

LIFERS' GROUP INC.

A Report on MA DOC Expenditures And Staffing Levels For Fiscal Year 2018

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December 2018

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HIGHLIGHTS OF MA DOC EXPEDITURES AND STAFFING
REPORT FOR FISCAL YEAR 2018

- Total expenditures for the DOC exceeded \$625.5 million p. 1
- Total expenditures for the DOC increased by 4.5% from Fiscal 2017 p. 1
- The average cost per prisoners was \$71,791.86 p. 2
- The total number of Full-Time Employees increased 5.8% p. 3
- The total number of Professionals increased by 56.4% p. 3
- The total number of Protection Employees increased 3.0% p. 3
- The total number of Official/Administrators increased 6.9% p. 3
- The total number of Office/Clericals increased 9.9% p. 3
- The total number of prisoners held in MA facilities decreased by 4.1% p. 4
- The average cost per prisoner increased 9% from Fiscal 2017 p. 4
- Employee Expenses increased 1% from Fiscal 2017 p. 4
- Inmate Health Expenses increased 17.3% from Fiscal 2017 p. 4
- Administrative Expenses increased 9.4% from Fiscal 2017 p. 4
- Infrastructure Expenses increased 5.4% from Fiscal 2017 p. 4
- Inmate Program Expenses increased 5.7% from Fiscal 2017 p. 4
- Inmate Food Expenses decreased 3.2% from Fiscal 2017 p. 4
- The ratio of FTEs to Prisoners dropped to 1:1.88 p. 5
- The ratio of Protection Employees to prisoners was 1: 2.59 p. 5
- The recidivism rate remained at 32% p. 6
- Prisoners serving life sentences totaled 2,015 p. 7
- Lifers accounted for 23.1% of the total of MA prisoners p. 7
- Prisoners age 50 and older totaled 2,476 p. 8
- Prisoners age 50 and older comprised 27% of MA prisoners p. 8

A LIFERS' GROUP INC. REPORT ON THE DEPARTMENT OF CORRECTION'S
EXPENDITURES AND STAFFING LEVELS FOR FISCAL YEAR 2018

1. Fiscal 2018 DOC Expenditures and Staffing Levels For Full Time Employees

In response to a Public Records Request, the Department of Correction (DOC) provided data regarding the expended funds by the DOC in Fiscal Year 2018 (July 1, 2017 – June 30, 2018) as well as the staffing numbers of Full Time Employees (FTEs) in various categories for the same time period.

The expended funds and percentages of the total amount spent in Fiscal 2018 were broken down into eight categories, the same provided by the MA DOC and utilized in previous reports prepared by the Lifers' Group Inc. To reference any of those previous reports, go to: www.realcostofprisons.org/writing. For Fiscal 2018, those categories in the order from highest to lowest in dollars spent and the resultant percentages were as follows:

	<u>Amount</u>	<u>%</u>
Employee Expenses ¹	419,925,359	67.0
Inmate Health Costs	135,305,313	21.6
Utilities	22,564,558	3.6
Infrastructure	17,909,259	2.9
Inmate Food Costs	13,808,628	2.2
Inmate Program Costs	11,871,919	1.9
Administrative Expenses	2,799,343	0.4
Legislative Expenses	<u>2,415,000</u>	0.4
Total	626,599,379	

Total Expenses in Fiscal 2018 increased by \$26,871,208 or 4.5% over Fiscal 2017.

The DOC changed its designations for Full Time Employees sometime in Fiscal 2018. These alterations are noted in the footnotes on page 2. The changes, however, make comparisons with previous years difficult as the categories do not link up easily. For instance, Maintenance workers are included as both Professionals and others are listed as Service Maintenance and Skilled Craft. Consequently, the Service Maintenance personnel (26) and the Skilled Craft personnel (5) are included in the category of Professionals in this report. The

¹ DOC Program Staffing expenses are included in Employee Expenses.

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numbers and percentages of DOC FTEs for Fiscal 2018 are broken down into the following four categories:

	#	%
Protective Service	3,366	72.6
Professionals	926	20.2
Officials and Administrators	187	4.0
Office/Clerical	<u>155</u>	3.4
Total	4,634	

2. Three Year Comparisons of DOC Expenditures

	Fiscal 2018	Fiscal 2017	Fiscal 2016
Employee Expenses	419,925,359	415,637,289	407,330,308
Inmate Health	135,305,313	115,308,393	94,450,606
Utilities	22,564,558	21,541,494	21,840,053
Infrastructure	17,909,259	16,985,588	16,697,213
Inmate Food	13,808,628	14,264,789	14,763,207
Inmate Programs	11,871,919	11,232,697	11,321,131
Administrative Exp.	2,799,343	2,557,921	2,468,454
Legislative Exp.	<u>2,415,000</u>	<u>2,200,000</u>	<u>2,668,000</u>
Totals	626,599,379	599,728,171	571,538,972
MA Facility Pop. 7/1/___	8,728	9,104	9,371
Annual Cost Per Inmate as of 7/1/ ___	71,791.86	65,875.24	60,990.18

