

Prisoner Reentry in Massachusetts

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research for safer communities



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Justice Policy Center

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Executive Summary

This report describes prisoner reentry in Massachusetts by examining the trends in incarceration and prisoner releases in the state, the characteristics of the state's returning adult and juvenile inmates, the geographic distribution of returning inmates, and the social and economic climates of the communities that are home to the highest concentrations of returning inmates. This document consolidates existing data on incarceration and release trends and presents a new analysis of data on Massachusetts inmates released in 2002. The data used for this report were derived from several sources, including the Massachusetts Department of Correction, the Massachusetts Department of Youth Services, the Massachusetts State Parole Board, the Suffolk County House of Correction, and the U.S. Census Bureau. Highlights from the report are presented below.

Massachusetts State Prison Population

Incarceration and Release Trends. Massachusetts' incarceration and reentry trends are similar to those observed at the national level. Between 1980 and 2002, the Massachusetts prison population more than tripled, increasing from 2,754 to 9,150 people. The per capita rate of imprisonment in Massachusetts rose from 56 to 174 per 100,000 residents in the state between 1980 and 1998, an increase of nearly 311 percent. Massachusetts' release patterns reflect these admission and population trends: 2,526 prisoners were released from Massachusetts prisons in 2002, more than double the number released in 1980 (1,015).

Characteristics of Prisoners Released in 2002. The majority of released prisoners were male (72 percent) and white (54 percent). The mean age at release was 34.6 years. Slightly more than one-third had been serving time for offenses against persons. The average time served was about five years. Almost all had previously spent time in a state prison, county house of correction, or county jail.

Release and Supervision Policies and Practices. The number and share of prisoners released to supervision in Massachusetts has decreased in recent years. In 2002, one-third of all returning prisoners were released to a period of parole supervision. Of the remainder, more than 35 percent were subject to probation supervision, mostly due to split or "from and after" sentences. At least 10 percent were under both parole and probation supervision upon release to the community.

Geographic Distribution of Released Prisoners. More than one-third of adult prisoners released in 2002 came from two Massachusetts counties—Suffolk and Worcester. The highest number of released prisoners returned to Suffolk County, where the unemployment rate, poverty rate, and proportion of single-parent households are all higher than the state averages. Within Suffolk County, releases are most heavily concentrated in Boston. In 2002, nearly half of prisoners returning to Suffolk County were clustered in a few Boston neighborhoods. High levels of poverty and unemployment characterize most of these neighborhoods.

Department of Youth Services Juvenile Population

Commitment and Discharge Trends. The number of juveniles under Department of Youth Services (DYS) supervision grew through the 1990s, then decreased in recent years. The number of commitments decreased from 1,653 in 1999 to 1,473 in 2003. Over the same period, discharges from DYS supervision decreased slightly from 1,221 to 1,191. There were 2,944 youth under supervision at the start of 2004.

Characteristics of Juveniles Released from Facilities in 2002. Of the 1,842 juveniles released to the community from DYS facilities in 2002, the majority were male (86 percent) and white (50 percent). The mean age at release was 16 years, and 93 percent were 17 years old or younger. More than 40 percent had been serving time for offenses against persons. The average time served was 1.7 years.

Release and Supervision Policies and Practices. All releases from DYS facilities are discretionary, and nearly all youth remain in DYS custody and under supervision in the community after release.

Geographic Distribution of Released Juveniles. Forty percent of juveniles released in 2002 came from two Massachusetts counties—Suffolk and Worcester. Compared with adult prisoners, released juveniles were more heavily concentrated in a few Boston neighborhoods.

Suffolk County House of Correction Population

Characteristics of Inmates Released in 2002. Of the 2,046 inmates released from the Suffolk County House of Correction (HOC) in 2002, the vast majority (90 percent) were male and more than half (54 percent) were black. The mean age at release was 33.2 years. Slightly more than one quarter had been serving time for offenses against persons. The average time served was 8.3 months. Just under two-thirds had previously spent time in the Suffolk HOC.

Release and Supervision Policies and Practices. In 2002, one quarter of all returning inmates were released to a period of parole supervision. In addition, some portion of released inmates were subject to probation supervision due to split or “from and after” sentences.

Geographic Distribution of Released Inmates. HOC releases made up 68 percent of all offenders returned to Suffolk County in 2002. Returning inmates were heavily concentrated in Boston. Compared with released prisoners or juveniles, however, they were more evenly distributed throughout the county and less concentrated in a small number of Boston neighborhoods.

Introduction

This report examines the prisoner reentry phenomenon in Massachusetts, focusing primarily on adults released from state custody, but also touching on the population of Department of Youth Services (DYS) juveniles and sentenced individuals released from the Suffolk County House of Correction. Prisoner reentry—the process of leaving prison and returning to society—has become a pressing issue both in Massachusetts and nationwide, and with good reason. Rising incarceration rates over the past quarter century have resulted in more and more prisoners being released from prison each year. Nationwide, an estimated 630,000 prisoners were released from state and federal prisons in 2001, a fourfold increase over the past two decades.¹ Thus, released prisoners, their families, and the communities to which they return must cope with the challenges of reentry on a much greater scale than ever before.

The challenges of reentry are many. More prisoners nationwide are returning home having spent longer terms behind bars, exacerbating the already significant challenges of finding employment and reconnecting with family.² Prisoners today are typically less prepared for reintegration, less connected to community-based social structures, and more likely to have health or substance abuse problems than in the past. In addition to these personal circumstances, limited availability of jobs, housing, and social services in a community may affect the returning prisoner's ability to successfully reintegrate.³

These challenges affect more than the returning prisoners and their families; they can also have serious implications for the communities to which prisoners return. Two-thirds of the adult prisoners released across the country in 1996 returned to major metropolitan areas—up from 50 percent in 1984.⁴ Within central cities, released prisoners are often concentrated in a few neighborhoods.⁵ These high concentrations of returning prisoners generate great costs to those communities, including potential increases in costs associated with crime and public safety, greater public health risks, and high rates of unemployment and homelessness. Thus, developing a thorough understanding of the characteristics of returning prisoners and the challenges they face is an important first step in shaping public policy toward improving the safety and welfare of all citizens.

In many ways, the dimensions and challenges of prisoner reentry observed on the national level are mirrored in Massachusetts. Incarceration increased dramatically in Massachusetts in recent decades. Between 1980 and 2002, the Massachusetts state adult prison population more than tripled, increasing from 2,754 to 9,150 individuals. At the same time, the per capita rate of adult imprisonment in Massachusetts more than tripled from 56 to 174 per 100,000 residents. Admissions climbed over this period as well. In 1980, 1,234 individuals were admitted to Massachusetts' prisons.⁶ By 1990, annual admissions had grown to almost 3,800. Admissions

¹ Harrison, Paige M., and Jennifer C. Karberg. 2003. "Prison and Jail Prisoners at Midyear 2002." Washington, DC: U.S. Department of Justice, Bureau of Statistics.

² Lynch, James P., and William J. Sabol. 2001. "Prisoner Reentry in Perspective." *Crime Policy Report*, vol. 3. Washington, DC: The Urban Institute.

³ For an in-depth discussion of prisoner reentry nationwide, see Travis, Jeremy, Amy L. Solomon, and Michelle Waul. 2001. *From Prison to Home: The Dimensions and Consequences of Prisoner Reentry*. Washington, DC: The Urban Institute.

⁴ Lynch and Sabol. "Prisoner Reentry in Perspective."

⁵ *Ibid.*

⁶ Admissions are new court commitments only. They do not include civil commitments; persons detained and awaiting trial; transfers from county, federal, or out-of-state facilities; or those who have committed probation or parole violations.

then decreased over the 1990s. In 2002, there were 2,548 admissions to Massachusetts state prisons.

As a consequence of the growth in imprisonment, Massachusetts has also experienced substantial growth in the number of people being released from prison. In 1980, 1,015 individuals were released from the state's prisons. In 2002, more than double that number—2,526 individuals—were released in Massachusetts. This increase in releases does not correspond to an increase in the number of prisoners that were placed under parole supervision. Due in part to truth-in-sentencing legislation enacted in 1994, the proportion of prisoners released to parole decreased from 80 percent in 1980 to 33 percent in 2002.

Trends in the adult custody population in the 1990s were mirrored in the juvenile population. The number of juveniles under the supervision of the Massachusetts DYS increased throughout the 1990s and decreased in recent years. In January 2004, there were over 2,900 youth under the supervision of the DYS. In 2002, there were 1,842 juveniles released to the community from residential facilities in Massachusetts.⁷

In Massachusetts, offenders sentenced to 2.5 years or less may be committed to one of 13 county facilities known as Houses of Correction (HOC). In 2003, these facilities housed 7,801 sentenced inmates, or 47 percent of adults sentenced to incarceration in the state.⁸ The county Houses of Correction are operated under the authority of county sheriffs' offices. While this report does not investigate trends for this population in the aggregate, it does examine the characteristics of inmates released from Suffolk County House of Correction, the largest Massachusetts HOC.

The vast majority of adults and juveniles released from prisons and facilities in Massachusetts in 2002 returned to communities in Massachusetts. About one in five, or 840, prisoners and juveniles returned to communities in Suffolk County. Another 2,046 inmates were released from the Suffolk County HOC.⁹ The majority of these individuals returned to Boston, which is the state's largest city, comprising the majority of Suffolk County, in both land mass and population. The flow of released prisoners, juveniles, and county inmates in Suffolk County was further concentrated in a small number of communities.

Government leaders, corrections officials, local organizations, and service providers are increasingly aware of the reentry challenges experienced by states and communities across the country, and they have begun to use both research and programmatic knowledge to address these challenges. Notably, the National Governors Association (NGA) launched the Prisoner Reentry State Policy Academy in summer 2003. The goal of the Academy is to help governors and other state policymakers to develop and implement effective prisoner reentry strategies that reduce costly recidivism rates. Seven states—Georgia, Idaho, Massachusetts, Michigan, New Jersey, Rhode Island, and Virginia—were selected to participate in this intensive 18-month policy academy. Activities include an in-state policy workshop, two policy academy meetings, and customized technical assistance.

This report, produced in association with the NGA Prisoner Reentry State Policy Academy, describes prisoner reentry in Massachusetts by examining trends in the state's incarceration,

⁷ Trends and characteristics of this population are discussed in chapter 4.

⁸ Based on a Massachusetts Department of Correction 2003 average daily population of 8,862, excluding treatment facilities housing primarily civil commitments. Data provided by the Massachusetts Department of Correction.

⁹ For more about this population, see chapter 5.

admissions, and release trends over time. Similar trends and characteristics of the incarcerated and released juvenile population are also examined, as are the characteristics of inmates released from the Suffolk County HOC. This report also examines the geographic distribution of those released from all three authorities (DOC, HOC and DYS) and describes the social and economic climates of communities that are home to the highest concentrations of returning prisoners, juveniles, and county inmates.

Defining Terms

As is true in most states, the criminal justice system in Massachusetts is a complex system of state and local authorities. Most adults sentenced to less than 2.5 years for a misdemeanor or felony are the responsibility of one of the 13 county **Houses of Correction (HOC)**. Adults convicted of more serious felony offenses are incarcerated in state prisons under the custody of the **Massachusetts Department of Correction (DOC)**. There is a one-year minimum for DOC sentences only in cases where sentencing to a House of Correction is an alternative. Juvenile offenders under the age of 18 are committed to the **Massachusetts Department of Youth Services (DYS)**.

For the purposes of this report, the terms below will be defined as follows:

The **adult custody population** includes criminally sentenced inmates held in DOC facilities. It does not include criminally sentenced DOC inmates serving time in houses of correction, other states' facilities, or federal facilities. It does include women serving HOC sentences in state facilities. Members of this population will be referred to as **prisoners** or **released prisoners**.

County inmates are adult men and women sentenced to 2.5 years or less. This category does not include individuals who are detained in jail pending trial or a settlement, nor does it include detainees who are held pending a transfer to another facility. This report includes a discussion of those **inmates** released from the Suffolk County HOC, hereby referred to as **released inmates** or **county inmates**.

The **juvenile population** includes all individuals committed to the supervision of DYS. **Juvenile commitments** are those juveniles who are adjudicated delinquent by the court and admitted to the supervision of DYS. **Juvenile discharges** are those individuals whose terms of supervision have ended, usually because they have reached age 18. The **incarcerated juvenile population** includes all juveniles who are placed in a residential facility. Juveniles under the supervision of DYS return to the community prior to the end of their term of supervision and are supervised in the community. The **released juvenile population** includes those juveniles who are released from a facility into the community. Members of this population will be referred to as **released juveniles**.

About the Data

This report incorporates data from several sources on three populations being released from incarceration and returned to the community.

The Massachusetts DOC analyzed data on the population of prisoners released from the Department of Correction in 2002. In cases in which the DOC released an individual more than once in 2002 (in most cases this would occur when the person was released from prison, returned to prison for a violation of the conditions of his or her release, and was then released again), all releases are included, except in calculations of time served. Unless otherwise noted, the prison population includes all sentence types, not just state sentences.

The Department of Youth Services provided us with data on the population of juveniles and youthful offenders released from a secure facility to the community during 2002. The Suffolk County House of Correction provided data on a cohort of individuals who had been sentenced and who were released from Suffolk HOC to the community in 2002.

We used data from the U.S. Census Bureau for county and block group-level demographic information included in chapter 6. Our sources include both Census 2000 and the 2004 Annual Population Estimates for Massachusetts Counties.

CHAPTER 1

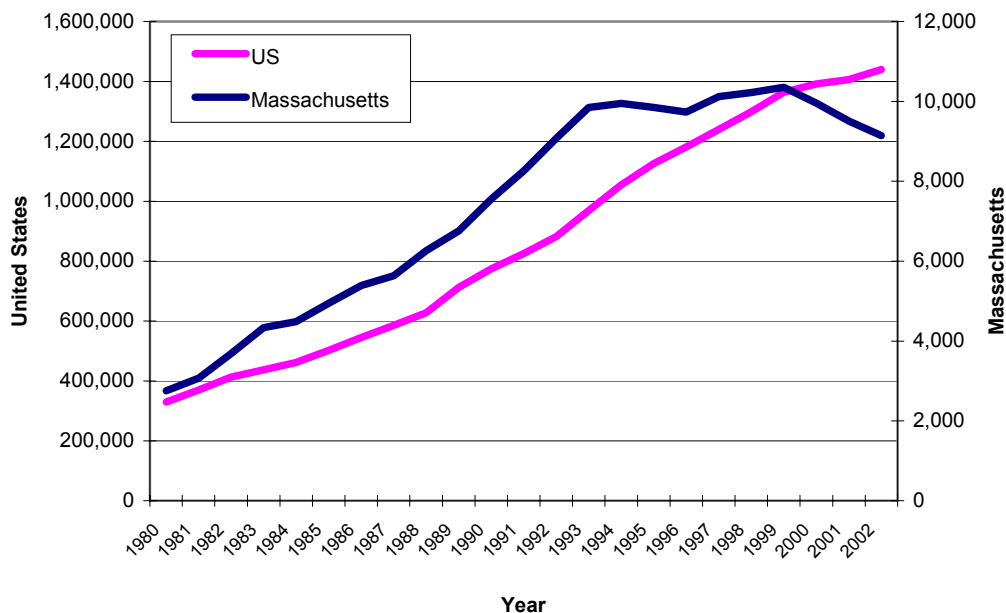
Massachusetts State Prison Population

To understand prisoner reentry in Massachusetts, it is necessary to examine both the governing institutions and the population of interest. This chapter begins with an overview of recent incarceration history and changes in the prison population. It then examines the characteristics of Massachusetts' returning prisoners. Finally, it describes how prisoners are released and supervised in the community.

POPULATION TRENDS

The Massachusetts adult custody prison population includes criminally sentenced inmates held in Massachusetts Department of Correction facilities. This population does not include criminally sentenced DOC inmates serving time in county houses of correction, other states' facilities, or federal facilities. Between 1980 and 2002, the Massachusetts prison population more than tripled, increasing from 2,754 to 9,150 people. Like the national prison population, the state population was on a steady rise from 1980 to 1994. It declined slightly in the mid-1990s and then continued to increase from 1997 to 1999 (figure 1).

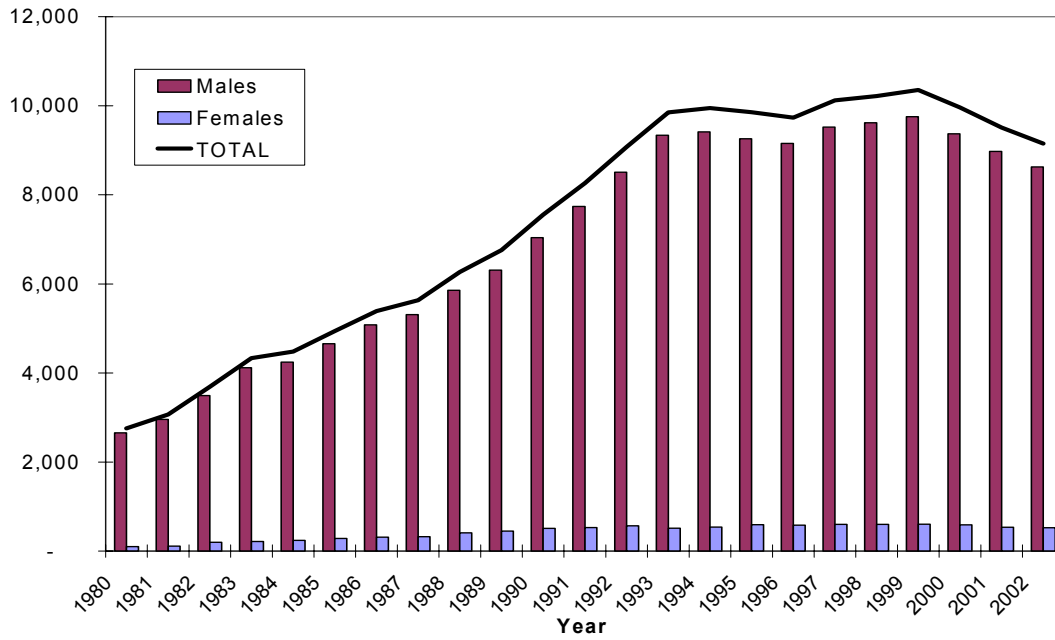
Figure 1. U.S. and Massachusetts Adult Prison Populations, 1980–2002



Sources: Urban Institute analysis of Bureau of Justice Statistics, National Prisoner Statistics data series (NPS-1); Massachusetts Department of Correction.

Unlike the nation's prison population, the Massachusetts population declined from 1999 to 2002. This trend can be seen in both the male and female populations (figure 2).

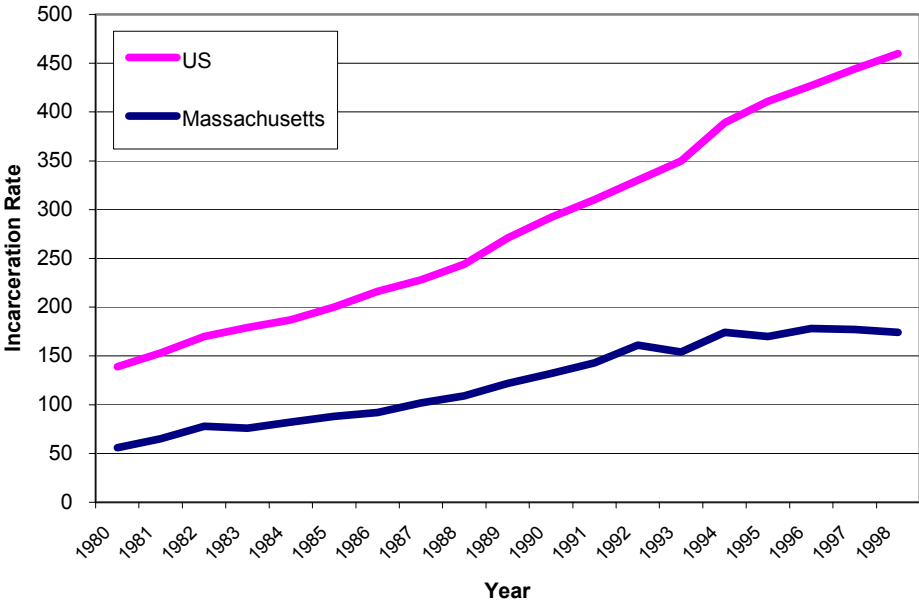
Figure 2. Massachusetts Adult Prison Custody Population, 1980–2002



Source: Massachusetts Department of Correction.

