property offense than CWOFF dispositions, which were more often a motor vehicle or OUI offense



Thank You

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