The percentage of the total expenses for Employee Expenses decreased in FY 2018 to 67% from 69.3% in FY 2017 and from 71.3% in FY 2016. Inmate Health Expenses, however, increased as a percentage of the total expenses in FY 2018 to 21.6%, up from 19.2% in FY 2017 and from 16.5% in FY 2016. Inmate Food costs decreased as a percentage of the total expenses in FY 2018 to 2.2%, down from 2.4% in FY 2017 and 2.6% in FY 2016. Inmate Program Expenses remained the same at 1.9% in FY 2018 as in FY 2017, which was down from 2.0% in FY 2016. The other

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expenses categories remained essentially the same as percentages of total expenses for each of the three fiscal years.

3. Three Year Comparison of DOC Staffing Levels of Full-Time Employees

	FY 2018		FY 2017		FY 2016	
	#	%	#	%	#	%
Protective Service ²	3,366	72.6	3471	79.3	3739	76.6
Professionals ³	926	20.0	592	13.5	549	11.3
Officials and Administrators ⁴	187	4.0	175	4.0	169	3.5
Office/Clerical ⁵	155	3.4	141	3.2	422	8.6
Totals	4,634		4379		4879	
Facility Count as of 7/1/___	8728		9104		9371	
Ratio: FTEs to Prisoners	1:1.88		1:2.08		1:1.92	

The total number of FTEs increased from FY 2017 to FY 2018 by 255 or 5.8%. Protective Service FTEs decreased by 105 or 3.0%. All other individual categories increased from FY 2017 to FY 2018. Professionals increased by 334 or 56.4%, Officials and Administrators by 12 or 6.9%, and Office/Clerical by 14 or 9.9%.

4. Comparison of Percentage Changes In Expenditures FY 2018, FY 2017, and FY 2016

	FY 2018 to FY 2017	FY 2018 to FY 2016
	% Inc. or Dec.	% Inc or Dec.
Employee Expenses	+1.0	+3.1
Inmate Health Costs	+17.3	+43.3
Utilities	+4.7	+3.3
Infrastructure	+5.4	+6.8
Inmate Food	-3.2	-6.5

² This category includes Captains which was a separate category in FY 2017 and FY 2016.

³ The figures for Fiscal 2017 and 2016 are the sum of Maintenance workers, Education staff, and CPOs.

⁴ This category was entitled Management in FY 2017 and FY 2016.

⁵ This category was entitled Support Staff in FY 2017 and FY 2016.

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	FY 2018 to FY 2017	FY 2018 to FY 2016
	% Inc. or Dec.	% Inc or Dec.
Inmate Programs	+5.7	+4.9
Administrative Expenses	+9.4	+13.4
Legislative Expenses	+9.8	-9.5
Total Expenses	+4.5	+9.6
Total Facility Count	-4.1	-6.9
Annual Cost Per Prisoner ⁶	+9.0	+17.7
Total FTEs	+5.8	-5.0

5. Discussion

The increases in Employee Expenses and Inmate Health Costs are significant since the total inmate population as reported for July 1, 2018 and July 1, 2017 respectively decreased by 376 prisoners 4.1%, while the total amount of funds expended by the DOC increased by 4.5%. The largest percentage increase of any of the eight categories from FY 2017 to FY 2018 was for Inmate Health costs which increased by 17.3%, even though the prisoner population went down. The increase in the Inmate Health costs arguably reflects the continuing aging of the prisoner population and the attendant increased medical costs to house an aging prisoner population. The Employee Expenses category increased by 1.0%.

Overall, seven of the eight categories of Expenses increased from FY 2017 to FY 2018. These were: the aforementioned Employee Expenses (\$4,288,070 - 1.0%) and Inmate Health costs (\$19,996,970 - 17.3%), as well as Utilities (\$1,023,064 - 4.7%), Infrastructure (923,671 - 5.4%), Inmate Programs (\$639,222 - 5.7%), Administrative Expenses (\$241,422 - 9.4%), and Legislative Expenses (\$215,000 - 9.8%). The only category to decrease in percentage of total expenses in FY 2018 compared to FY 2017 was Inmate Food Expenses (\$456,161 – 3.2%).