As the prison population in Massachusetts grew, so too did the adult incarceration rate—the number of people incarcerated per 100,000 residents (figure 3). The per capita rate of imprisonment in Massachusetts rose from 56 to 174 per 100,000 residents between 1980 and 1998. In comparing the Massachusetts prison incarceration rate to that of the United States, it is important to note that Massachusetts figures include only the state prison population and exclude county inmates, many of whom are serving sentences that would qualify for prison sentences in other states. See the Massachusetts Department of Correction sidebar for more explanation.

Figure 3. Adult Prison Incarceration Rate per 100,000 Residents, United States and Massachusetts, 1980–1998



Sources: Urban Institute analysis of Bureau of Justice Statistics data, National Prisoner Statistics data series (NPS-1).

The Massachusetts Department of Correction

The Massachusetts Department of Correction (DOC), which oversees the operation of the state's correctional facilities, comprises 18 correctional facilities and a health service facility located in a Department of Public Health hospital. DOC facilities range in security levels and include a state hospital, a treatment center for the sexually dangerous, and the Massachusetts Alcohol and Substance Abuse Center.

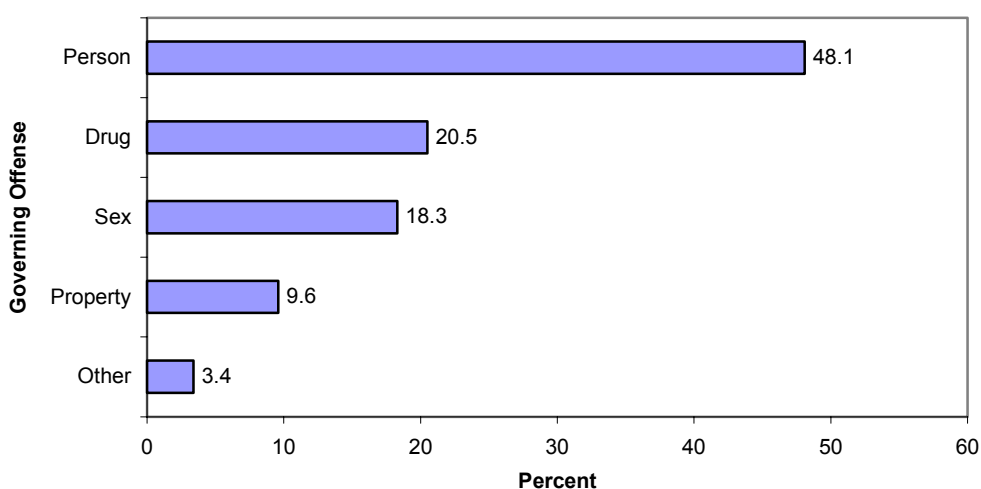
In Massachusetts, inmates serving criminal sentences up to 2.5 years can be sentenced to one of 13 county Houses of Correction. Thus, the DOC inmate population may seem disproportionately smaller than other states', where all felons and offenders with criminal sentences over one year are sentenced to the state department of correction. Prior to 1994, the minimum term for a Massachusetts state prison sentence was 2.5 years. For offenses committed after 1994, there is no minimum term for a state prison sentence unless there is a house of correction alternative. Where there is a HOC alternative, the minimum state prison term is one year.

DOC employs nearly 5,000 correction officers, correctional program officers, and other security, support, and training staff. On an average day, at least 10,000 individuals reside in DOC facilities, including criminally or civilly sentenced offenders, those detained or awaiting trial, and inmates from other jurisdictions. The mission of DOC is to promote public safety by incarcerating offenders while providing opportunities for participation in effective programming designed to reduce recidivism.

POPULATION CHARACTERISTICS

Almost half—48 percent—of prisoners were serving time for “crimes against the person,” which include violent offenses as well as various forms of nonsexual violation such as assault, robbery, kidnapping, or extortion. Those serving sentences for a governing sex offense¹⁰ represented 18 percent of the population in 2002, while those sentenced for a property offense were 10 percent of the population. Drug offenders made up 21 percent of the population in 2002 (figure 4). The distribution of governing offenses for which inmates serve time has been relatively constant from 1992 through 2002.

Figure 4. Governing Offense of Massachusetts’ Adult Custody Population, 2002



Source: Urban Institute analysis of Massachusetts Department of Correction data.

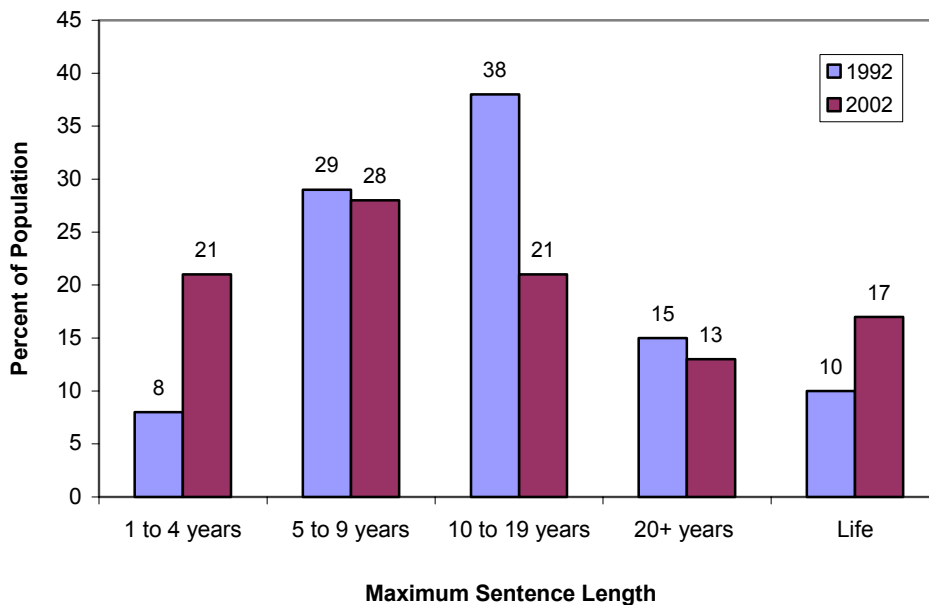
Note: Numbers do not total 100% due to rounding.

¹⁰ Inmates may be incarcerated for multiple offenses. The governing offense is that associated with the longest maximum discharge date.

The average maximum sentence length imposed by judges has actually decreased in recent years in Massachusetts.¹¹ In 2002 a larger share of inmates were serving shorter sentences than in 1992 (figure 5). The percentage sentenced to a maximum of one to four years increased from 8 percent in 1992 to 21 percent in 2002. During the same period those sentenced to a maximum of 10 to 19 years dropped from 38 percent to 21 percent. The majority of inmates in 1992 (38 percent) were serving maximum sentences of 10 to 19 years compared with the majority (28 percent) in 2002 serving 5 to 9 years. The percentage of inmates serving life sentences increased from 10 percent in 1992 to 17 percent in 2002.

It is worth noting that the average time served has not changed dramatically, though the average maximum sentence has become shorter in recent years. The shift in maximum sentence lengths is due in part to a change in the structure of sentences after truth-in-sentencing reforms. Prior to 1994, there was often a large gap between maximum and minimum sentences, and the maximum sentence did not reflect the expected time to be served. Since truth-in-sentencing reforms, the gap between minimum and maximum sentences has narrowed, largely due to the lowering of maximum sentences. As a result, prisoners now serve a higher percentage of the maximum sentence on average. See the Sentencing Law Overview sidebar for more information.

Figure 5. Maximum Sentence Length of Massachusetts' Adult Custody Population, 1992 and 2002



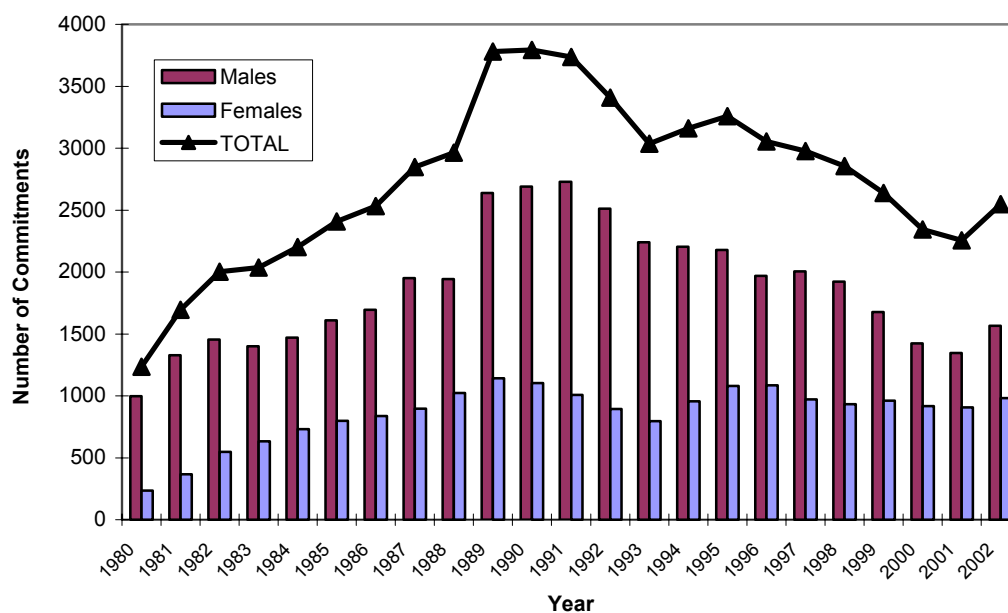
Source: Massachusetts Department of Correction.

¹¹ This is the maximum sentence length associated with the inmates' governing (most serious) offense.

ADMISSION AND RELEASE TRENDS

Admissions to Massachusetts state prisons may occur as the result of a new court commitment or a probation or parole violation. In this context, the term “new court commitment” refers to an individual committed by the courts to the DOC as a result of a criminal offense and to those who begin serving “from and after” sentences.¹² In the case of a “from and after” sentence, a prisoner serving consecutive sentences may complete the first prison term and be committed for another term without being released from custody. The number of new court commitments was on the rise from 1980 to 1990, then briefly decreased from 1991 to 1993, and rose again from 1994 to 1995 (figure 6). From 1995 to 2001 the number of commitments dropped but jumped 13 percent in 2002. Similar trends were seen in both the male and female populations.

Figure 6. New Court Commitments to Massachusetts Adult Prisons, 1980–2002

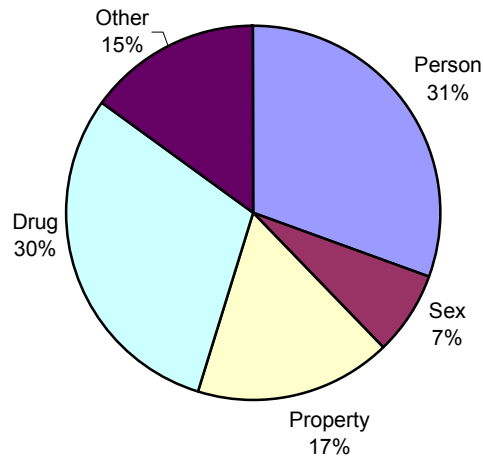


Source: Massachusetts Department of Correction.

¹² Admissions are new court commitments only. They do not include civil commitments, persons detained and awaiting trial, transfers from county, federal, or out-of-state facilities, or those who have committed probation or parole violations.

The 2002 new court commitment cohort were admitted to prison for a variety of offenses (figure 7). The breakdown by offense type for new commitments differs slightly from that of the overall DOC population (because more serious offenders—convicted of person and sex offenses—are likely sentenced to longer stays behind bars). The majority of males (51 percent) but only 16 percent of females were sentenced for a violent offense (person or sex offense). Nearly 84 percent of female prisoners were sentenced for nonviolent offenses (drug, property, or other offenses).

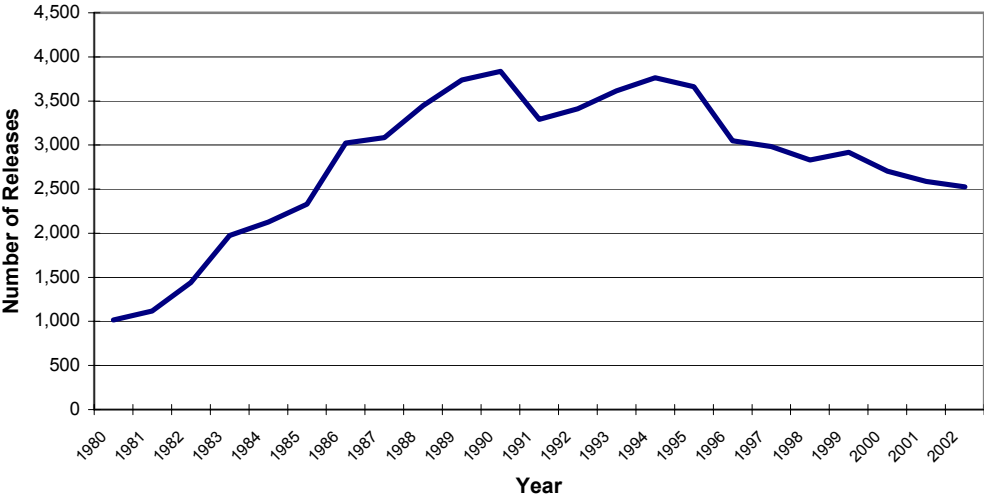
Figure 7. New Court Commitments to State Prison by Offense Type, 2002



Source: Massachusetts Department of Correction.

The trend in the number of prisoners released from DOC between 1980 and 2002 was similar to that of new court commitments during those years. As can be seen in figure 8, the number of prisoners released rose steadily from 1980 to 1990, dropped in 1991, and then increased again from 1992 to 1996.¹³ Between 1996 and 2002, the number of inmates released from DOC then dropped from 3,047 to 2,526. (Still, this was more than double the 1,015 released in 1980.)

Figure 8. Adult Releases from Massachusetts State Prisons, 1980–2002



Source: Urban Institute analysis of Massachusetts Department of Correction data.

¹³ Inmates in Massachusetts can be released via good conduct discharge (expiration of sentence) or parole to the community as well as to other jurisdictions including another state or a federal authority.

Sentencing Law Overview

Motivated by a desire to ensure a closer match between sentences imposed by the courts and time served by offenders, Chapter 432 of the Acts of 1993, "An Act to Promote the Effective Management of the Criminal Justice System through Truth-in-Sentencing," established the Massachusetts Sentencing Commission and initiated the state's truth-in-sentencing reforms. The legislation eliminated (for DOC, not HOC) reformatory sentences, split sentences, and statutory good time. In addition, inmates serving state prison sentences were no longer eligible for parole at one-third or two-thirds of the minimum sentence, and the minimum state prison sentence was reduced from 2.5 years to 1 year for certain felonies.

The Massachusetts Sentencing Commission conducted a before-and-after analysis to determine the effects of the legislation. The new law, which went into effect in July 1994, had some expected as well as unexpected results. The legislation did result in a more accurate relationship between the sentence imposed and expected time to serve. There is no evidence that actual maximum sentence lengths increased, but inmates served a larger proportion of their maximum sentence. The elimination of reformatory and split sentences led to an increased number of individuals being sentenced from superior court to houses of correction rather than state prison. This may account for some of the decreases in new court commitments to DOC.

Another goal of the 1994 truth-in-sentencing legislation was to eliminate early parole consideration, thereby equating parole eligibility with the minimum term of a state prison sentence. In response to this change and in conjunction with the imposition of mandatory minimum terms for specific (largely drug) offenses, judges increasingly imposed sentences with a one-day difference between the minimum and maximum terms (i.e., 5 years to 5 years and one day). As a result, a greater proportion of offenders are virtually ineligible for parole consideration and "wrapping up" their sentences. In 2003, more than 43 percent of prison sentences had a one-day difference between the minimum and maximum terms.¹⁴

The mandatory sentences also place restrictions on participation in pre-release programs, usually until the mandatory minimum term has been completed, but sometimes for the entire term. Mandatory minimum sentences can also render offenders ineligible for sentence deductions for participation in prison programming.

After the truth-in-sentencing law went into effect in July 1994, the expected time to serve was indeed closer to the sentence imposed for those offenders sentenced under the new law. Of the inmates released from DOC facilities in 2002, all of those who had been sentenced after the law went into effect had served 85 percent or more of their sentences.

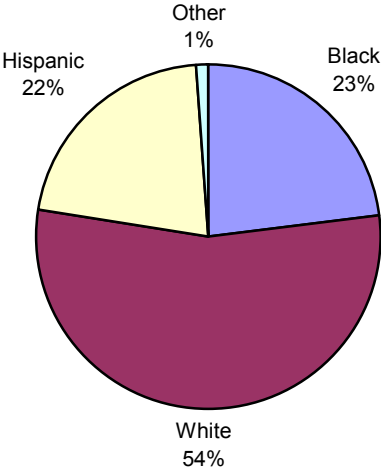
¹⁴ Massachusetts Sentencing Commission. 2004. "Survey of Sentencing Practices, FY 2003." Boston: Massachusetts Sentencing Commission.

CHARACTERISTICS OF MASSACHUSETTS' RETURNING PRISONERS

Demographics

In 2002, there were 2,630 releases to the community from the Massachusetts Department of Correction.¹⁵ Of these individuals, the vast majority—72 percent—were male. More than half (54 percent) of the release population was white, 23 percent black, and 22 percent Hispanic (figure 9).

Figure 9. Race/Ethnicity of Massachusetts' Released Adult Prisoners, 2002

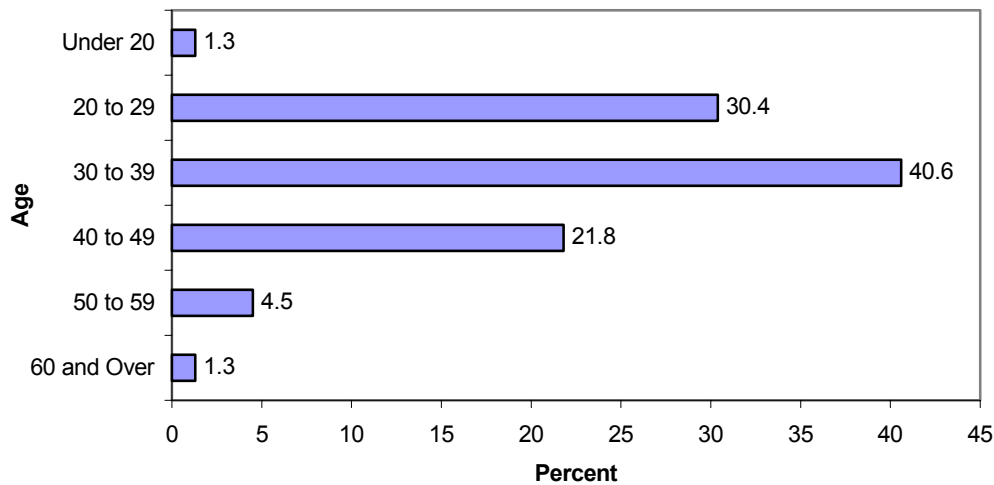


Source: Massachusetts Department of Correction.

¹⁵ In actuality, 2,567 individuals were released; 63 were released twice in 2002.

The average age of those released was 34.6 years. Almost three in four releases—72 percent—were under 40 years old at the time of release, with 31 percent between 30 and 39 years old (figure 10). Sixty-three percent of those released in 2002 were single, 14 percent were married, and 13 percent were divorced (figure 11).

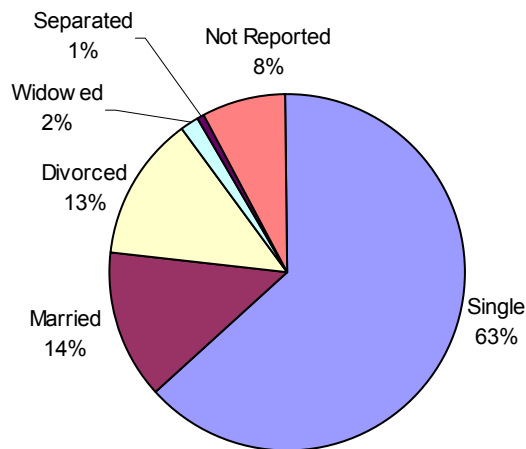
Figure 10. Age of Massachusetts' Released Adult Prisoners, 2002



Source: Massachusetts Department of Correction.

Note: Numbers do not total 100% due to rounding.

