FOUR REASONS AN OVERSIGHT COMMITTEE IS NEEDED FOR THE DEPARTMENT OF CORRECTION

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On October 20, 2025, Massachusetts Representatives Mary Keefe and Russell Holmes attended a legislative event at MCI-Norfolk. The event was sponsored by the Lifer's Group Inc. and open to the total population. All went well as both representatives answered a plethora of questions posed by those in attendance throughout the evening.

That is the good news. The bad news is that the event was delayed for over forty minutes due to an unexpected practice fire drill called shortly before 6:00 pm, the time for prisoners to leave our units to go to programs. It is hard to believe that the practice fire drill was a mere coincidence. And, why the fire drill could not have been held after the legislative event had begun is a question no one seems willing to answer.

Events held at night usually run from 6:00 to 8:15. Our event did not begin until nearly 7:00 pm due to the delay for the fire drill. As a result, I did not have the opportunity to raise the issue of the need for an Oversight Committee with authority to oversee the Department of Correction. Had I had that opportunity, I would have raised the following four reasons why such a committee is necessary to monitor and institute needed changes in the Department of Correction.

1) The Department of Correction consistantly spends a mere 2¢ or less on Programs For Prisoners each year.

The Lifer's Group Inc. at MCI-Norfolk has published an annual report on the Expenditures and Staffing Levels at the DOC since 2014. The expenses include: staffing costs, offender health care, infra-

structure, legislative earmarks, utilties, offender food costs, administrative expenses and offender program costs. While each of these categories, save one, varies yearly as a percentage of total costs, funds spent on programs for prisoners has remained stubbornly consistent, i.e., from 1.3% to 2.0%, or 1.3¢ to 2¢ of every dollar spent by the DOC.

In Fiscal Year 2023, for instance, the DOC spent $9.4 million on programs which may seem like a lot. But, that was only 1.3% of the total expenditures of over $796 million. (1) Interestingly, of the $9.4 million, $7.2 million was paid to Spectrum. (2) Under the contract between the DOC and Spectrum, Spectrum is required to file monthly, quarterly, and annual reports on their operations within the DOC. The Lifer's Group Inc. has requested via Public Records Requests copies of those reports. The DOC's response has been that they do have any such records. Surely, an Oversight Committee would ask: Why not?

In Fiscal Year 2023, Spectrum received over 77% of the DOC's program expenditures. How can the DOC assess the return on its investment - actually taxpayers' invenstment - without the contractually mandated reports? Both this question and the one above also need to be asked by the House Ways and Means Committee the next time the DOC requests funding.

2) **The DOC chronically under-utilizes minimum and pre-relese** bed space.

On July 1, 2025, the total number of prisoners housed in minimum and pre-release facilities was 466, of which 420 (90.1%) were in minimum facilties and only 46 (9.9%) were in pre-release. Total operational capacity for the two levels of security on July 1, 2025

was 932. Thus, the minimum and pre-release facilities combined operated at 50% capacity. (3)

The 50% operational rate was an increase from 48% on July 1, 2024. But, in reality, the actual number of prisoners housed on July 1, 2025 in minimum and pre-release facilities had decreased by 61 prisoners. So, why did the percentage occupancy rate increase? The reason is that the DOC had closed OCCC minimum, taking 160 beds out of service. (4)

Common sense dictates that operating at least at 85% capacity, the cost per prisoner housed in mimimum security would decrease significantly from the cost of housing a prisoner in medium or higher security. For example, in 2024, the annual cost of housing one prisoner at Pondville, a minimum security facility, was $102,081. The facility, however, operated at only 63% of capacity. (5) In contrast for the same time period, the annual cost of housing one prisoner at MCI-Norfolk, a medium security facility, was $89,510. Norfolk operated at 85% capacity. (6)

The comparison of these two annual cost figures raises the question: Why did incarcerating one prisoner at Pondville cost more than incarcerating one prisoner at MCI-Norfolk? The answer lies in the gap between occupancy rates. If Pondville had operated at 85%, as did MCI-Norfolk, the annual cost of incarcerating one prisoner at Pondville would have been $71,661 or 20% less than Norfolk and 30% less than the figure reported by the DOC given Pondville's 63% occupancy rate. (7)

Obviously, the far more cost effective path for the DOC is to increase minimum security occupancy. And, 2024 was not an anomaly as the DOC has chronically under-utilized minimum and pre-release

facilities for each year the Lifer's Group Inc. has reported on the occupancy ratess for DOC facilities. Surely, this area would provide fruitful grounds fo an Oversight Committee to investigate and to ask: Why?

3) **The DOC leads the nation in having the lowest security staff ratio to prisoners.**

The federal Bureau of Labor Statistics in 2023 published data comparing the ratios of security personnel to prisoners from each state. Massachusetts came in first with a ratio of 1.01 prisoners to each guard. The top five rounded out with: New York second at 1:49, then New Jersey at 1:48, New Mexico at 1:54 and Maine at 1:69. The five states with the highest ratios were: Oklahoma at 5.87, Alabama at 5.46 , Idaho at 5.06, Georgia at 4.82 and Florida at 4.48. (8)

The Bureau of Labor Statistics also compared average annual salaries paid to guards across the United States. Once again, Massachusetts was in the top five at $77,260, second only to New Jersey at $81,900. Then came New York at $74,580, Washington at $66,040 and Minnesota at $59,990. The five lowest were: Mississippi at $37,000, Oklahoma at $43,110, Georgia at $43,190, Alabama at $44,450 and Montana at $48,660. (9)

The DOC, at least at MCI-Norfolk, often claims to be understaffed. Recently, on three successive Sunday afternoons, programs were cancelled, including religious services due to a lack of staff. Obviously, the significantly low ratio of prisoners to staff brings into question that reasoning, particularly since relatively recently, the DOC closed MCI-Cedar Junction and MCI-Concord. An Oversight Committee would surely ask: Where did those guards go? One would think that the DOC should be awash in security personnel, especially given

that Massachusetts pays the second highest annual salary in the nation.

