

Massachusetts Prison's Use Behavior
Modification Programs Relentlessly

By

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The Massachusetts Department of Correction has established a reentry program strategy with the expectation that prisoner's will use their time to address issues which led to their incarceration.¹ This Program Engagement Strategy, or "PES", binds many inmates to participation. Inmates who refuse participation in these various "recommended" programs find themselves sanctioned and unable to get facility jobs, loss of good time and loss of seniority in single cell housing.

In accordance with its mission to promote public safety by managing offenders, prison officials established what they describe as "appropriate programming in preperation for successful reentry into the community"². But these programs were merely "recommendations"³. As a result, by 2012, a high percentage of prisoners declined to participate and attend these various behavior modification programs like the Correction Recovery Academy, or C.R.A., and Sex Offender Treatment Program, SOTP.

Many prisoners find participating in programs like C.R.A. objectionable. C.R.A. address issues involving drug and alcohol addiction and inmates are expected to participate in groups and talk about themselves and their past lives. Prisoners consider these "snitch" programs.

The most onerous of these behavior modification programs is the Sex Offender Treatment Program. SOTP is an 18 month intensive program where inmates with any sex crime are transferred to a "Treatment Center".⁴

Not all prisons in Massachusetts are created equal. The conditions of confinement at the Treatment Center on the grounds of the Bridgewater State Hospital are bleak. Many prisoners who are compelled to participate in SOTP refuse because they're faced with a problematic choice and risk of self incrimination.⁵

While prison officials may impose restrictions that further governmental interests, such as security, order and rehabilitation.⁶ Massachusetts prison officials have been arbitrary and capricious in classification decisions forcing compliance where none is necessary or court ordered or required by law.

These behavior modification programs allow prison officials to offer many days of good time toward an inmate sentence. In Massachusetts, for example, prisoners are allowed 15 days per month. A successful completion in C.R.A. allows the Department of Correction to grant an 80 day "bump" toward an offender's earliest release date.

This carrot and stick approach to programming compliance has a grim downside. Sex Offender's have a heightened risk of assault and stigma. Others are labeled "snitches" or "ass kissers" who cooperate with authorities. The promise of enhanced good time credits must be weighed against the dangers associated with prison life

and the convict code.

Currently, the Massachusetts Department of Correction is slavishly devoted to behavior modification programs and this policy will not change any time soon.

END

- n.1 Internal Department of Correction Memorandum dated August 23rd, 2021 from The Director of Treatment, MCI-Norfolk regarding: "Program Noncompliance".
- n.2 Id.
- n.3 Massachusetts Department of Correction: Classification Div. "Personalized Program Plan"; "Risk Assessment Need Area's & Recommendations".
- n.4. Dutcher v. Commissioner of Correction, 97 Mass. App. Ct. 1128 (2020).
- n.5 Commonwealth v. Hunt, 462 Mass. 807, 819, 971 N.E.2d 768 (2012).
- n.6 Stow v. Grimaldi, 993 F.2d 1002, 1004 (1st Cir)

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