The average cost to house one prisoner, based upon the population of prisoners held in Massachusetts prisons on July 1st of each year, increased from \$65,875.24 in FY 2017 to \$71,791.86 in FY 2018, an increase of 9.0 %. The increase of \$5,916.62 was the result of the growth in total funds expended by the DOC in FY 2018 and the decrease in the number of prisoners housed in Massachusetts prisons on July 1st of each year. Interestingly, the number of FTEs also increased from FY 2017 (4,379) to FY 2018 (4,634), an increase of 255 FTEs or 6%, while the prisoner population declined by 4.1%. (See comparison of staffing levels on page 3 - 4.)

⁶ Annual Cost Per Prisoner in FY 2018 - \$71,791.86, in FY 2017 - \$65,875.24, in FY 2016 - \$60,990.18.

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When comparing FY 2016 with FY 2018, the total expenses increased by \$55,060,407 or 9.6%. The number of prisoner housed in Massachusetts prisons as of July 1st of each year, however, decreased by 643 or 6.9%. The resultant cost per prisoners, when comparing FY 2016 and FY 2018, rose by \$10,801.68 or 17.7%.

The average cost each meal per prisoner in FY 2018 was \$1.44. This was an increase of 1 cent from FY 2017. The average cost per meal per prisoner was calculated by the Lifers' Group Inc. by dividing the total food expense for the year by 365, then by 3, and then by the total facility population count as of July 1st of each year. The Total Facility Count decreased by 4% from July 1, 2017 to July 1, 2018, yet the cost per meal rose by one cent, while the total Inmate Food costs decreased by 2.2%.

A ratio the MA DOC has been leading the nation in for decades is the number of FTEs to the number of prisoners. In Fiscal Year 2018, that position was enhanced. In FY 2016, the ratio was: 1 FTE for every 1.92 prisoners held in Massachusetts on July 1st of that year. In FY 2017, that ratio was: 1 FTE for every 2.08 prisoners. In FY 2018, however, the ratio of FTEs to prisoners dropped to 1 FTE for every 1.88 prisoners.

The MA DOC continues to be way ahead or behind, based on how one chooses to interpret the data, compared to state and federal ratios of FTEs to prisoners. Those ratios are five times higher than the MA DOC. In other states and the federal prison system, the ratio of FTEs to prisoners is around 1 FTE for every 10 prisoners.

This difference is even greater when one considers the ratio of Protective Service FTEs to prisoners. In FY 2018 in the MA DOC, that ratio was 1 Protective Service FTE for every 2.59 prisoners, a slight decrease from FY 2017 when the ratio was 1 Protective Service FTE to 2.62 prisoners. For comparison, the average for state prisons is: 1 Protective Service FTE for every 4.9 prisoners and in the federal system the ratio is 1 Protective Service FTE for every 10 prisoners.⁷

Another ratio the Lifers' Group Inc. had calculated in previous years was the ratio of the Education Staff to prisoners. In FY 2017, that ratio was 1:140, up from 1:119 in FY 2016. In FY 2018, however, the Lifers' Group Inc. was not able to calculate this ratio as the specific number of the Education Staff was not broken out. Rather, the number was embedded in the total Professionals category and, therefore, unavailable.

⁷ See *MA DOC Expenditures and Staffing Levels 2017* published by the Lifers' Group Inc.

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6. Conclusion

One indicator of the priorities of an agency like the MA DOC is to examine where it spends its money. The number of FTEs decreased, yet Employee Expenses increased by 1%. In FY 2018, sixty-seven cents of every dollar spent by the MA DOC went to employees. The funds spent on Inmate Programs did increase in FY 2018, but the MA DOC continues to spend less than two cents of every dollar on programs for prisoners.

In FY 2018, the DOC exceeded the \$600 million threshold for the first time, despite a shrinking prisoner population. Given the increasing amount of taxpayers' money spent by the DOC, one would expect that the recidivism rate would decrease significantly. Yet, that is not the case as the recidivism rate continues to hover at 32%.⁸

The recidivism rate is not as clear cut as it may seem, however. Some prisoners are returned after committing new crimes; others because either the Parole Board or the Probation Department returned them due to their contravening certain provisions attached to their parole or probation status, but not for new crimes. These breaches are termed technical violations for such things as alcohol or drug use or possession or associating with known felons. The MA DOC has no input regarding such returnees. The MA DOC's role is to house these prisoners until they are released again.

In 2015, of the 753 returnees, 157 (147 by the Parole Board and 10 by the Probation Department) or 20.9% were for technical violations. Excluding those returned for technical violations, the recidivism rate would have dropped from 32% to 27%.⁹

In 2017, of the 771 returnees, 151 (141 by the Parole Board and 10 by the Probation Department) or 19.6% were returned for technical violations. Once again, excluding those returned for technical violations, the recidivism rate for 2017 would have dropped from 32% to 27%.¹⁰

Returning prisoners for technical violations is an expensive proposition for the MA DOC. For instance, in 2018, at a cost of \$71,191.86 per prisoner for the year,

⁸ See: *Prison Population Trends 2017*. Massachusetts Department of Correction, Research and Planning Division. March 2018. at 46. This report and others published by the MA DOC can be accessed at: [www/mass.gov/inmate-and-prison-research-statistics](http://www.mass.gov/inmate-and-prison-research-statistics).