Figure 11. Marital Status of Massachusetts' Released Adult Prisoners, 2002



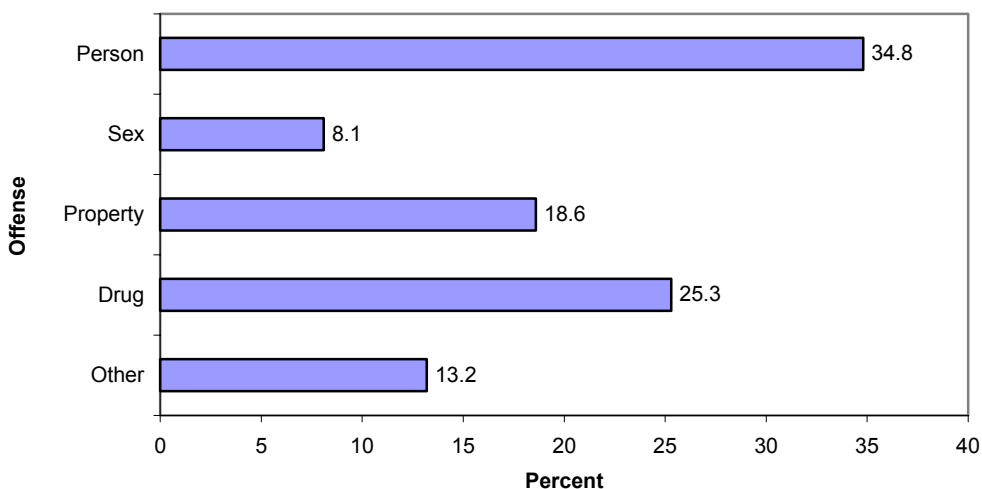
Source: Massachusetts Department of Correction.

Note: Numbers do not total 100% due to rounding.

Conviction Offense

More than one-third (35 percent) of prisoners released from DOC in 2002 were serving a sentence for a person offense (figure 12). One quarter had been sentenced for a drug offense, 19 percent for a property offense, 8 percent for a sex offense, and 13 percent for other offenses. There was substantial variation by gender in offense type. Half of all males released in 2002 had been serving a sentence for a violent offense (person or sex) while only 18 percent of females had sentences for these types of offenses. The majority of females released in 2002 (52 percent) served sentences for drug or property offenses.

Figure 12. Most Serious Conviction Offense of Massachusetts' Released Adult Prisoners, 2002



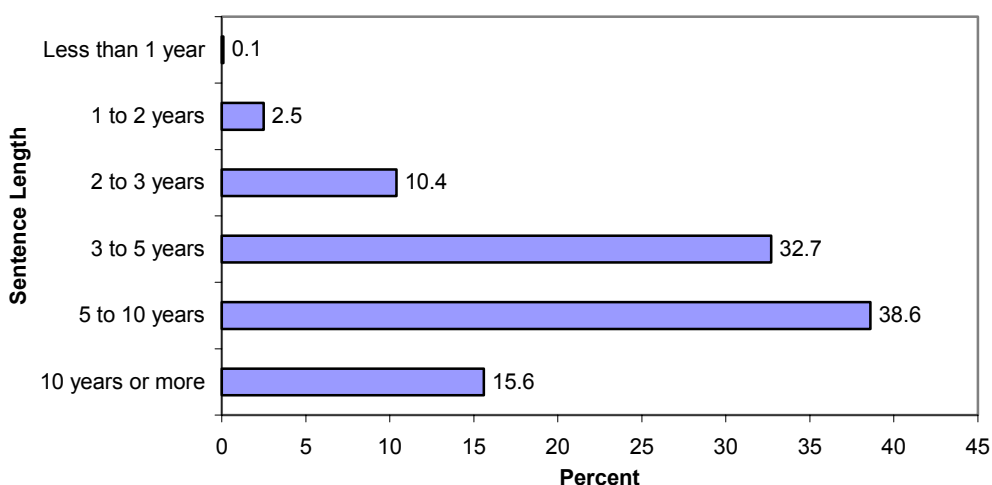
Source: Massachusetts Department of Correction.

Time Served

The average maximum sentence of prisoners released by DOC in 2002 was 72.4 months.¹⁶ Almost 40 percent had been sentenced to five to ten years, and 16 percent had been sentenced to ten years or more (figure 13). One-third of releases had been sentenced to three to five years. Ten percent had been sentenced to two to three years. About 3 percent of inmates released in 2002 had been sentenced to serve less than two years, and less than 1 percent were serving a sentence of less than one year.

While most individuals sentenced to serve 2.5 years or less are committed to county facilities and remain in the custody of county authorities, DOC facilities occasionally house individuals serving shorter sentences. Women are likely to be among those serving short (less than 2.5 years) sentences in DOC custody, as many county houses of correction do not have adequate facilities for women. Under these circumstances, female county inmates are housed in state prisons.

Figure 13. Sentence Length of Massachusetts' Released Adult Prisoners, 2002



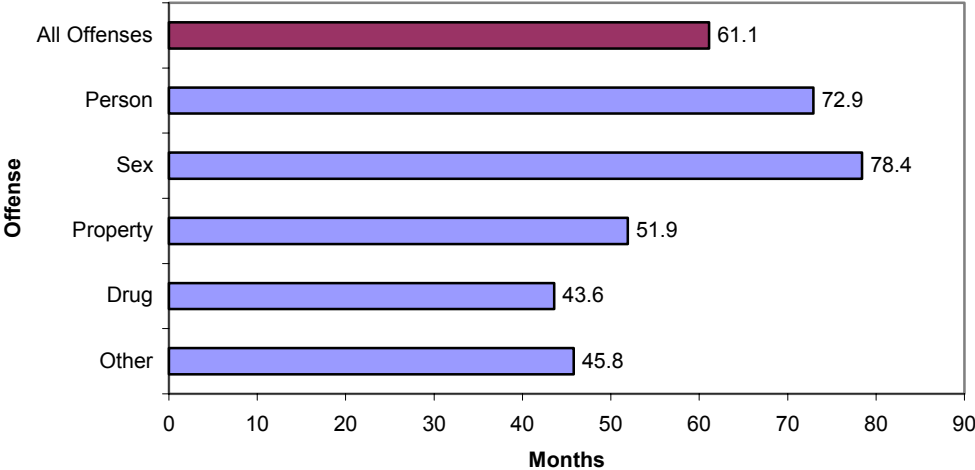
Source: Massachusetts Department of Correction.

Note: Numbers do not total 100% due to rounding.

¹⁶ This figure is based on sentence lengths of inmates serving "state" type sentences. It does not include county sentences, reformatory sentences, split sentences, or complex sentences. It also excludes life sentences with no maximum term.

The average time served by prisoners released from DOC in 2002 was 61.1 months, or just over five years. This average includes only those inmates with Massachusetts state prison sentences and does not include inmates who were re-incarcerated as a result of a parole or probation violation, those with complex sentences, or those with county or out-of-state sentences. On average, those with a sex offense served the most time, 78.4 months (figure 14). Inmates released from a sentence for a person offense served an average of 72.9 months, followed by property offenders serving an average of 51.9 months and drug offenders serving an average of 43.6 months.

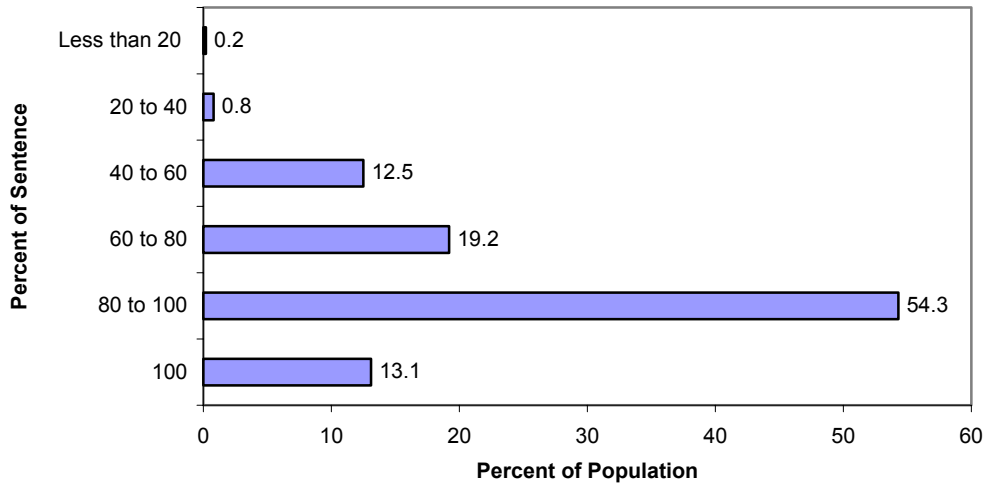
Figure 14. Average Time Served of Massachusetts' Released Adult Prisoners, in Months, 2002



Source: Massachusetts Department of Correction.

Due to Massachusetts' truth-in-sentencing legislation, the majority of prisoners released in 2002 served 80 percent or more of their sentence (figure 15). Thirteen percent of those released served their entire sentence. More than half (54 percent) served between 80 and 100 percent of their sentence. About one in five (19 percent) served between 60 and 80 percent of their sentence, and 13 percent served between 40 and 60 percent of their sentence. About 1 percent served less than 40 percent of their sentence.

Figure 15. Percent of Sentence Served by Massachusetts' Released Adult Prisoners, 2002



Source: Massachusetts Department of Correction.

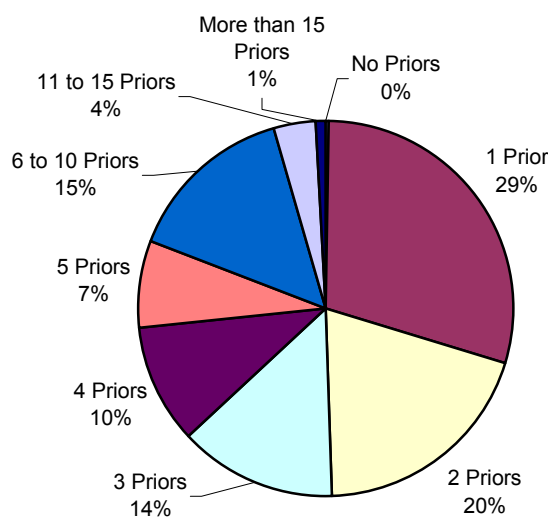
Note: Numbers do not total 100% due to rounding.

Prior Incarceration and Returns to Prison

A study conducted by DOC's Research and Planning Division tracked the 2,961 prisoners released from state custody during 1997. The study revealed that within three years of their release, 48 percent were convicted of, but not necessarily reincarcerated for, a new crime. Of all those released, 41 percent had been reincarcerated in a state, county, or federal facility. Most of those reincarcerated—81 percent—received a new sentence for the conviction of a new crime, and 19 percent were reincarcerated due to a technical violation of their release. The share reincarcerated in Massachusetts is slightly lower than national estimates. A similar national study estimated that, of those released from state prisons in 1994, within three years of their release 52 percent were back in prison for new sentences or for technical violations of their release.

Of the inmates released to the community from a state facility in 2002, nearly all had a prior incarceration within a Massachusetts state or county facility (figure 16). Nearly 30 percent had one prior incarceration, 20 percent had two prior incarcerations, and 50 percent had three or more incarcerations prior to the one they were released from in 2002.

Figure 16. Prior Incarcerations of Massachusetts' Released Adult Prisoners, 2002



Source: Massachusetts Department of Correction.

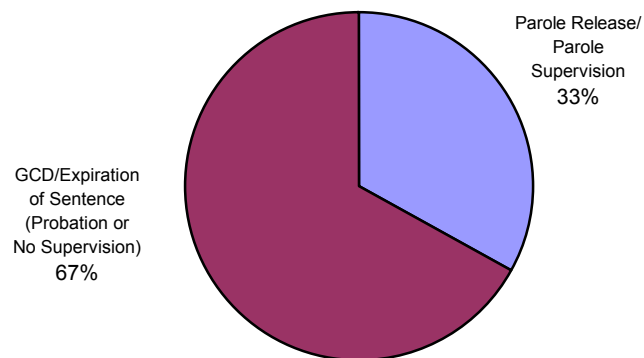
HOW OFFENDERS ARE RELEASED

In 2002, 2,526 prisoners were released from DOC to the community. The first year after release is a critical period during which released offenders are susceptible to reoffending, emphasizing the importance of post-release supervision. Post-release supervision ideally serves two primary functions to prevent such recidivism: (1) monitoring released offenders for public safety purposes and (2) promoting the successful reintegration of individuals back into society. The following sections examine how adult prisoners are released and supervised in Massachusetts.

Adult prisoners in Massachusetts can be released to the community or to other jurisdictions. In 2002, 81 percent of all released adult prisoners were released to the community. Of the remaining 19 percent, 6 percent were released to a warrant, 5 percent were released to a DOC or HOC “from and after” sentence, and 5 percent were released to the U.S. Immigration and Naturalization Service (now the U.S. Citizenship and Immigration Services). Three percent were released to another state, federal authority, or civil commitment.

Prisoners can be released through either a discretionary or a nondiscretionary (mandatory) process. With discretionary release, a parole board determines the prisoner’s release, which is usually followed by a period of supervision. Statute, rather than a panel or board, determines the date of mandatory releases. Most Massachusetts prisoners released by mandatory means do not require a subsequent period of parole supervision. The majority of prisoners released from DOC in 2002 were released to the community via mandatory release. Prisoners who serve out their sentences, including those whose sentences are reduced due to good conduct, are not subject to parole supervision.¹⁷ One-third of the release cohort was released to the supervision of parole, leaving the remaining 67 percent either unsupervised or under probation supervision (figure 17).

Figure 17. Type of Release and Prevalence of Supervision of Massachusetts’ Released Adult Prisoners, 2002



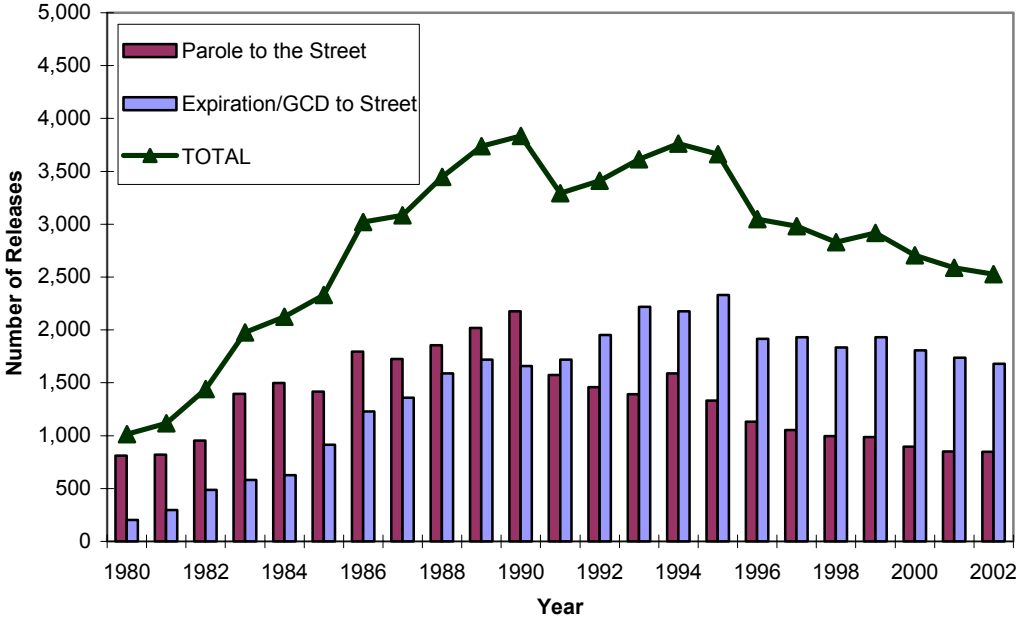
Source: Massachusetts Department of Correction.

Note: GCD = good conduct discharge.

¹⁷ The DOC classifies inmates receiving institutional credit toward a reduced sentence as good conduct discharges, or GCD. A GCD is effectively the same as an expired sentence in that release upon the adjusted expiration date is mandatory.

As previously discussed (see Sentencing Reform sidebar), due to the 1994 truth-in-sentencing legislation in Massachusetts and judges' responses to those reforms, a greater proportion of offenders are ineligible for parole consideration and are therefore released without parole supervision when their sentence expires. As shown in figure 18, the share of prisoners who were released to supervision by a parole board decreased between 1980 and 2002, as the number who were released at the expiration of their sentence increased. The number of individuals released at the expiration of their sentence first surpassed that of the number released to parole in 1991. Notably, the share of prisoners who were released to parole decreased from 80 percent in 1980 to 33 percent in 2002.

Figure 18. Type of Release of Massachusetts' Adult Prisoners Released, 1980–2002



Source: Massachusetts Department of Correction.
 Note: GCD = good conduct discharge.

POST-RELEASE SUPERVISION AND VIOLATION TRENDS

The Commonwealth of Massachusetts Parole Board releases and supervises adult state prisoners released to supervision by a parole board. In 2002, 10,766 individuals—including both state prisoners and county inmates—came before the parole board. The board granted parole to 6,815, or 63 percent of those seen.¹⁸ In December 2002, 3,274 individuals were under supervision by the parole board. The average caseload for a parole officer is 43 parolees.

To remain in the community, parolees must abide by the conditions of their release. These may include special, individualized conditions set by the parole board. Typically, conditions include regular reporting to a parole officer and submitting to drug tests. The parolee's level of supervision determines the frequency of both contact with the officer and drug testing. Parolees under intensive supervision must meet with their parole officer a minimum of four times per month, including at least once at the parolee's residence, and are subject to frequent drug tests. Individuals under maximum supervision must meet in person with their parole officer a minimum of once per month, with one other contact per month. Individuals under maximum supervision are also subject to drug testing a minimum of once per week. Those in residential programs under maximum supervision may be drug tested as often as twice a month. Individuals under moderate supervision must meet in person with their parole officer at least once per quarter, with one additional contact per quarter, and are subject to one drug test per month.

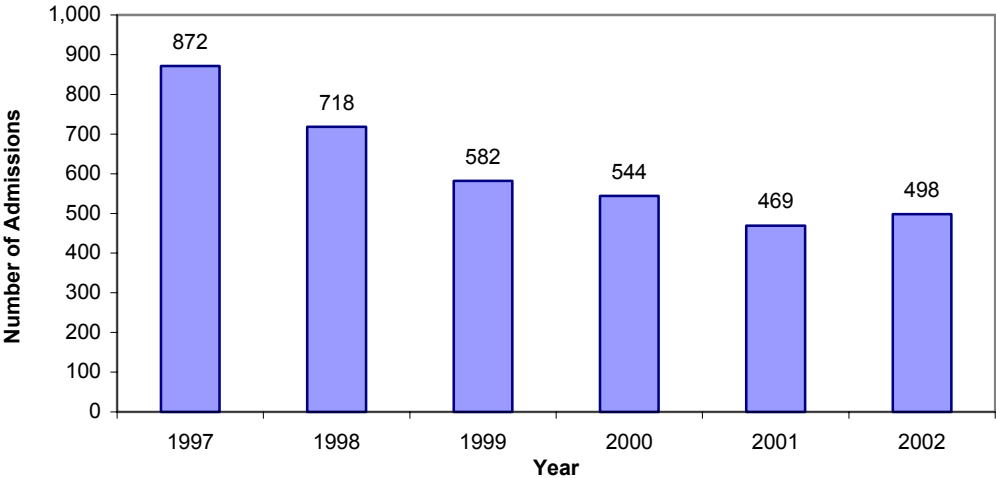
Parole officers respond to individuals' failure to abide by conditions of release by imposing graduated sanctions, beginning with a written warning. The next step is the holding of a case conference between the parolee, the parole officer, and a parole supervisor. The most severe sanction is to return a parolee to prison for a violation. This process begins with the filing of a Parole Violation Report, which is followed by a hearing, either in the parole office or at the institution—in many cases, a prison—that is detaining the parolee.

In 2002, the parole board held revocation hearings for 935 state prisoners and county inmates. Of these, 91 percent, or 852 individuals, had their parole revoked and were returned to state or county facilities. Most of the remaining 9 percent had their hearings postponed. For a very small number—nine individuals—the revocation was not affirmed. When an individual's parole is revoked, he or she is returned to custody. At this time, either a new parole date is set or the individual is required to serve out what is remaining of his or her sentence. These individuals are eligible for a parole hearing in one year. Individuals serving a second-degree life sentence are eligible for a parole hearing after serving 15 years. If denied, they are eligible for a new hearing five years thereafter.

¹⁸ This is the number of individuals who received a positive vote from the parole board. Because the discharge process may take some time, an individual's sentence may expire before he or she is released to parole. Therefore, the number of prisoners and inmates granted parole may not reflect the number released to parole.

Much like the trend in new court commitments in the late 1990s, there was a decrease in the number of technical violators—mostly parolees—admitted to the DOC from 1997 to 2001, and a slight increase in 2002 (figure 19). In 2002, there were almost 500 individuals admitted to prison because of a parole or probation violation. These violations represented 16 percent of all admissions to DOC prisons in 2002. In 1997, the share of prison admissions that resulted from a parole or probation violation was 23 percent.

