

Lifer's Group Fast Facts: MEDICAL PAROLES FOR MA-DOC FIRST-DEGREE MURDERERS, 2018-2024: LIMITED HUMANITARIAN AND FINANCIAL BENEFITS

LWOP Medical Paroles 2018-2023

Date Released	Status or Date Died	Time on Release
11/01/2018	11/24/2018	23 days
11/06/2018	08/08/2019	9 mos
03/18/2019	07/09/2020	16 mos
03/22/2019	11/24/2020	20 mos
11/08/2019	02/04/2022	27 mos
01/08/2020	05/04/2022	28 mos
02/05/2020	11/04/2020	9 mos
03/04/2020	On Parole	52 mos
04/02/2020	02/09/2021	10 mos
04/06/2020*	On Parole	39 mos
04/06/2020	On Parole	51 mos
04/10/2020	08/09/2023	40 mos
04/17/2020	03/02/2021	10 mos
05/15/2020	04/29/2022	23 mos
06/19/2020	01/27/2021	7 mos
06/19/2020	05/17/2023	35 mos
06/26/2020	09/23/2020	3 mos
06/30/2020	01/07/2021	6 mos
07/02/2020	10/12/2022	27 mos
07/13/2020	12/30/2022	29 mos
07/23/2020	03/24/2023	32 mos
08/18/2020	08/20/2020	2 days
09/03/2020	On Parole	46 mos
09/03/2020	12/23/2022	27 mos
09/04/2020	11/12/2021	14 mos
11/13/2020	On Parole	44 mos
11/20/2020	11/24/2020	4 days
11/24/2020	12/01/2020	7 days
11/25/2020	On Parole	44 mos
01/27/2021*	On Parole	29 mos
02/22/2021	11/17/2021	9 mos
03/16/2021	01/27/2022	10 mos
04/26/2021	On Parole	39 mos
06/09/2021	09/18/2021	3 mos
08/05/2021	On Parole	35 mos
10/01/2021	On Parole	33 mos
10/09/2021	12/28/2021	19 days
12/30/2021	On Parole	30 mos
06/06/2022	09/13/2022	3 mos
07/06/2022*	On Parole	12 mos
07/20/2022	On Parole	23 mos
08/17/2022*	On Parole	11 mos
09/06/2022	01/04/2023	4 mos
09/15/2022	09/30/2022	15 days
12/01/2022	03/29/2024	16 mos
12/02/2022	On Parole	19 mos
12/05/2022	On Parole	19 mos
02/27/2023	On Parole	16 mos
03/01/2023	On Parole	16 mos
05/15/2023	12/09/2023	7 mos
07/21/2023	On Parole	11 mos
09/18/2023	On Parole	9 mos
11/10/2023	12/04/2023	24 days
11/29/2023	On Parole	7 mos

* Violation & re-released, time on release shortened

Massachusetts prisoners are the most aged (1) and even after the Mattis (2) decision have the highest percentage of Life Without Parole (LWOP) prisoners in the U.S. (3). The MA 2018 medical parole law was enacted to allow the DOC Commissioner to release terminally ill (life expectancy <18mo) and permanently incapacitated prisoners on parole when they are "so debilitated that the prisoner does not pose a public safety risk"(4) and the DOC applies this clause restrictively (see note 5). Because of the DOC's limited use, hopes for humanitarian and financial benefits of the law have been limited since releases are denied until prisoners are close to death or require nursing home placement.

>> Of 54 releases 2018-2023, 33 (61%) died and 21 (39%) are on parole [No data available on which releases were for terminal illness or incapacitation]:

>> 10 (30%) died within 3 months of release
 3 (9%) died within 7 days of release
 4 (12%) died between 8-30 days
 3 (9%) died between 1-3 months

>> 23 (70%) died between 4-40 months of release
 13 (39%) died between 4-18 months after release
 10 (30%) died between 18-40 months after release

>> 21 are on parole in the community
 7 (33%) have been out between 1-18 months
 14 (67%) have been out between 18-52 months

>> None have committed a new crime since release.