⁹ See: *Prison Population Trends 2015*. Massachusetts Department of Correction, Research and Planning Division. March 2018. at 48.

¹⁰ See: *Prison Population Trends 2017*, *supra* at 49.

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holding the 151 technical violators for one day cost \$29,451.73, \$206,730.21 for one week, \$895,830.91 for one month, and \$10,749,970.86 for one year.¹¹

It would seem that a much more cost effective means would be for the Parole Board and the Probation Department to establish facilities where technical violators would be required to spend nights and/or weekends to receive treatment. That would not only save funds expended by the MA DOC to house these returnees, but also allow the technical violators to maintain jobs and family relations, both of which are usually irreparably destroyed once a technical violator has been returned to prison.

Prisoners serving life sentences totaled 2,015 or 23.1% of the MA prison population as of July 1, 2018.¹² This was an increase of 24 or 1.2% from July 1, 2017 when lifers comprised 21.9% of the MA prison population.¹³ The significance of the number of lifers housed in the MA prison system manifests itself in several ways.

First, Employee Expenses could be considerably reduced if significantly more lifers, as the Lifers' Group Inc. has advocated for several years, were employed in meaningful positions within the institutions. In the 1980's, lifers and other talented prisoners were employed to teach basic courses in schools, as well as to provide electrical, plumbing, painting, masonry, and carpentry services under the supervision of a professional, licensed, master craftsman. It is time to return to that 1980's concept. This would provide needed services at lower costs without reducing quality. And, prisoners would receive training in employable skills which would assist them in becoming productive citizens upon their release. An ancillary benefit would be that employing and training prisoners willing to work could have a positive impact on reducing the recidivism rate, once those prisoners rejoined society with employable skills.

Another expense category which decreased in funds spent was Inmate Food, a drop of 3.2%. On the other hand, funds spent on Inmate Health costs increased by 17.3%, after an increase of 22.1% in FY 2017.

The concomitant drop in food costs would have been expected, given that the number of prisoners decreased by 4.1%. But, there is a corollary here. One reason for the significantly continued large increase in Inmate Health costs is that there has been a noticeable increase in the serving of non-nutritional, processed foods,

¹¹ The costs were calculated by the Lifers' Group Inc.

¹² See: *MA Institutional Fact Cards – July 2018*.

¹³ See: *MA Institutional Fact Cards – July 2017*.

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loaded with carbohydrates and sodium. The question that remains is: Does the trade-off in lower food costs account in part for the higher medical costs?

A second reason for the 17% increase in Inmate Health costs is the continued lack of action by the MA DOC and the legislature to address the endemic crisis regarding the growth of the elderly population in the MA DOC which has been defined by most researchers as those prisoners age 50 and over. Studies abound which demonstrate that older prisoners incur two to three times the medical related expenses as younger prisoners.¹⁴

The number of prisoners age 50 and over under Massachusetts jurisdiction totaled 2,476 on January 1, 2018.¹⁵ This age grouping comprised 27% of the total prisoner population, an increase from 25% in 2016.¹⁶ As was noted in the 2017 MA DOC Prison Population Trends report, there is a “continued aging of the population, particularly among male inmates.”¹⁷ Crime may be a young man’s game, but prison is increasingly a very expensive old man’s game.

While the legislature in 2018 enacted a medical release bill, the MA DOC has been slow in implementing its provisions. The intent of the legislature was to move disabled and terminally ill prisoners out from behind prison walls and barbed wire to less expensive facilities. That has not occurred. As of December 2018, the Lifers’ Group Inc. is aware of only one prisoner who received a medical release for being terminally ill, after several petitions and having filed a civil action. That prisoner died less than two weeks after his release.

The Lifers’ Group Inc. welcomes all comments, criticisms, and/or questions concerning this report. Please direct all such comments, criticisms, and/or question to: Gordon Haas, Chairman, Lifers’ Group Inc., MCI-Norfolk, P.O. Box 43, Norfolk, MA 02056.

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¹⁴ See: *MASS(incarceration) of the Elderly*. Lifers’ Group Inc., Dirk Greineder, Vice Chairman, April 2016.

¹⁵ See: *Prison Population Trends 2017*, Massachusetts Department of Correction, Research and Planning Division. March 2018. at 19.

¹⁶ See: *Prison Population Trends 2015*, *supra* at 19.

¹⁷ See: *Prison Population Trends 2017*, *supra* at ii.