Figure 19. Adult Violation Admissions to Massachusetts State Prison, 1997–2002



Source: Massachusetts Department of Correction.

In addition to parole, released prisoners may be supervised by probation. The Massachusetts Probation Service, a department of the trial court system, provides supervision and other correctional services to offenders residing in the community. Judges are increasingly using probation—traditionally used as an alternative to incarceration—as a means of post-release supervision. Judges use split and “from and after” sentencing. Split sentencing describes the practice of assigning a period of probation following a period of incarceration for a single offense. A “from and after” sentence refers to a probation sentence immediately following a term of incarceration when the two penalties are imposed by the same judge on separate charges. Since the truth-in-sentencing reforms, judges have not had the ability to use split sentencing for state prison convictions, though they may assign a “from and after” probation sentence. A Department of Correction study of the prisoners released to the community from July through December 2002 found that approximately 26 percent were under probation supervision alone, with another 10 percent under joint parole and probation supervision.

CHAPTER 2

Department of Youth Services Juvenile Population

The Massachusetts DOC is responsible only for incarcerating criminally sentenced adults and those juveniles who are transferred to the adult system. In Massachusetts, juveniles under the age of 18¹⁹ who are adjudicated delinquent for criminal activity may be committed by the court to the supervision of the Massachusetts Department of Youth Services (DYS).

Most juveniles committed to DYS remain under DYS supervision until their 18th birthday. A smaller number of individuals are deemed by the court to be “youthful offenders,” who are under 18 at the time of commitment and a high risk to the community. Youthful offenders remain under the supervision of DYS until their 21st birthday. A snapshot of the DYS population in January 2004 shows that of the 2,944 youth in custody, 89 percent were adjudicated delinquent and placed under custody until age 18 and 11 percent were adjudicated youthful offenders and subject to supervision until age 21.

Most juveniles and youthful offenders do not reside in a DYS facility for the entire period of their commitment. Juveniles are assessed for risks and needs shortly after they are adjudicated delinquent. They are then assigned to an appropriate residential facility for a period determined by DYS staff. DYS releases juveniles from residential facilities to the community and supervises them in the community.

This chapter examines basic trends in the committed juvenile population, commitments to DYS, and discharges from DYS. Following that is a basic description of the characteristics of the population of juveniles released from residential facilities to Massachusetts communities in 2002.

The **juvenile population** includes all individuals committed to the supervision of DYS. **Juvenile commitments** are those juveniles who are adjudicated delinquent by the court and admitted to the supervision of the DYS. **Juvenile discharges** are those individuals whose term of supervision by DYS has ended, usually because they have reached their 18th (or 21st) birthday. The **incarcerated juvenile population** includes all juveniles who are placed in a residential facility. The **released juvenile population**, for the purposes of this report, includes those juveniles who are released from a facility into the community. With few exceptions, these youth will remain in DYS custody after release. Members of this population will be referred to as **released juveniles**.

¹⁹ In many cases, juveniles who are age 17 will be treated as adults.

Massachusetts Department of Youth Services

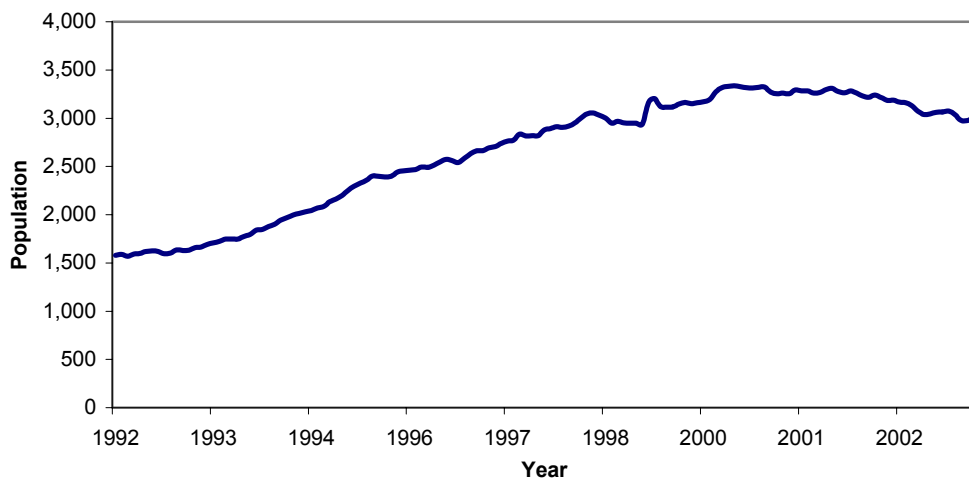
Offenders under the age of 18 are committed to the responsibility of the state Department of Youth Services (DYS). The majority of youth adjudicated delinquent or youthful offenders are under supervision in the community. Typically, one half of all youth in DHS custody are supervised in the community, while approximately one half reside in a residential facility. DHS operates 64 residential facilities with varying security levels. The most secure facilities house detainees and committed residents. For lower-risk youth, and for those in transition from confinement, DHS operates residential group homes and wilderness programs. All DHS facilities provide education, medical and drug treatment, counseling, and other services as needed. DHS also places youth in special education residential schools for long-term care in a group setting. Juveniles charged with or convicted of murder, or who face adult sentences, are housed in a DHS-operated wing within an adult correctional facility in Plymouth, Massachusetts.

In addition to these residential facilities, DHS operates 38 programs for youth residing in the community. Youth residing in the community under DHS supervision are subject to case management and monitoring until the age of 18 or 21, depending on their status as delinquent or youthful offender. While under DHS supervision, youth report to one of the state's 19 day-reporting centers on a regular basis and have access to a host of services. Depending on the location, these services may include recreational activities, family counseling, substance abuse counseling, anger management counseling, and delinquency prevention.

POPULATION TRENDS

Like the adult state prison population, the number of juveniles under the supervision of DHS grew throughout the 1990s and decreased in recent years (figure 20). Of the 2,944 youth in custody in January 2004, approximately 38 percent were residing in DHS facilities. Nearly 50 percent had completed a residential placement and were residing in the community. The remainder had been placed with other agencies.

Figure 20. Massachusetts DHS Population, 1992–2003

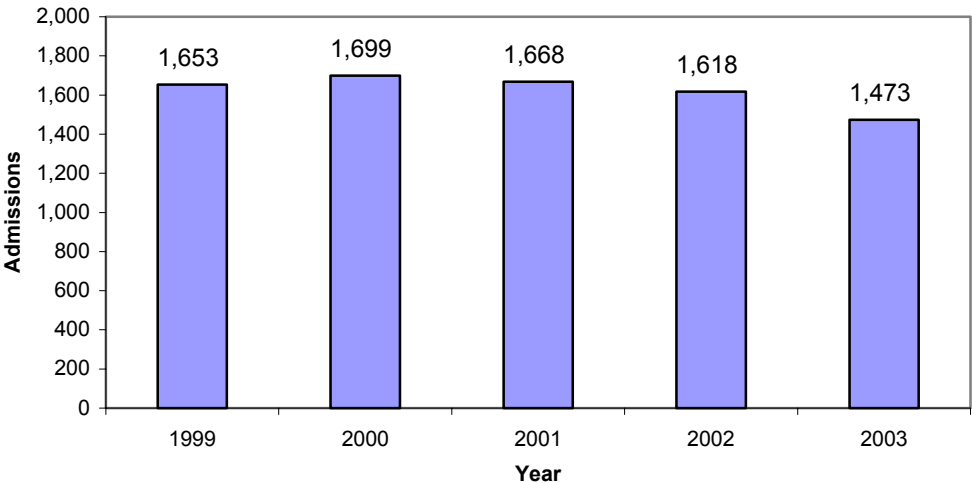


Source: Urban Institute analysis of Massachusetts Department of Youth Services data.

COMMITMENT AND DISCHARGE TRENDS

Data on juvenile commitments to and discharges from DYS custody are available only for recent years (1999–2003). As shown in figure 21, the number of commitments increased slightly between 1999 and 2000 and then decreased significantly between 2000 and 2003, dropping 13 percent from 1,699 to 1,473.

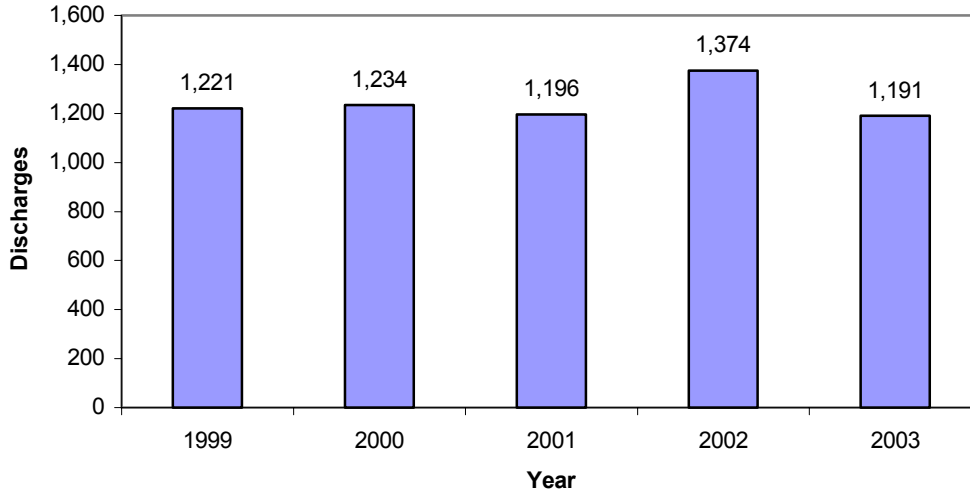
Figure 21. Admissions to Massachusetts DYS, 1999–2003



Source: Urban Institute analysis of Massachusetts Department of Youth Services data.

DYS discharges juveniles when they reach age 18 and youthful offenders when they turn 21. Therefore, the ages of the individuals under DHS supervision largely drive the trends in discharges. Between 1999 and 2001, the number of discharges from DHS varied from year to year, decreasing slightly overall (figure 22).

Figure 22. Discharges from Massachusetts DHS, 1999–2003

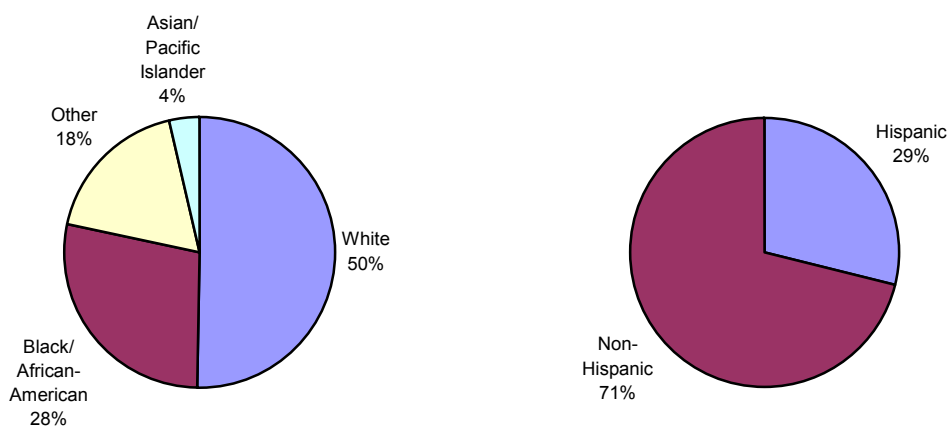


Source: Urban Institute analysis of Massachusetts Department of Youth Services data.

CHARACTERISTICS OF RELEASED JUVENILES

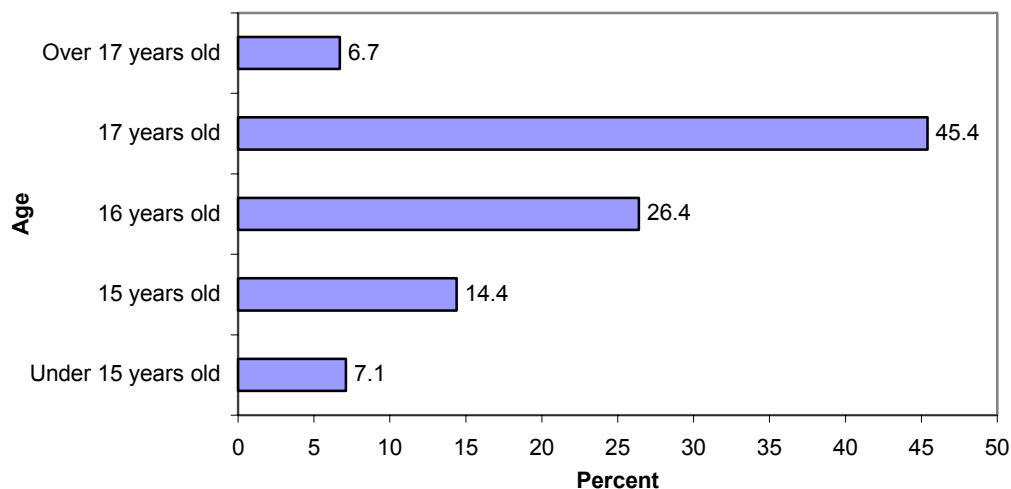
In 2002, 1,842 juveniles and youthful offenders were released from residential facilities to the community. Most of these remained in DYS custody until their discharge at the age of 18 or 21. The majority (86 percent) of released juveniles were male. One half of the juveniles released were white, 28 percent were African American, 4 percent were Asian Pacific Islanders, and 18 percent were another race (figure 23). Nearly one-third (29 percent) were of Hispanic descent. The average age of juveniles released in 2002 was 16. The vast majority (93 percent) of juveniles released in 2002 were 17 years old or younger (figure 24).

Figure 23. Race/Ethnicity of Massachusetts' Released Juveniles, 2002



Source: Urban Institute analysis of Massachusetts Department of Youth Services data.

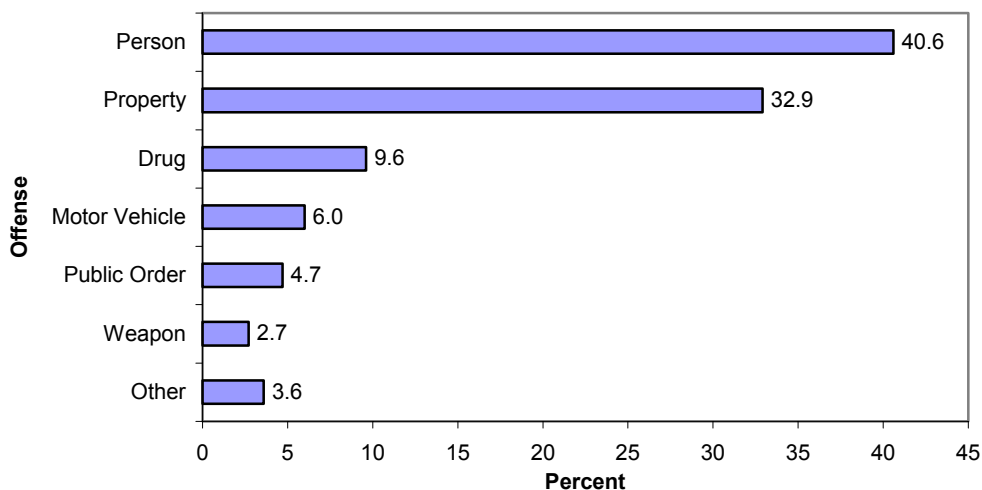
Figure 24. Age of Massachusetts' Released Juveniles, 2002



Source: Urban Institute analysis of Massachusetts Department of Youth Services data.

Forty percent of juveniles released to the community in 2002 had been placed in confinement for a person offense (figure 25). The majority of these—35 percent of the released population—were violent offenders. Thirty-three percent had been confined for a property offense, and 10 percent had committed a drug offense. A small number—6 percent—had committed a motor vehicle offense. Public order and weapons offenses accounted for less than 5 percent each.

Figure 25. Most Serious Conviction Offense of Released Juveniles, 2002

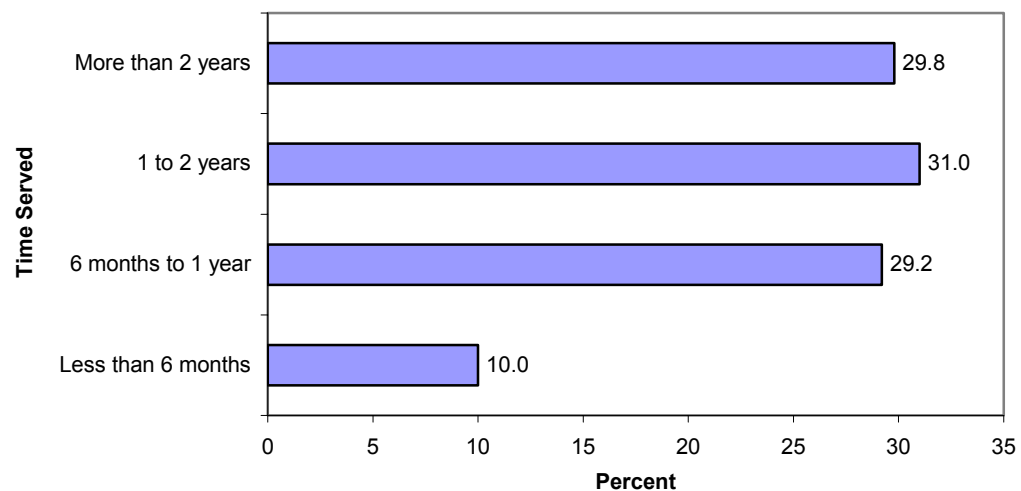


Source: Urban Institute analysis of Massachusetts Department of Youth Services data.

Note: Numbers do not total 100% due to rounding.

DYS staff determines the time to be served in incarceration by juveniles in Massachusetts. This determination is based primarily on the findings of risk assessments conducted at the time of commitment to DYS.²⁰ Committed juveniles released in 2002 served an average of 1.7 years. More than two-thirds of juveniles released in 2002 had been incarcerated for two years or less (figure 26). This included 10 percent who had served less than six months, 29 percent who served between six months and one year, and 31 percent who had served between one and two years. Thirty percent served more than two years in incarceration prior to release.

Figure 26. Time Served by Massachusetts' Released Juveniles, 2002



Source: Urban Institute analysis of Massachusetts Department of Youth Services data.

The drug use histories of the juveniles released in 2002 are unknown. However, a 2000 survey of youth in DYS residential facilities found that illegal drug and alcohol use were prevalent among the incarcerated population. In a representative sample of DYS youth, 74 percent admitted to having used alcohol at least once in their lives, and 82 percent had used marijuana at least once.²¹ Most of those who reported using drugs or alcohol reported first using before the age of 15. More than half—55 percent of those surveyed—reported committing a crime while under the influence of drugs or alcohol. Slightly less than half—46 percent—reported a family history of drug or alcohol abuse, and 52 percent admitted to having a problem with drugs or alcohol. In the same study, it was reported that 58 percent of youth reporting to day-reporting centers tested positive for drug use, almost all for the use of marijuana.

²⁰ Robert Tansi, research analyst, Massachusetts Department of Youth Services, in discussion with Sinead Keegan, September 17, 2004.

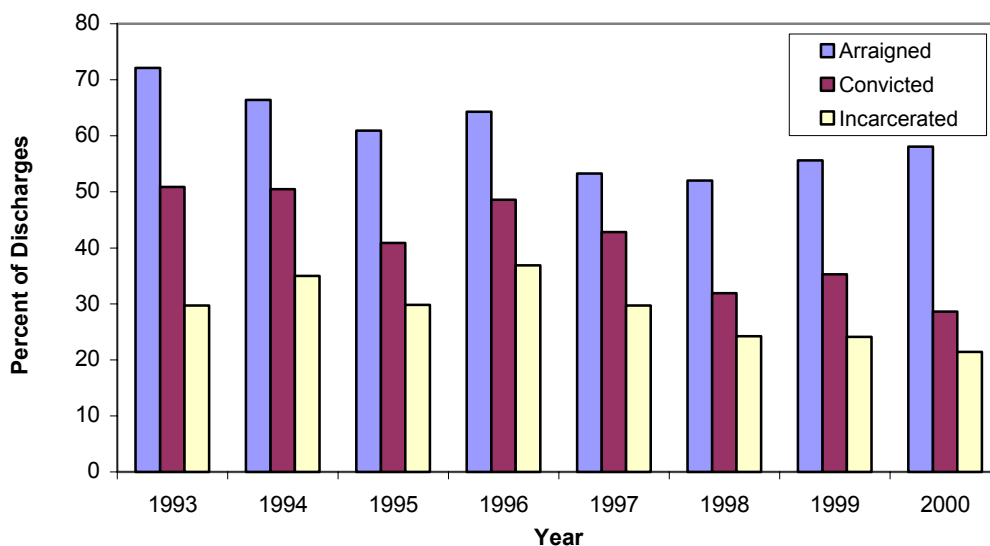
²¹ Tansi, Robert. 2000. "Client Substance Use Survey Results." Boston: Massachusetts Department of Youth Services.