Accrued savings from releasing these 54 parolees (6):

54 released : \$ 10,193,302 (100%)
 33 Died : \$ 3,995,445 (39.2%)
 21 Living: \$ 6,197,857 (60.8%)

Costs are calculated at the average rate for prisoners but savings are likely much greater because these older, infirm prisoners typically cost 2-5 times the average (7). Savings are likely well over \$25 million. Also, those who died incurred their end-of-life expenses after release, sparing costs at the prison hospital which exceed \$500,000/prisoner/yr (8), while terminal care at academic hospitals likely exceeds that. Note that for the living, savings accrue rapidly. When reviewed last year cumulative savings for 47 medical parolees were only \$4,247,000 (9).

Consensus evidence shows that prisoners over 55 years old and those guilty of murder have the lowest rates of recidivism (10). Liberalizing compassionate release for older LWOP prisoners will not decrease public safety (11) but can greatly reduce costs. If enacted, currently proposed legislation would greatly benefit compassionate, humanitarian and financial outcomes.

[ENDNOTES on reverse]

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ENDNOTES

Sources: Data for the table based on public records responses from the Parole Board, 2023 & 2024. Calculations by author.

1. McKillop M & Boucher A. "Aging Prisoner Populations Drive Up Costs (Pew Charitable Trusts, Washington, DC, Feb 2018).
2. Com v Mattis, 493 Mass. 216 (2014) which requires reclassification of LWOP prisoners to LWP if they committed the crime between the ages of 18-20.
3. After Mattis made 207 LWOP prisoners eligible for parole, there remained 848 LWOP prisoners as of 1/1/2024, or 15% of the 5676 criminally sentenced prisoners. This exceeds the percent in other states. For national data see Nellis A. "No End in Sight: America's Enduring Reliance on Life Imprisonment" (The Sentencing Project, Washington, DC 2021).
4. Criminal Justice Reform Act. Acts of 2018, M.G.L.c. 127, §119A.
5. The MA-DOC requires a prisoner to have "significant and serious impairment of strength or ability to perform daily life functions such as eating, breathing, toileting, walking or bathing so as to minimize the prisoner's ability to commit a crime if released", thereby severely limiting medical paroles until the prisoner is almost moribund or fully incapacitated.
6. Each parolees' value for time out of prison was calculated based on the average annual cost for that time as reported in Greineder D. "Lifers' Group Fast Facts: Continuing Increases of Incarceration Costs in Massachusetts Department of Correction (MA-DOC)" (Lifers' Group Inc.***, Norfolk, April 2024).
7. McKillop & Boucher. (note 1); ACLU. "At America's Expense: The Mass Incarceration of the Elderly" (ACLU, New York, 2012); Tina Chiu. "It's About the Time: Aging Prisoners, Increasing Costs, and Geriatric Release" (Vera Institute of Justice, New York, 2010).
8. Greineder D. "Massachusetts Department of Correction Costs Per Prisoner & Institution, 2010-2022: A Profligate Misuses of Resources" (Lifer's Group Inc.***, Norfolk, MA, July 2024).
9. Greineder D. "Medical Paroles for Massachusetts First-Degree Murderers: Mixed Humanitarian and Financial Outcomes" (Lifer's Group Inc.***, Norfolk, MA, May 2023).
10. Nellis A. "No End In Sight:" (note 3); Nellis A & Bishop B. "New Lease on Life" (The Sentencing Project, Washington, DC, 2021); Durose MR, Cooper AD, Snyder HN. "Recidivism of Prisoners Released in 30 States in 2005" (Bureau of Justice Statistics, 2014); Langan PA & Levin DJ. "Recidivism of Prisoners Released in 1994" (Bureau of Justice Statistics, 2002).
11. See Greineder D. "The Cruel Aging of Massachusetts Life-Sentenced Prisoners" ppl3-19 (Lifers' Group Inc.***, Norfolk, MA, 2022) for a discussion about why excess incarceration does little to improve public safety since it neither deters nor prevents crime; rather the destabilizing social effect of excessive incarceration has been shown to increase crime and decrease public safety.

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