POST-RELEASE SUPERVISION

While the majority of adults released from prison in Massachusetts are released mandatorily, all juvenile releases from DYS are discretionary. DYS staff members determine whether incarcerated juveniles are ready to return to the community. This determination almost always occurs before the term of supervision by DYS has ended and juveniles are released with a “grant of conditional liberty.” Nearly all released juveniles are supervised in the community by DYS staff after release. During this period of supervision, released juveniles are required to abide by certain conditions. These conditions often include day-reporting center visits, drug testing, a curfew, and school or work attendance. Like adults on parole, if supervised juveniles violate the conditions of their release, they can be returned to residential facilities. In 2003, 1,494 juveniles returned to facilities because of violations of conditions of their release. Some of these juveniles returned more than once, for a total of 2,607 revocations in 2003.

Because juveniles remain under DYS supervision until they reach adulthood, the agency defines recidivism as arrest and conviction in the adult system. DYS uses a representative sample of all discharged youth to estimate the level of recidivism within one year of discharge (figure 27). Between 1993 and 2000, the rate of adult arraignment among DYS discharges decreased from 72.1 percent to 58.1 percent. During the same period, the conviction rate dropped from 50.9 percent to 28.6 percent, and the rate of incarceration decreased from 29.7 percent to 21.4 percent.²²

Figure 27. One-Year Recidivism Rates for Massachusetts DYS Discharges, 1993–2000



Source: Massachusetts Department of Youth Services.

²² Tansi, Robert. 2004. “2004 Juvenile Recidivism Report.” Boston: Massachusetts Department of Youth Services.

CHAPTER 3

Suffolk County House of Correction Population

Of all Massachusetts offenders sentenced to incarceration in 2003, 91.4 percent were sentenced to houses of correction.²³ While it is necessary to examine this population to complete the picture of reentry in Massachusetts, detailed information is unavailable in the aggregate for all counties. This chapter focuses on the Suffolk County HOC, the largest of the 13 HOCs, which is in the county with the largest number of released prisoners. The Suffolk County HOC, like other county facilities, houses some pre-trial detainees and jail inmates. This chapter describes the basic features of inmates serving county sentences who were released from county custody in 2002.

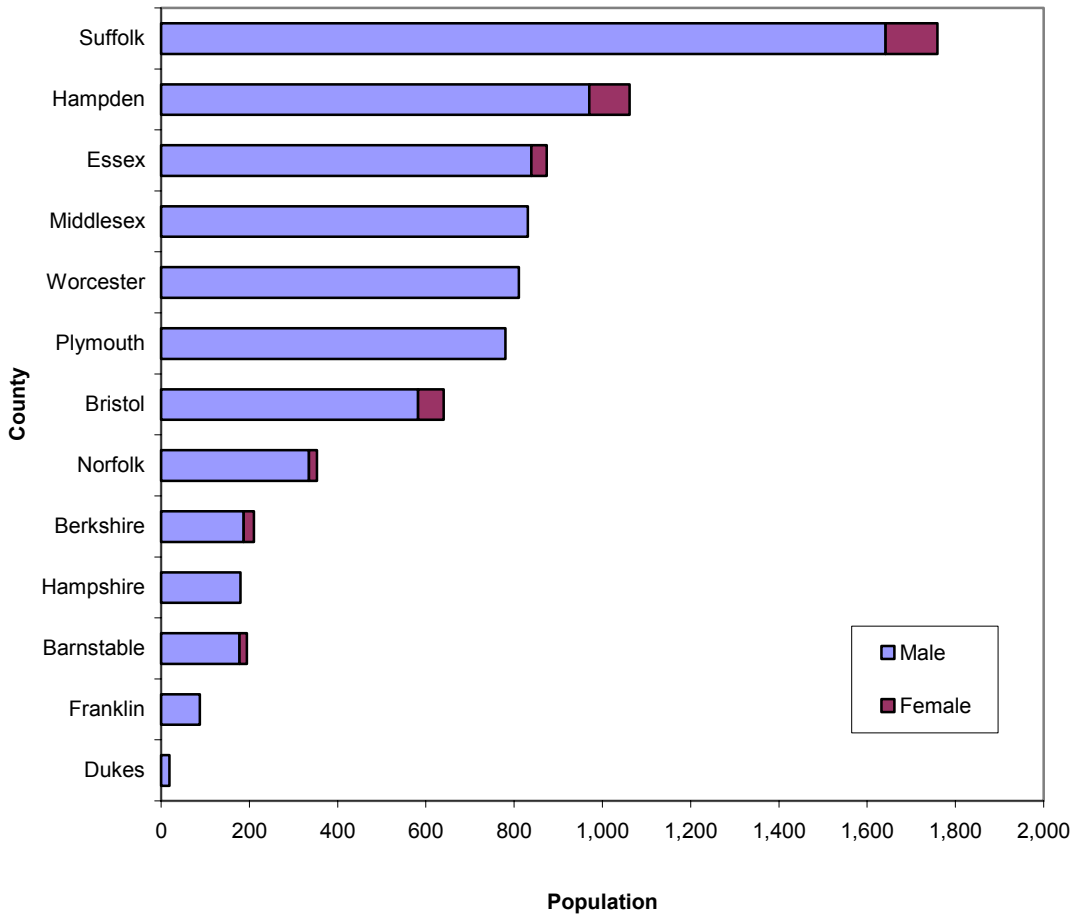
Suffolk County HOC

As previously stated, the 13 county Houses of Correction, which are administered by the office of the sheriff in each county, are responsible for the majority of criminal offenders sentenced to less than 2.5 years in confinement. In 2003, these county facilities housed 7,801 sentenced offenders and 5,371 pre-trial detainees. The sentenced population included 7,442 men and 359 women. The largest of the county facilities is the Suffolk County House of Correction, located in Boston (figure 28). The 1,759 sentenced Suffolk County HOC inmates accounted for 62 percent of its average daily population in 2003. Sentenced inmates make up approximately 60 percent of the total HOC population statewide, with the proportion of sentenced inmates in each county facility varying from 49 percent to 79 percent. Suffolk is one of three counties that operate separate facilities for House of Correction and jail inmates.

The Suffolk County HOC differs from many Massachusetts county facilities in one important respect. All women sentenced to the Suffolk County HOC are housed at that facility. Many other county Houses of Correction are not equipped to accommodate the number of female offenders sentenced to serve a county sentence. As a result, many convicted females serve county sentences in the custody of the state. Female (and male) offenders may be transferred from county HOC facilities to DOC facilities for other reasons as well. Similarly, a small percentage of DOC inmates serve a portion of their time in county facilities. DOC has been working in collaboration with county sheriffs to intentionally transfer appropriate offenders to facilities closer to their home communities. These transfers are intended to facilitate and improve the process of reentry to the community from prison.

²³ Massachusetts Sentencing Commission. 2004. "Survey of Sentencing Practices FY 2003." Boston: Massachusetts Sentencing Commission.

Figure 28. Average Daily Sentenced Population at Massachusetts County Houses of Correction, 2003

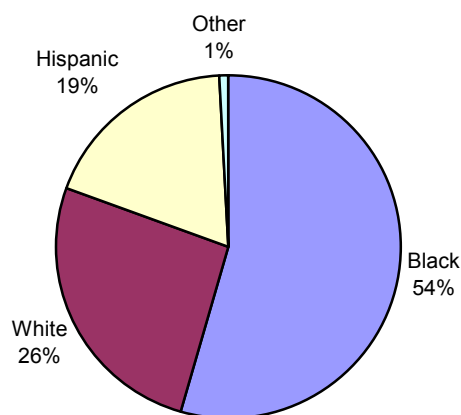


Source: Urban Institute analysis of Massachusetts Sheriffs' Association data.

DEMOGRAPHICS

In 2002, the Suffolk County HOC released 2,046 sentenced inmates. Of these, just over 90 percent were men. The female portion of the Suffolk County release cohort was considerably lower than that of DOC (28 percent). This smaller proportion is likely a reflection of the practice of housing county female inmates in state facilities due to limited accommodations for women in most counties. In contrast to the state prison release cohort, the majority (54 percent) of inmates released from Suffolk County were black; 26 percent were white (figure 29). The Hispanic percentage (19 percent) was comparable to that of the state prison population.

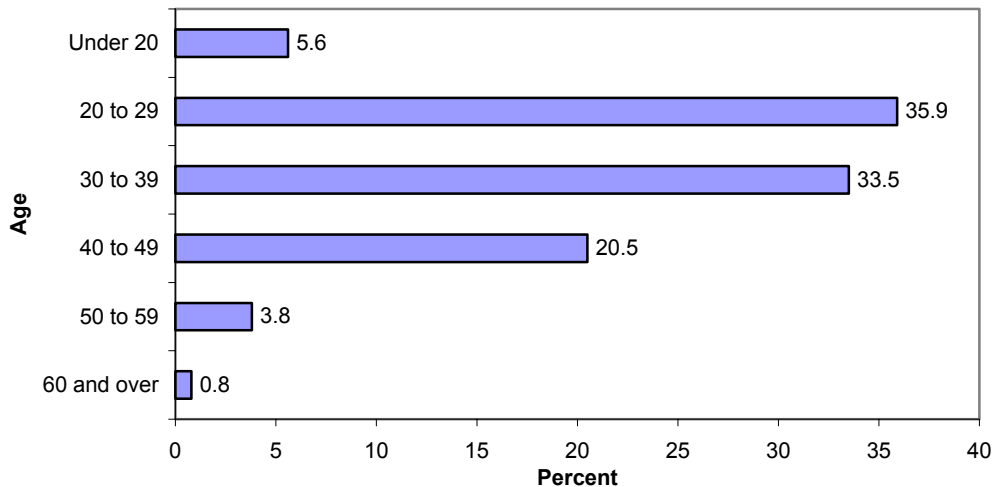
Figure 29. Race/Ethnicity of Released Suffolk County HOC Inmates, 2002



Source: Urban Institute analysis of Suffolk County Sheriff's Department data.

The average age for HOC inmates was 33.2 years. Three quarters of inmates leaving Suffolk County custody were under the age of 40 at the time of release, and 42 percent were under the age of 30 (figure 30). At least 70 percent of inmates were single, 10 percent were married, and 6 percent were divorced (figure 31).

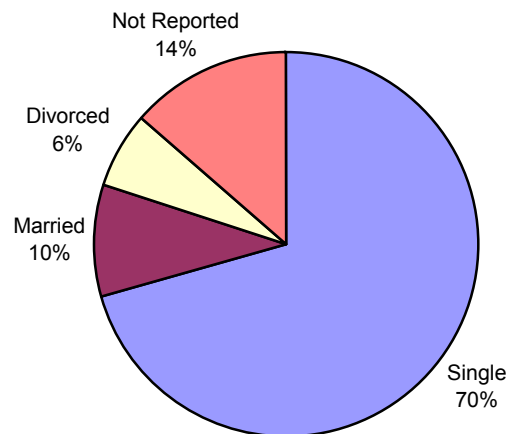
Figure 30. Age of Released Adult Suffolk County HOC Inmates, 2002



Source: Urban Institute analysis of Suffolk County Sheriff's Department data.

Note: Numbers do not total 100% due to rounding.

Figure 31. Marital Status of Released County HOC Inmates, 2002



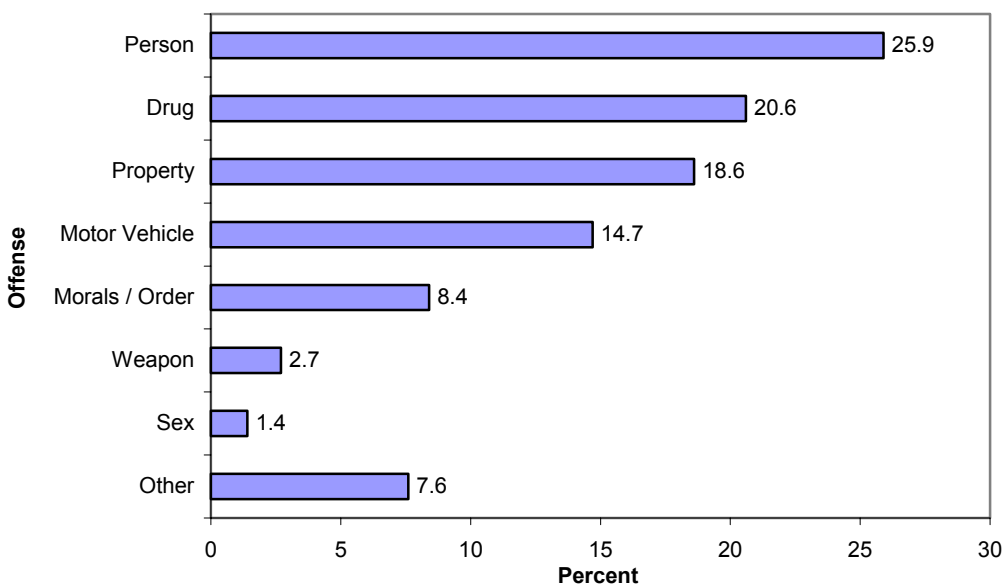
Source: Urban Institute analysis of Suffolk County Sheriff's Department data.

CONVICTION OFFENSE

Approximately one quarter (26 percent) of inmates released from the Suffolk County HOC in 2002 were serving a sentence for a person offense (figure 32). Drug and property offenses accounted for 21 and 19 percent, respectively. Motor vehicle offenses, the vast majority of which were misdemeanors, were responsible for 15 percent of Suffolk County HOC inmates' convictions. Very few inmates were serving sentences for sex offenses (1 percent) or weapons offenses (3 percent).

Among county inmates, there was not a noticeable variation by gender in offense type. Drug offenses were the most common type among women and accounted for 23 percent of female convictions. Among male inmates, 20 percent were serving sentences for drug convictions. Person offenses were the most common type for men, at 28 percent. While 22 percent of men were serving sentences for a violent (person or sex) offense, 17 percent of women were sentenced for violent person offenses. None of the sex offenders released from Suffolk County custody were women.

Figure 32. Most Serious Conviction Offense of Released Suffolk County HOC Inmates, 2002



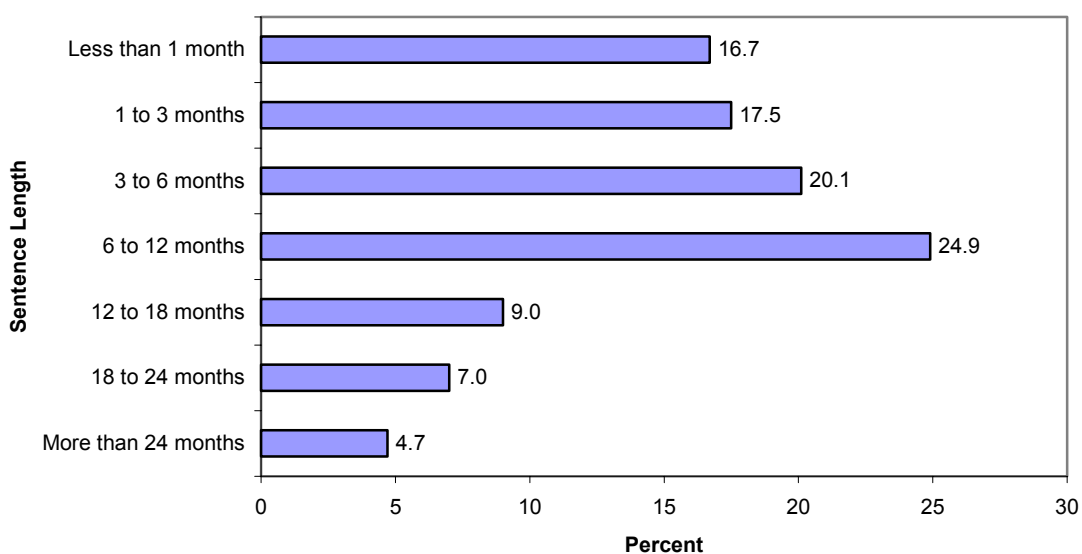
Source: Urban Institute analysis of Suffolk County Sheriff's Department data.

Note: Numbers do not total 100% due to rounding.

TIME SERVED

There is no minimum sentence length for Massachusetts Houses of Correction. The maximum sentence length is 2.5 years. As previously stated, only inmates serving county sentences were included in this analysis. More than 95 percent of Suffolk County HOC inmates released in 2002 had been sentenced to less than two years, nearly 80 percent had been sentenced to less than one year, and the majority (nearly 55 percent) had been sentenced to six months or less (figure 33). The average maximum sentence for Suffolk HOC inmates released in 2002 was 8.3 months.²⁴

Figure 33. Sentence Length of Released Suffolk County HOC Inmates, 2002



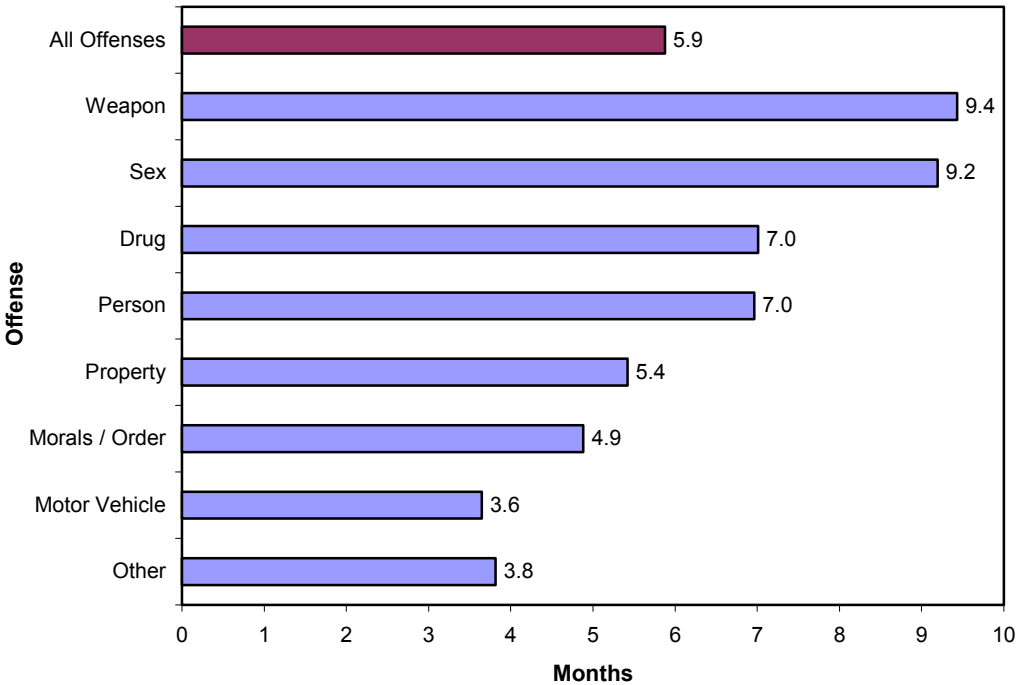
Source: Urban Institute analysis of Suffolk County Sheriff's Department data.

Note: Numbers do not total 100% due to rounding.

²⁴ The minimum and maximum house of correction sentences are the same.

The average time served by inmates released from the Suffolk County HOC in 2002 was 179 days, or just under six months. Inmates with a weapons offense (9.4 months) or sex offense (9.2 months) served the highest amount of time on average (figure 34). Inmates with drug and person offenses both served an average of 7 months. The average time served for property, morals/order, and motor vehicle offenses were all less than six months.

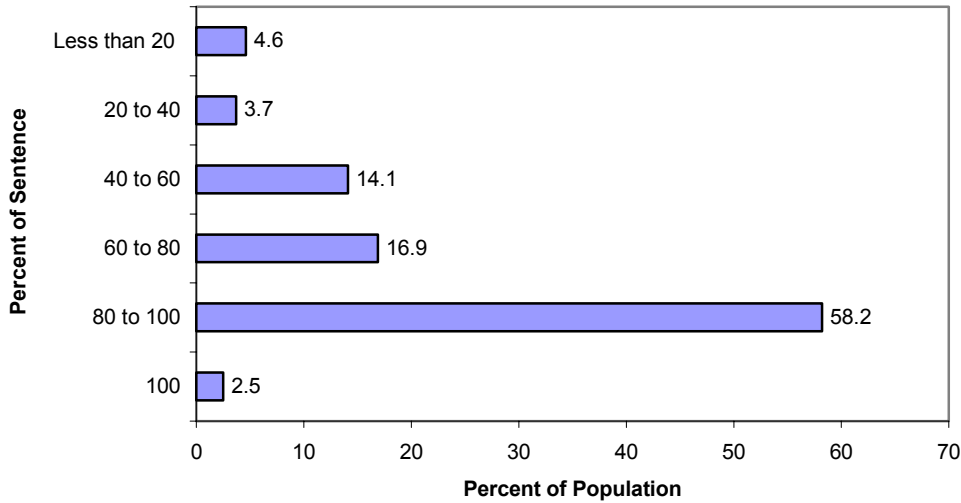
Figure 34. Average Time Served of Released Suffolk County HOC Inmates, in Months, 2002



Source: Urban Institute analysis of Suffolk County Sheriff's Department data.

Less than 3 percent of inmates released from the Suffolk County HOC served their full sentences. The majority (61 percent) of released inmates served 80 percent or more of their sentences (figure 35). Approximately 17 percent of those released served between 60 and 80 percent of their sentences, while 23 percent of inmates served less than 60 percent of their sentences. About 5 percent of county inmates were released after serving less than 20 percent of their sentences.

Figure 35. Percentage of Sentence Served by Released Suffolk County HOC Inmates, 2002



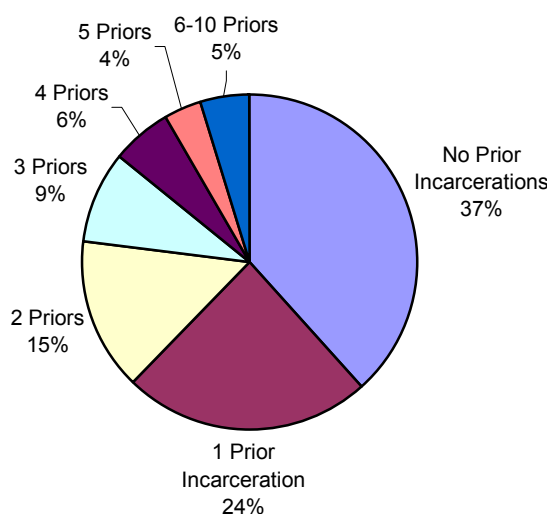
Source: Urban Institute analysis of Suffolk County Sheriff's Department data.

PRIOR INCARCERATION AND RETURNS TO PRISON

In 2002, the Massachusetts Sentencing Commission conducted a study of recidivism among inmates released from April to June of that year.²⁵ In this study, recidivism was defined as a new arraignment or a technical violation resulting in incarceration. The sample included offenders from all DOC facilities and six houses of correction, including 644 offenders released from the Suffolk County HOC. The Sentencing Commission found that the rate of recidivism within 11 months was 53.4 percent among inmates released from the Suffolk County HOC. Of the inmates that were classified as recidivists, 93 percent were arrested for a new offense and 7 percent committed a technical violation of probation or parole.

Of the inmates released from the Suffolk County HOC in 2002, almost two-thirds had previously been incarcerated at the Suffolk County facility (figure 36). Nearly one in four inmates had been committed to the Suffolk County HOC once before, and just under 40 percent had served time at the HOC more than once before.

Figure 36. Prior Suffolk HOC Incarcerations of Released Suffolk County Inmates, 2002



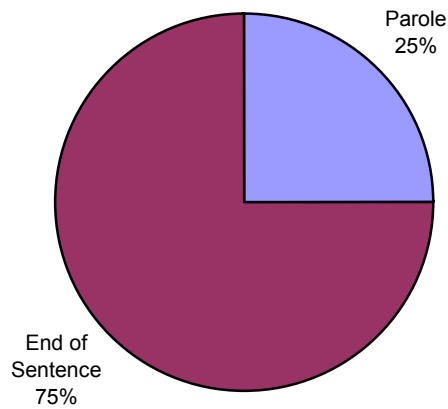
Source: Urban Institute analysis of Suffolk County Sheriff's Department data.

²⁵ Massachusetts Sentencing Commission. 2002. "Comprehensive Recidivism Study: A Report to the House Committee on Ways and Means, Senate Committee on Ways and Means, Joint Committee on Criminal Justice and the Joint Committee on Public Safety." Boston: Massachusetts Sentencing Commission.

HOW INMATES ARE RELEASED

Like state prisoners, HOC inmates may be released to the community or to other jurisdictions. Release to the community may be discretionary or nondiscretionary (mandatory). As with state prisoners, discretionary release for the House of Corrections is determined by the Massachusetts Parole Board. In general, inmates sentenced to houses of correction for 60 days or more are eligible for parole consideration once they have served one half of their sentence. Of the inmates released from the Suffolk County HOC in 2002, three quarters were released by mandatory means. The remaining quarter were released at the discretion of the parole board and subject to parole supervision. Among inmates serving 60 days or more—and therefore eligible for parole consideration—approximately 33 percent were released to parole (figure 37).

Figure 37. Type of Release and Prevalence of Supervision of Released Suffolk County HOC Inmates, 2002



Source: Urban Institute analysis of Suffolk County Sheriff's Department data.

POST-RELEASE SUPERVISION

As previously discussed, the Massachusetts Parole Board may release and place under its supervision adult inmates in both state and county facilities, though this practice has become less common since truth-in-sentencing reforms. While the vast majority of inmates released to the community from houses of correction are not subject to parole supervision, there is evidence that a substantial number of mandatory releases to the community involve a period of probation supervision.

Judges in Massachusetts may sentence offenders to post-release probation supervision in addition to incarceration. For offenders committed to a HOC, probation may be assigned using a split sentence or a “from and after” sentence. When an offender is convicted of a single offense, a judge may impose a period of incarceration, to be followed by a period of probation, resulting in a split sentence. In the case of multiple offenses, the judge may impose sentences of incarceration and subsequent probation for separate charges. The period of supervision following confinement is referred to as a “from and after sentence.” Though data were not available on the number of Suffolk HOC inmates subject to post-release probation, a recent survey by the Massachusetts Sentencing Commission found that 42 percent of inmates committed to houses of correction statewide in 2003 were sentenced to post-release probation in the form of a split or “from and after” sentence.²⁶

²⁶ Massachusetts Sentencing Commission. 2004. “Survey of Sentencing Practices FY 2003.” Boston: Massachusetts Sentencing Commission.

CHAPTER 4

Geographic Distribution of Released Prisoners

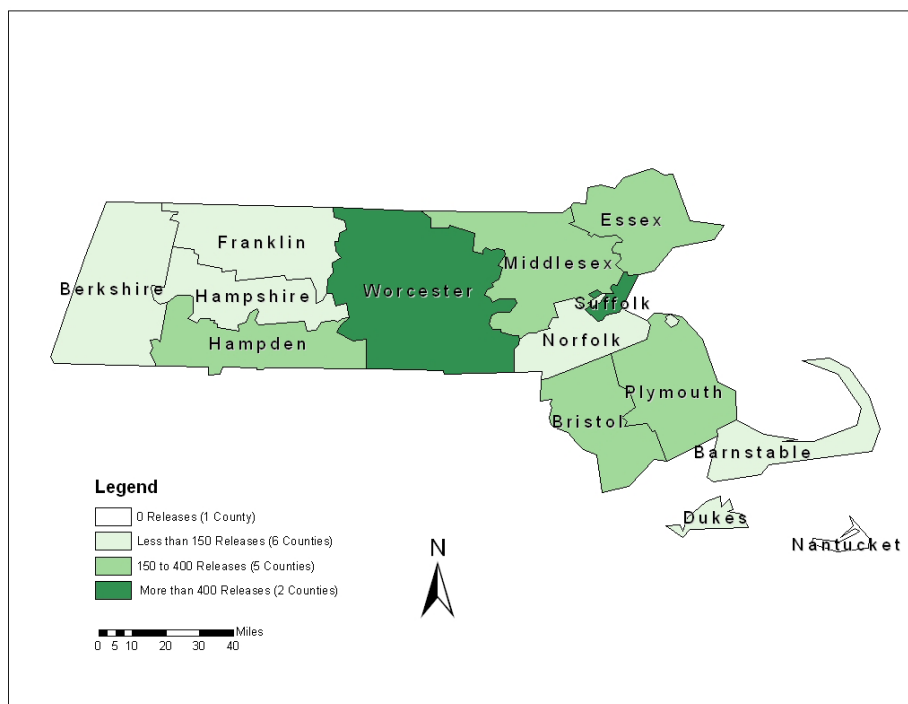
The community context of prisoner reentry can have an important influence on post-release success or failure. It stands to reason that ex-prisoners returning to communities with high unemployment rates, active drug markets, and few social services may be more likely to relapse and recidivate. This chapter presents findings from a geographic analysis of returning prisoners by county and examines this reentry distribution by the socioeconomic characteristics of Suffolk County, the home of Boston, Massachusetts' state capital and largest city, and the county with the highest percentage of prisoners released in 2002.

REENTRY IN MASSACHUSETTS

Adult Prisoners

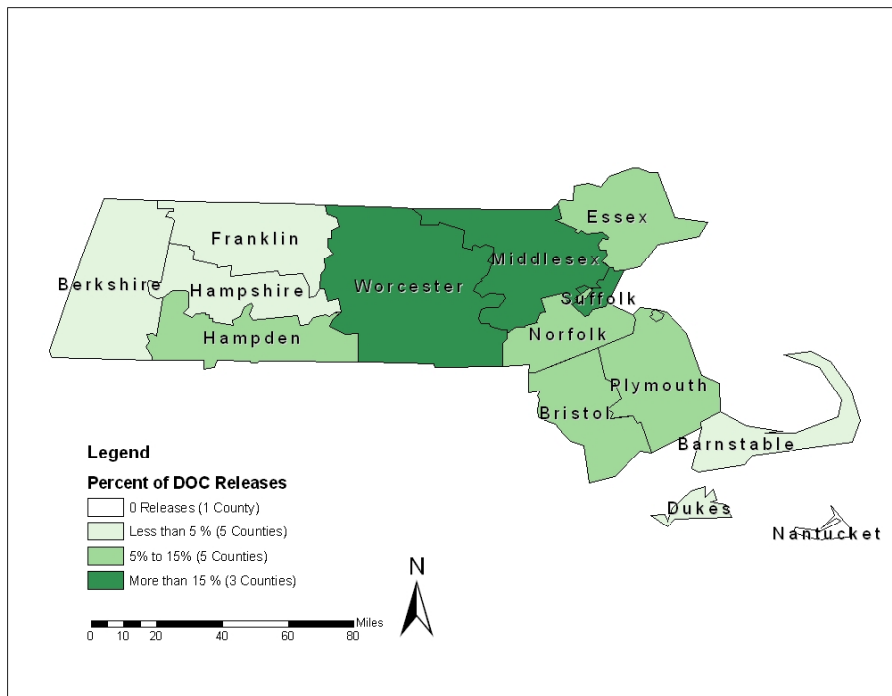
The vast majority of those released from state prisons in 2002 returned to communities in the state. More than one-third (37 percent) of released adult prisoners returned to two of Massachusetts' 14 counties. (See maps 1 and 2 and figure 38.) These two counties account for 22 percent of the state's overall population. Almost one in five released adult prisoners—19 percent, or 464 individuals—returned to Suffolk County, and 18 percent of those released (434 individuals) returned to Worcester County.

Map 1. Number of Adult Prisoner Releases by County, 2002



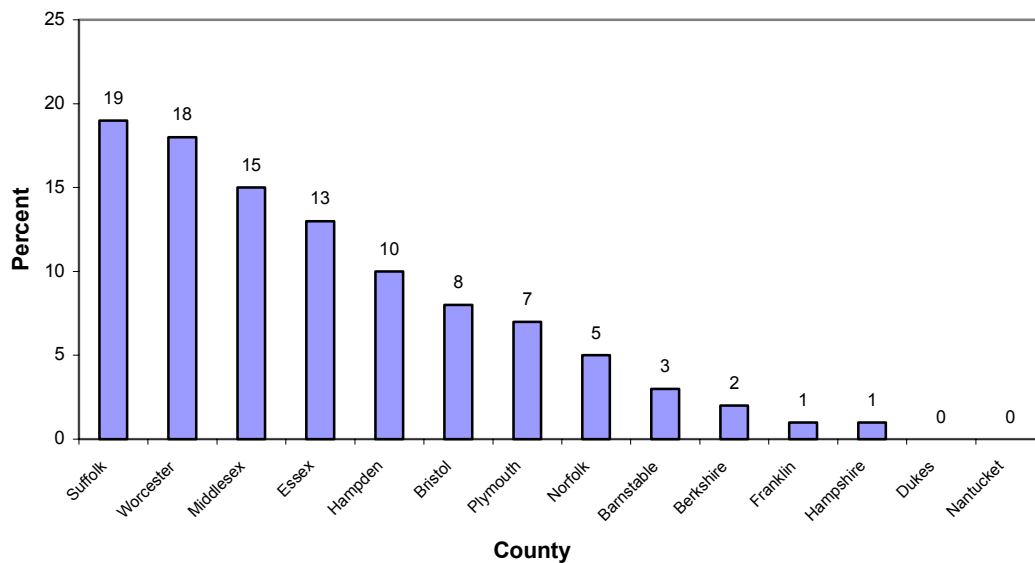
Source: Urban Institute analysis of Massachusetts Department of Correction data.

Map 2. Percentage of Adult Prisoner Releases by County, 2002



Source: Urban Institute analysis of Massachusetts Department of Correction data.

Figure 38. Percentage of Adult Prisoner Releases by County, 2002



Source: Urban Institute analysis of Massachusetts Department of Correction data.

Note: Numbers do not total 100% due to rounding.

An examination of the concentration (i.e., the rate per 100,000 residents) of released Massachusetts prisoners presents a similar picture. As shown in table 1, Suffolk County has the highest concentration of prisoners released from DOC custody, with Worcester having the second highest. Concentrations in both counties are higher than that of the state overall. The concentration of released prisoners returning to Suffolk County is 75 percent higher than the overall rate for Massachusetts.

Table 1. Concentration of prisoners returning to counties in Massachusetts, 2003

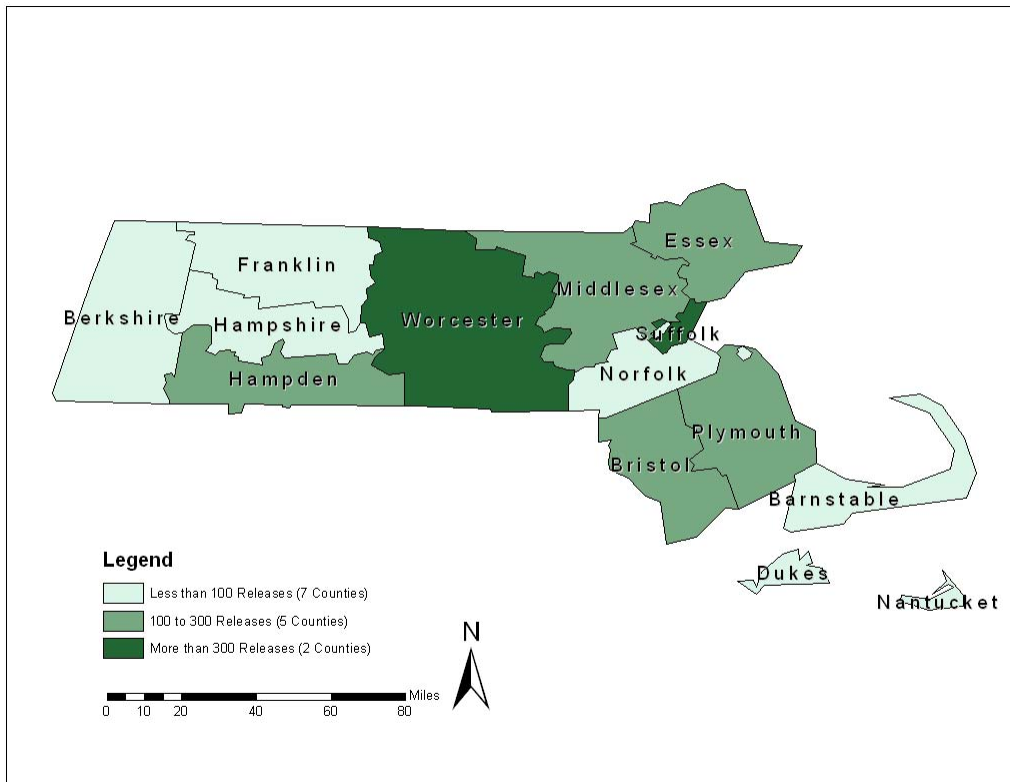
County	Prisoners released per 100,000 residents
Suffolk County	67.4
Worcester County	56.4
Hampden County	51.8
Essex County	43.7
Plymouth County	36.5
Berkshire County	36.0
Bristol County	34.9
Franklin County	27.7
Barnstable County	27.2
Middlesex County	25.3
Norfolk County	19.9
Hampshire County	11.1
Dukes County	6.5
All counties in Massachusetts	38.6

Sources: Urban Institute analysis of Massachusetts Department of Correction data; U.S. Census Bureau, 2004.

Released Juveniles

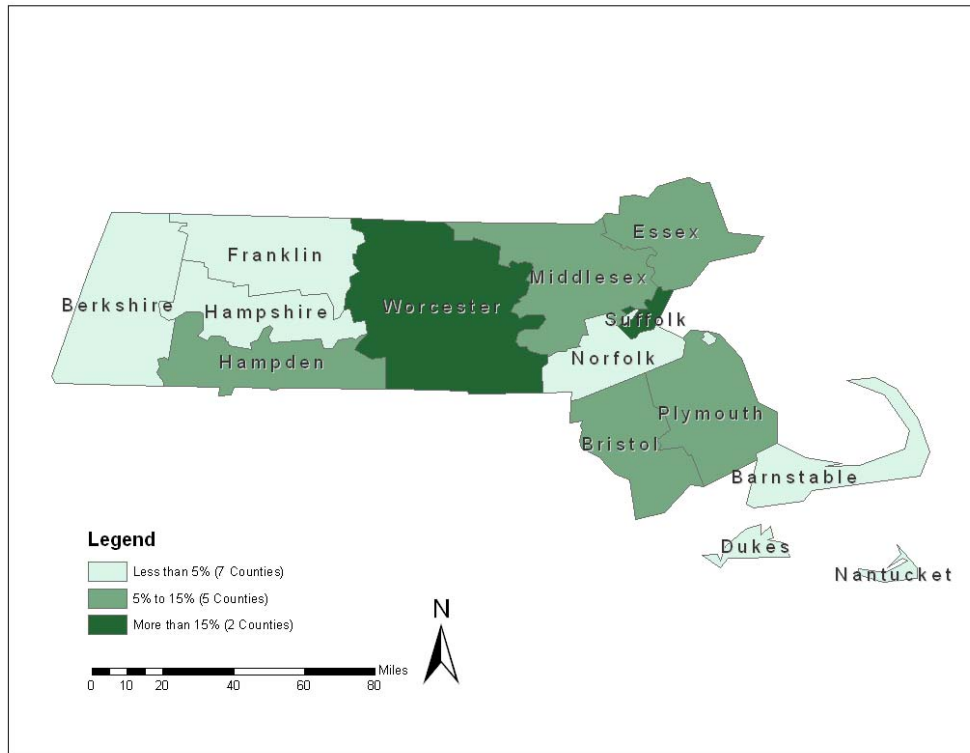
All juveniles released from DYS facilities returned to communities in the state. Forty percent of released juveniles returned to two counties in Massachusetts—Suffolk and Worcester. (See maps 3 and 4 and figure 39.) More than one in five released juveniles—22 percent, or 376 juveniles—returned to Suffolk County, and 19 percent of those released (334 juveniles) returned to Worcester County.

Map 3. Number of Released Juveniles by County, 2002



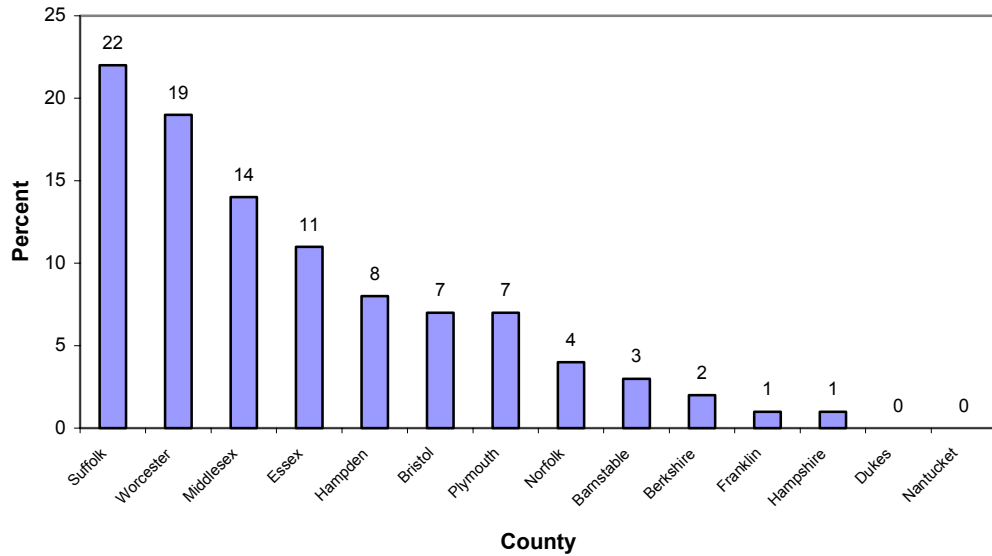
Source: Urban Institute analysis of Massachusetts Department of Youth Services data.

Map 4. Percentage of Released Juveniles by County, 2002



Source: Urban Institute analysis of Massachusetts Department of Youth Services data.

Figure 39. Percentage of Released Juveniles by County, 2002



Source: Urban Institute analysis of Massachusetts Department of Youth Services data.

Note: Numbers do not total 100% due to rounding.

An examination of the concentration (i.e., the rate per 100,000 residents) of released juveniles presents a similar picture. As shown in table 2, Suffolk County has the highest concentration of juveniles released from DYS custody, with Worcester having the second highest. Concentrations in both counties are higher than the state average, with Suffolk County’s rate more than twice that of the state overall.

Table 2. Concentration of juveniles returning to counties in Massachusetts

County	Juveniles released per 100,000 residents
Suffolk County	54.6
Worcester County	43.4
Hampden County	41.4
Essex County	33.1
Berkshire County	32.2
Plymouth County	25.4
Franklin County	23.6
Bristol County	23.2
Nantucket County	19.1
Barnstable County	16.7
Dukes County	13.0
Norfolk County	11.2
Hampshire County	10.4
Middlesex County	9.2
All counties in Massachusetts	26.8

Sources: Urban Institute analysis of Massachusetts Department of Youth Services data; U.S. Census Bureau, 2004.

A FOCUS ON SUFFOLK COUNTY REENTRY

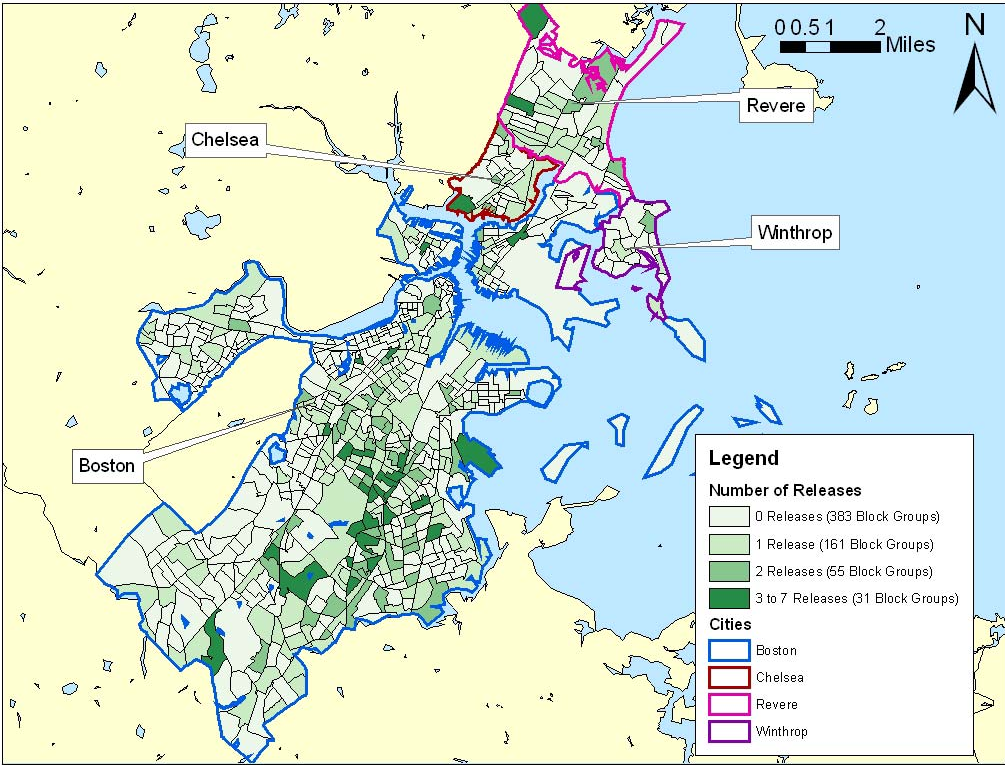
Communities to which large numbers of ex-offenders return often exhibit high levels of poverty, unemployment, and crime, with limited available social services. Within metropolitan areas, released ex-offenders are often clustered in a few disadvantaged neighborhoods.²⁷ As discussed below, Suffolk County—the county with the highest numbers and concentrations of released adult prisoners and juveniles—has a poverty rate more than twice that of the state of Massachusetts as a whole and is characterized by higher than average unemployment and numbers of single female-headed households. Within Suffolk County, returning prisoners are clustered in a few neighborhoods that tend to be more disadvantaged.

²⁷ Lynch and Sabol. 2001. “Prisoner Reentry in Perspective.” Washington, DC: The Urban Institute; La Vigne, Nancy G., and Vera Kachnowski. 2003. “A Portrait of Prisoner Reentry in Maryland.” Washington, DC: The Urban Institute; La Vigne, Nancy G., and Cynthia A. Mamalian. 2003. “A Portrait of Prisoner Reentry in Illinois.” Washington, DC: The Urban Institute.

Adult Prisoners

The flow of adult prisoners to Suffolk County in 2002 was concentrated in a relatively small number of communities within the county. In 2002, 464 individuals released from DOC had Suffolk County addresses. Of these, 377 (81 percent) were matched with known addresses within the county's boundaries.²⁸ Within Suffolk County, the 31 block groups with the highest numbers of returning prisoners make up 5 percent of the county's block groups and house 28 percent of those returning to Suffolk County. (See maps 5 and 6.) Almost half—45 percent—of all released adult prisoners returned to just 10 percent of the city's 630 block groups. As shown in the maps below, most of the block groups with the largest numbers of returning prisoners are within Boston.

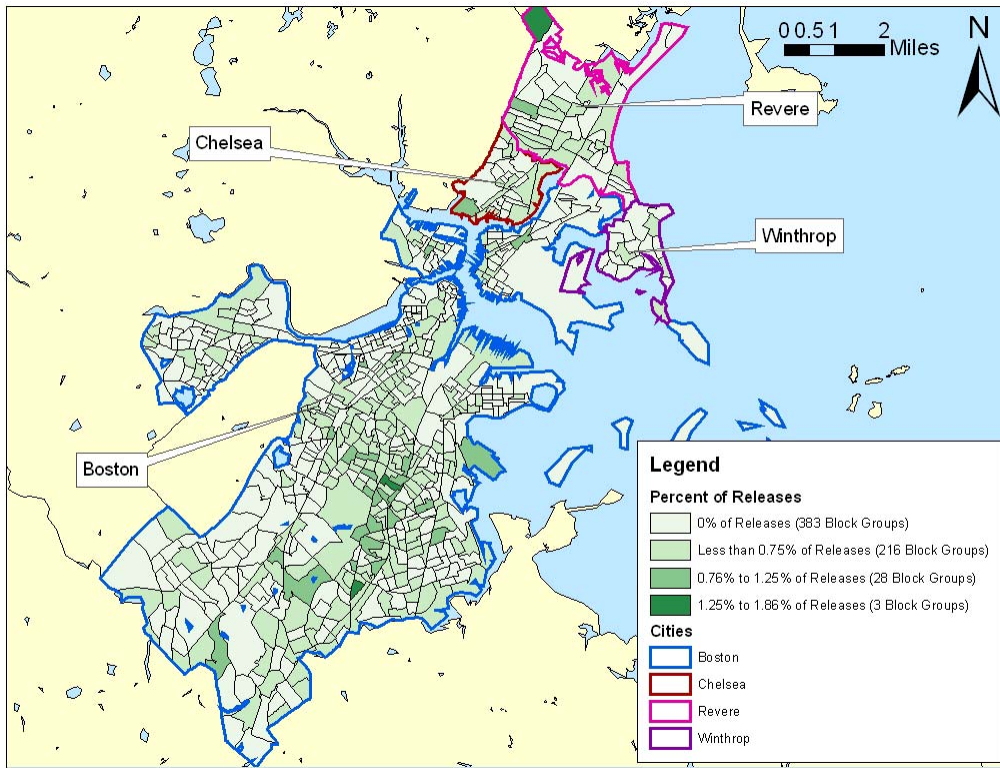
Map 5. Number of Released Adult Prisoners Returning to Suffolk County by Census Block Group, 2002



Source: Urban Institute analysis of Massachusetts Department of Correction data.

²⁸ Most of the unmatched individuals had missing addresses or were listed as homeless.

Map 6. Percentage of Released Adult Prisoners Returning to Suffolk County by Census Block Group, 2002



Source: Urban Institute analysis of Massachusetts Department of Correction data.

Released Juveniles

As previously stated, 376 released juveniles had Suffolk County addresses. Of these, 359 (95 percent) were matched with known geographic locations within the county's boundaries. As is true of the released adult prisoner population, the block groups with the highest numbers of released juveniles are primarily located in Boston. In fact, juveniles returning to Suffolk County are even more highly concentrated in a small number of neighborhoods than are adult prisoners. The seven block groups with the highest numbers of returning juveniles—only 1 percent of the county's block groups—make up 12 percent of all juveniles returning to Suffolk County. (See map 7.)

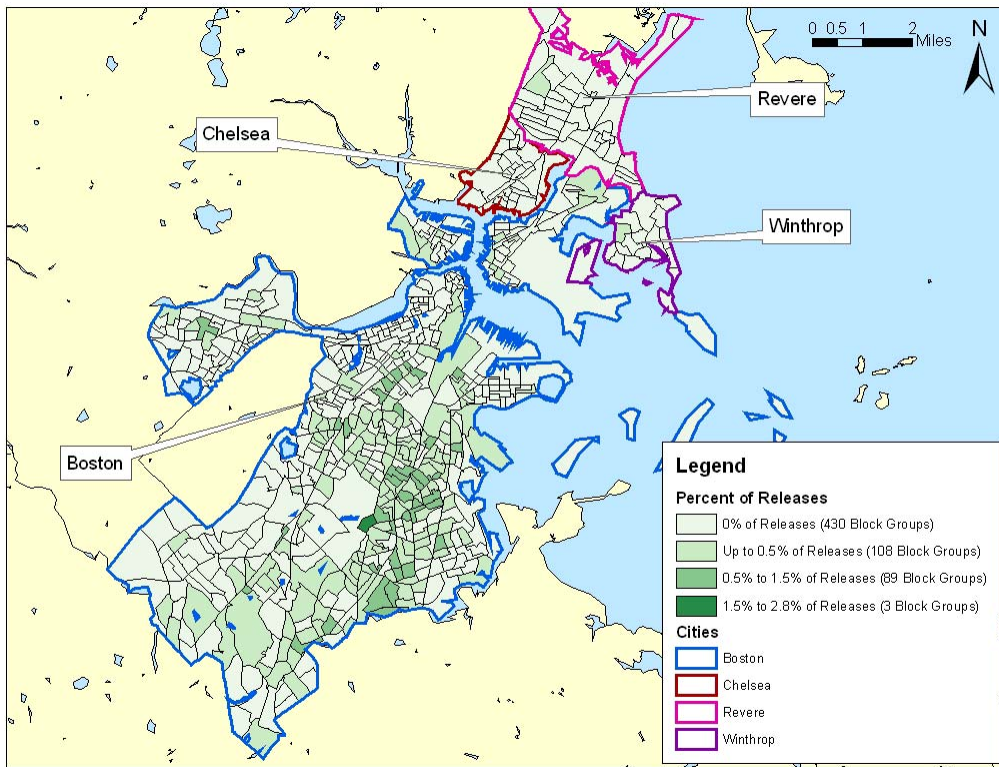
Map 7. Number of Released Juveniles Returning to Suffolk County by Census Block Group, 2002



Source: Urban Institute analysis of Massachusetts Department of Youth Services data.

More than half of all returning juveniles (54 percent) return to only 10 percent of Suffolk County block groups. All juveniles returning to Suffolk County return to less than one-third (32 percent) of the county's block groups. This means that 68 percent of Suffolk County block groups did not receive any returning juveniles in 2002. (See map 8.)

Map 8. Percentage of Released Juveniles Returning to Suffolk County by Census Block Group, 2002



Source: Urban Institute analysis of Massachusetts Department of Youth Services data

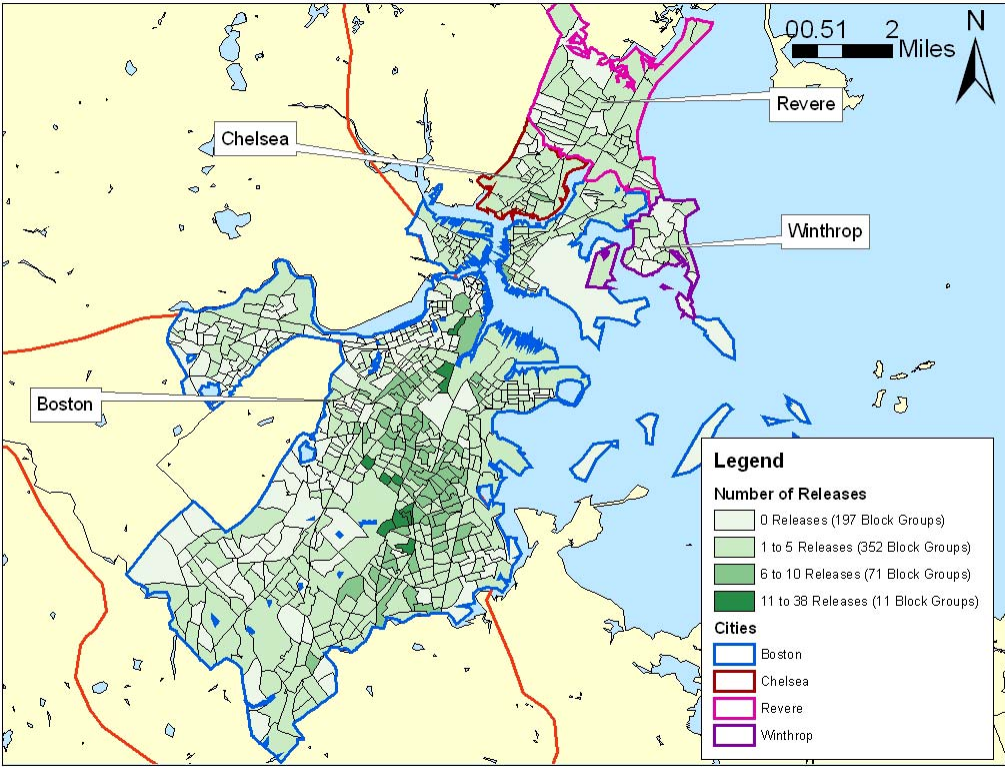
County Inmates

The Suffolk County House of Correction (HOC) houses most offenders returning to Suffolk County. Of the 2,046 sentenced inmates released from the HOC in 2002, 1,816 had Suffolk County addresses. This represents more than two-thirds of all offenders returned to Suffolk County communities in 2002. The addresses for 1,460²⁹ of those released in 2002 were matched with known geographic locations within the county's boundaries. As is true of the returning adult prisoner and committed juvenile populations, the block groups with the highest numbers of released county inmates are primarily located in Boston. The 5 percent of block groups with the highest numbers of returning inmates make up 23 percent of all county

²⁹ Eighty percent of those with Suffolk County addresses.

inmates returning to Suffolk County. However, HOC inmates are slightly more evenly distributed across Suffolk County than adult prisoners and released juveniles. (See map 9.)

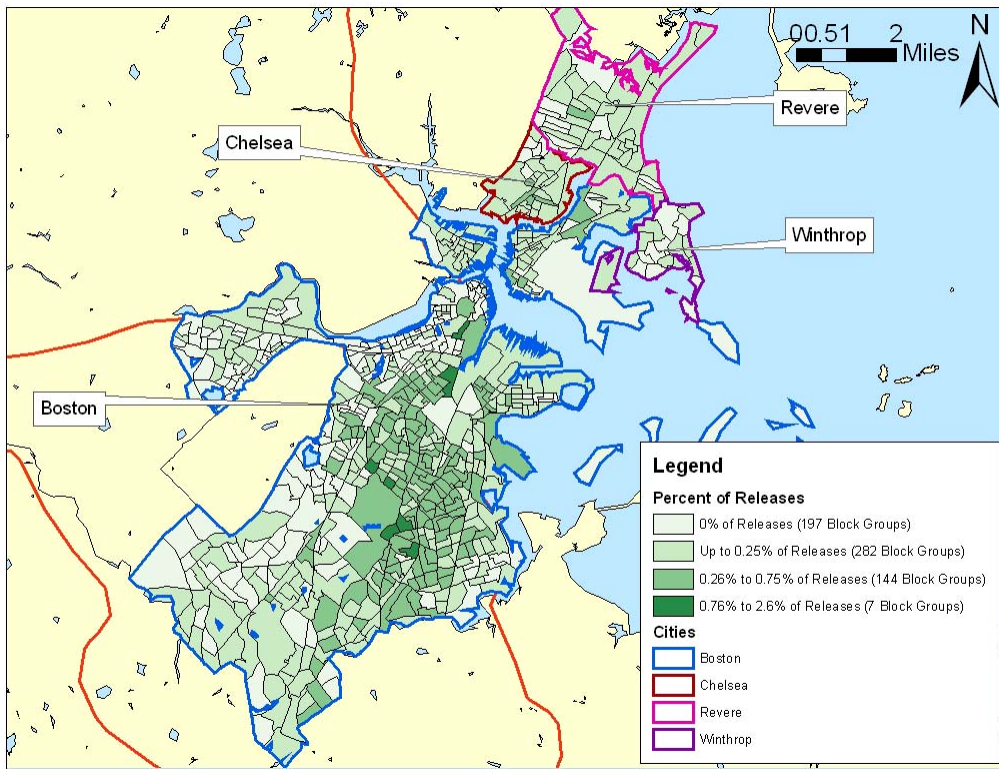
Map 9. Number of Released Suffolk County Inmates by Census Block Group, 2002



Source: Urban Institute analysis of Suffolk County Sheriff's Department data.

More than two-thirds of all returning county inmates (68 percent) return to 25 percent of Suffolk County block groups. All county inmates returning to Suffolk County return to about two-thirds (69 percent) of the county's block groups. Less than one-third (31 percent) of Suffolk County block groups receive no returning county inmates in 2002. (See map 10.)

Map 10. Percentage of Released County Inmates by Census Block Group, 2002



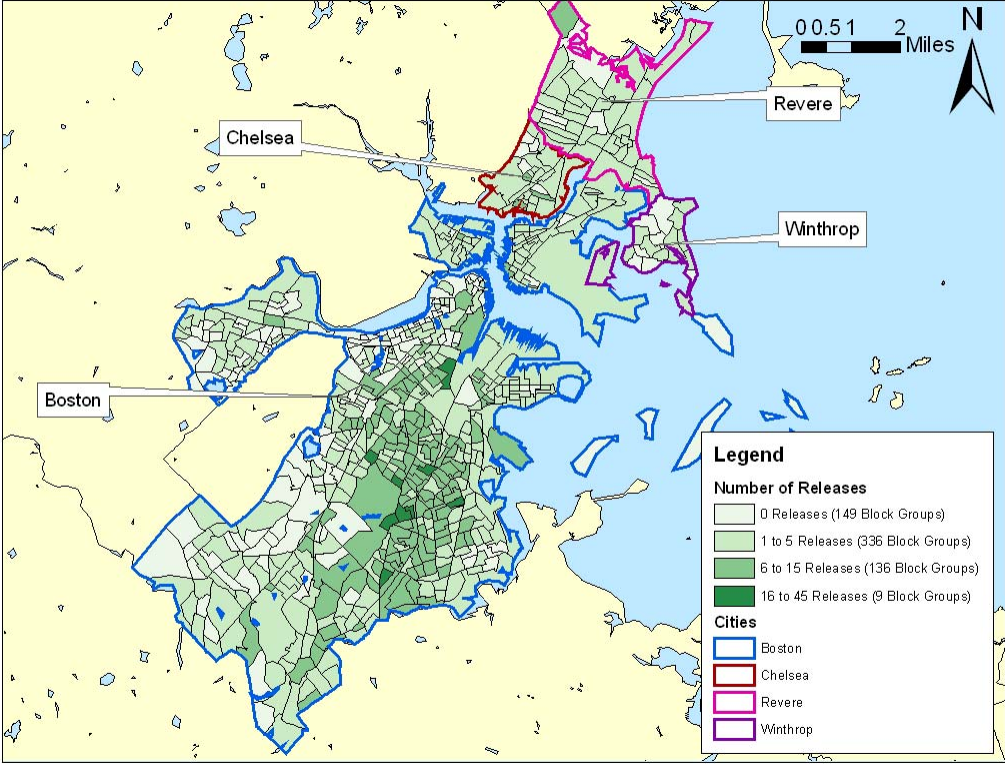
Source: Urban Institute analysis of Suffolk County Sheriff's Department data.

All Releases

In total, 2,656 individuals returned to Suffolk County communities from prison, juvenile facility, or the Suffolk HOC in 2002. As is true of all three returning populations, the block groups with the highest numbers of releases are primarily located in Boston. Because the released county inmate population makes up a majority of those released to Suffolk County, the distribution of all releases most closely mirrors that of county releases.

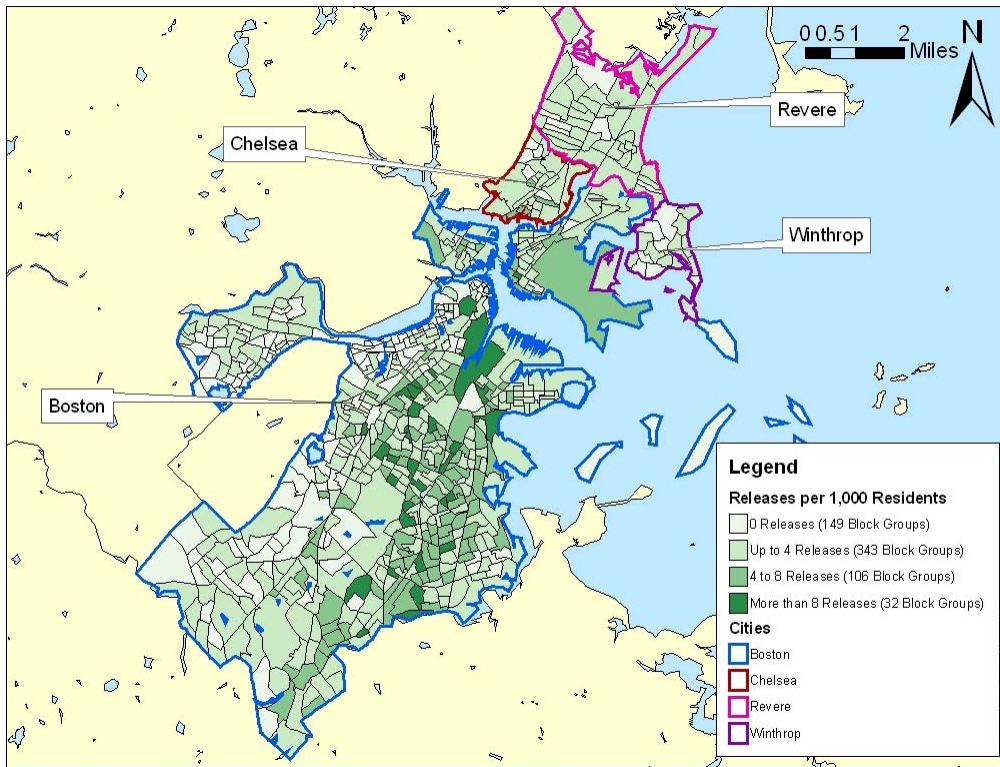
The 5 percent of block groups with the highest numbers of releases house 22 percent of all those returning to Suffolk County. The vast majority of high-rate block groups are located in Boston. (See map 11.) Five percent of block groups have a concentration of returning prisoners greater than 8 per 1,000. (See map 12.)

Map 11. Number of Total Releases to Suffolk County by Census Block Group, 2002



Sources: Urban Institute analysis of Massachusetts Department of Correction, Massachusetts Department of Youth Services, and Suffolk County Sheriff's Department data.

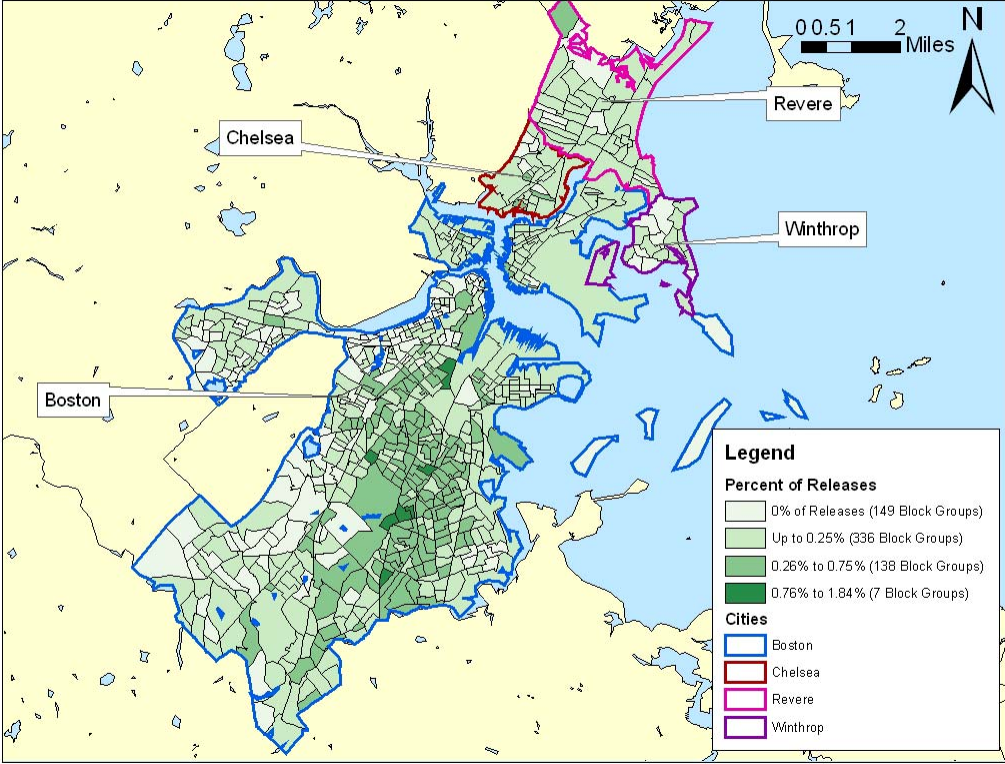
Map 12. Number of Releases per 1,000 Residents to Suffolk County Census Block Groups, 2002



Sources: Urban Institute analysis of Massachusetts Department of Correction, Massachusetts Department of Youth Services, Suffolk County Sheriff's Department, and U.S. Census Bureau data.

About two-thirds of all releases (67 percent) return to 25 percent of the county's block groups. Notably, more than three in every four block groups (76 percent) house at least one returnee. In other words, only one quarter of Suffolk County block groups (24 percent) received no returning county inmates in 2002. (See map 13.)

Map 13. Percentage of Total Releases to Suffolk County by Census Block Group, 2002



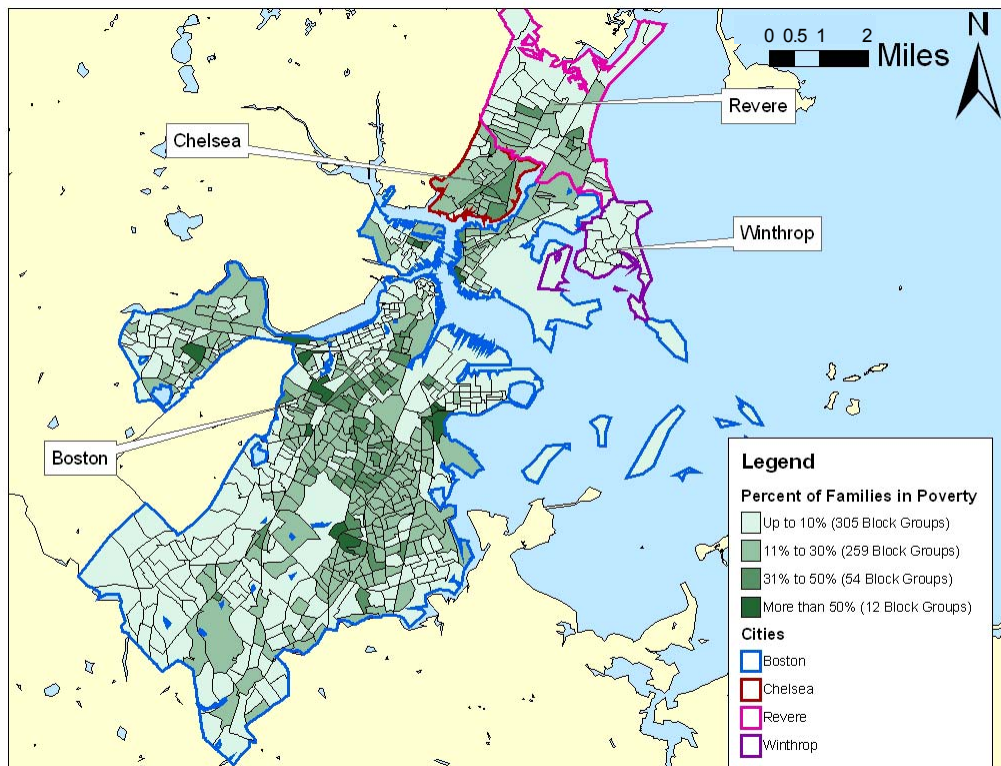
Sources: Urban Institute analysis of Massachusetts Department of Correction, Massachusetts Department of Youth Services, and Suffolk County Sheriff's Department data.

Socioeconomic Indicators

Maps 14 through 16 present the percentages of families in poverty, unemployed individuals, and families that are female-headed with children. These maps demonstrate that there is some, but certainly not complete, overlap between the areas to which ex-offenders are returning and the areas of highest disadvantage.

Fifteen percent of families in Suffolk County live below the federal poverty level, more than twice the statewide poverty rate of 6.7 percent.³⁰ Of the 9 block groups with the most (16 or more) returning ex-offenders in 2002, nearly all had poverty rates above the state average. The proportion of families in those neighborhoods living below the poverty level ranged from 6 to 52 percent. Seven of these block groups had poverty rates of above 20 percent. At the same time, of the 12 block groups with family poverty rates of 50 percent or more, most are home to relatively small numbers of returning ex-offenders. In all but two of these block groups, the number of returning ex-offenders is below ten. In fact, the majority of low-poverty block groups are home to very few returning prisoners.

Map 14. Percentage of Families Living below the Poverty Level in Suffolk County, by Census Block Group, 1999

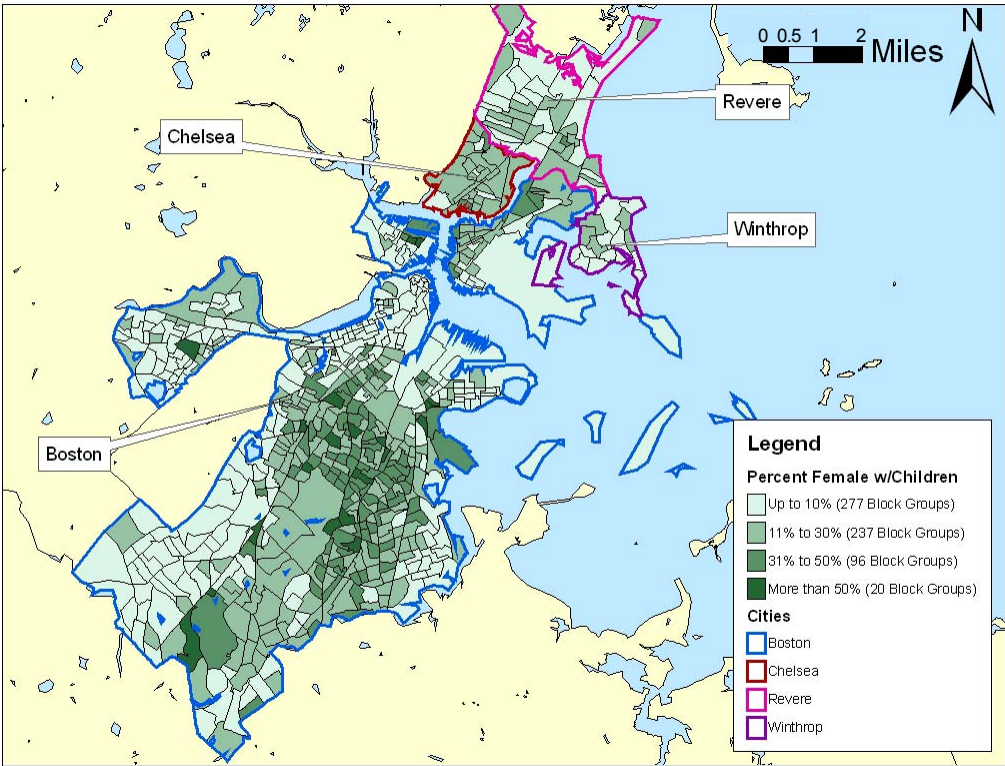


Source: Urban Institute analysis of U.S. Census Bureau data.

³⁰ U.S. Census Bureau, 2000.

In 2000, 9 percent of Suffolk County families were female-headed with children. The state average was 7 percent.³¹ In 8 of the 9 block groups with 16 or more returning ex-offenders, the percentage of families that were female-headed with children ranged from 21 to 52 percent. Of the 20 block groups in which the majority (more than 50 percent) of households were female-headed with children, thirteen were home to five or more returning ex-offenders.

Map 15. Percentage of Female-Headed Families with Children in Suffolk County, 2000

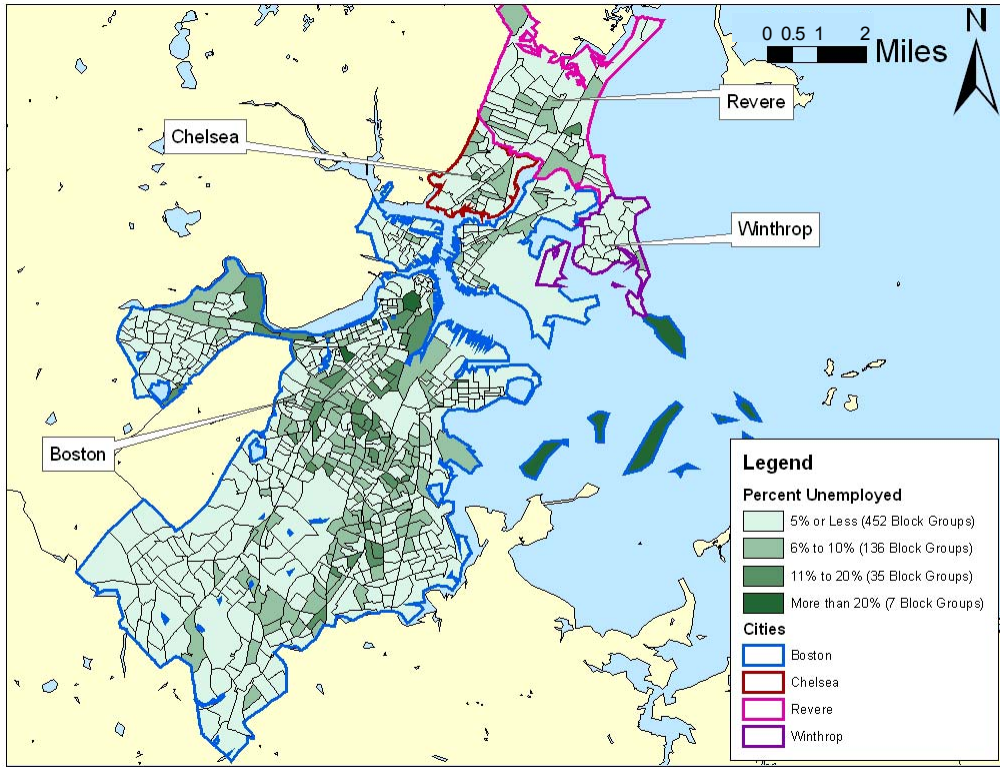


Source: Urban Institute analysis of U.S. Census Bureau data.

³¹ U.S. Census Bureau, 2000.

In 2000, 4 percent of the adult population of Suffolk County was unemployed, compared with 3 percent statewide.³² All but one block group with 16 or more returning ex-offenders had unemployment rates ranging from 5 to 19 percent. Notably, only one of the block groups with the highest unemployment rates (more than 20 percent) is home to returning ex-offenders.

Map 16. Percentage of Adults Unemployed in Suffolk County, by Census Block Group, 2000



Source: Urban Institute analysis of U.S. Census Bureau data.

³² U.S. Census Bureau, 2000.

CHAPTER 5

LOOKING FORWARD

Over the past two decades, the growth in prison populations nationwide has translated into more and more people being released from prison and reentering society. Massachusetts has experienced similar incarceration and release trends and thus faces the reentry challenges that accompany such growth. Between 1980 and 2002, the Massachusetts prison population more than tripled, increasing from 2,754 to 9,150 people. Similarly, the per capita rate of imprisonment tripled in Massachusetts over that period, rising from 56 to 174 per 100,000 residents. The number of people released from Massachusetts prisons reflects these rising population and imprisonment trends: in 1980, only 1,015 individuals were released from the state's prisons; in 2002, 2,526 individuals were released from Massachusetts prisons. The majority of these released prisoners were single white males with an average age of 35. The largest percentage of prisoners had been serving time for person offenses. The average time served was 5.1 years.

Massachusetts has seen a similar increase in the number of juveniles committed to the Department of Youth Services, with the DYS population growing from just over 1,579 in 1992 to 2,944 in 2004. In 2002, 1,842 juveniles were released from DYS facilities. The majority of these were white males, and their average age at release was 16. More than 90 percent of those released were aged 17 or younger. Like the adult population, the largest percentage of juveniles had been charged with person offenses. The average time served in a DYS facility was 1.7 years.

The vast majority of adults incarcerated in Massachusetts are sentenced to one of 13 county Houses of Correction. These facilities housed 7,801 inmates in 2003. The largest of these, Suffolk HOC, had an average daily population of 2,820 sentenced inmates in 2003. In 2002, 2,046 inmates were released from Suffolk HOC. The majority of inmates released from Suffolk HOC were black males, and the average age was 33. The largest percentage of county inmates had been serving time for person offenses, and the average time served was 8.3 months. Nearly two-thirds of those released had previously spent time in the Suffolk HOC.

About one-fifth of released state prisoners and juveniles, as well as the vast majority of Suffolk HOC inmates, returned to Suffolk County. Census block group analyses of Suffolk County indicate that returning prisoners are clustered within a relatively few communities, most of which are in Boston. An examination of demographic data for these areas indicates that there is some overlap between the economically disadvantaged areas of the city and the neighborhoods to which large numbers of prisoners return. It is likely that these community characteristics have an effect on reentry success or failure. Thus, from a reentry planning perspective, it is important to consider the community context of prisoner reentry. Are jobs available in or near the communities to which prisoners return? What is the availability of affordable housing in these areas? What is the prevalence of assets, such as faith-based institutions, versus risks, such as open-air drug markets? It is also useful to understand whether services for ex-prisoners are located within or in close proximity to neighborhoods with high numbers of returns, and whether prisoners returning to these neighborhoods are able to access those resources.

Another important facet of prisoner reentry is the family context of the reintegration experience. Some families may be a strong source of support to returning prisoners, while others have histories of substance use and criminal activity that may make them negative

influences for returning prisoners. Understanding the family context of prisoner reentry is thus critical in reentry planning efforts.

Returning prisoners in Massachusetts, like those nationwide, have many needs as they begin the process of reintegration. Health problems and issues of dependency on drugs or alcohol are likely to pose significant reentry challenges to the state's returning prisoners—challenges that could seriously affect the ease of transition to life on the outside. Mental and physical health conditions of returning prisoners also have important public health implications, specifically the spread of infectious disease to the general population and the added strain on the health care system.

We also know that the likelihood of recidivating is substantial. Almost all of the adult prisoners released from state prisons in Massachusetts had served prior terms in a state or county facility, and many had violated their parole or probation at some point in their criminal careers. Criminal histories do not bode well for maintaining crime-free lifestyles. They can create barriers to employment, housing, and eligibility for food stamps and other forms of public assistance and can limit opportunities for civic participation. It is thus paramount that state officials, service providers, and community stakeholders approach reentry comprehensively, considering the many dimensions of the reentry experience and tapping the available resources that could provide assistance to returning prisoners and their families.

It is clear that the challenges of reentry in Massachusetts are great, but so are the opportunities. Successful reentry is critical for ensuring public safety, reducing the costs of incarceration, and promoting the well-being of individuals, families, and communities.