From January 1, 2016 to January 1, 2025, the number of prisoners held in Massachusetts prisons declined by 37% (from 9,493 to 5,988). The number of Full-Time Employees decreased by only 9% (from 4,879 to 3,984). Security personnel decreased by 27% (from 3,739 to 2,661). In contrast, Managemnent personnel increased by 26% (from 169 to 213) and Administrative staff personnel increased by 22% (from 422 to 515). Maintenance personnel increased as well by 22% (from 174 to 213). (10)

While one cannot expect a one-for-one reduction in staff as compared to a decrease in prisoners, is beyond belief that while the number of prisoners incarcerated in Massachusetts facilities was down by 37%, Management and Administrative personnel was actually up by a combined 23%. Surely, an Oversight Committee would investigate the DOC asking: Why with such a significant decrease in the prisoner population did the staff managing that reduced number of prisoners need to increase?

To address this claim of a lack of staff, the DOC had decided to lower the age for guards from 21 to 19. (11) According to Governor Maura Healey: "Reducing the minimum age to become a Correction Officer will allow us to recruit more dedicated, highly skilled workers to these important roles."Lieutenant Governor Kim Driscoll added: "The change in the minimum appointment age allows the DOC to address staffing needs while also cultivating a future workforce dedicated to upholding our core values." (12)

Notwithstanding the high opinions both the Governor and the Lieutenant Governor hold for 19 and 20 yera olds, those high expecta-

tions stand in stark contrast to a recent decision by the Massachusetts Supreme Juducial Court (SJC). (13) The SJC ruled that "emerging adults", i.e., those between the ages of 18 and 21, could not be sentenced to life-without-parole since the brains of those in that age grouping had not been fully developed, particularly in the areas which control impulsivity and the consideration of the long-term consequences of their actions. The SJC found that emerging adults had: "1) a lack of impulse control in emotionaaly arousing situations; 2) increased likelihood to engage in risk taking behaviors in pursuit of rewards; 3) increased susceptibility to peer influence which makes emerging adults more likely to engage in risky behavior and 4) an emerging adult's greater capacity for change." (14)

Given the SJC's assessment of 19 and 20 year olds, it is difficult to understand why the DOC would think that placing an emerging adult into the volitile environment of a Souza-Baranowski could possibly be a smart idea. How can the DOC think that placing an emering adult who lacks impulse control and has an increased likelihood to engage in risk taking behavior would be productive and not a potential security threat and able to deal with older and more mature prisoners?

Even in medium security, like MCI-Norfolk, this 82 year old prisoner with nearly forty-eight years of incarceration fears the overreactions a 19 year old guard will inevitably commit which can have devastating consequences like loss of jobs, single cell status, and program participation. And, what are the odds, given the prevalence of drugs in this prison, a 19 or 20 year old guard would resist the temptation to bring contraband into this or any prison?

4) Massachusetts incarcerates, as a percentage of the custody population, the second highest rate of elderly prisoners in the United States.

According to the ACLU, in 2021, the percentage of prisoners over age 55 housed in Massachusetts prisons was 21.9%, second only to New Hampshire at 22%. In contrast, the next highest was Pennsylvania at 18.1% and the average incarceration rate of those 55 and older for the United States was 15.7%. (15)

In terms of dollars spent incarcerating elderly prisoners, the ACLU estimates that corrections departments could save up to $92,217 annually per elderly person released. (16) The Massachusetts DOC reported that the cost of incarcerating a prisoner at the Lemuel Shattuck Hospital for one year was $595,909. (17) While the DOC does not report the annual cost per prisoner at MCI-Shirley's specialized medical units, the DOC does report that the annual cost per prisoner at MCI-Shirley was $103,558 as contrasted with the annual cost per prisoner at MCI-Norfolk, also a medium security prison, at $89,510. (18)

While all prisoners housed at Lemuel Shattuck Hospital or the specialized medical units are not elderly, a significant percentage are. In addition, the increased medical and accommodation costs associated with meeting the needs of elderly prisoners not in hospital units still results in elderly prisoners costing two to five times the cost of incarcerating non-elderly prisoners. (19)

Not only is housing elderly prisoners expensive, the reality is that people age out of criminal behavior. For instance, elderly prisoners serving time for homicides, the recidivism rate in Massachusetts is under 1%. (20)

Surely, an Oversight Committee would ask: Why does the DOC continually house elderly prisoners who are of no risk to reoffend and who can contribute to the welfare of society if released on parole? If an Oversight Committee did investigate this situation, it would uncover the fact that the DOC under-utilizes medical paroles, not just for the elderly but also for younger prisoners who are incapacitated and pose no threat to society. From 2021-2024, the DOC processed 168 medical parole applications. Only 44 were approved, an approval rate of 26%. (21)

The Massachusetts Legislature enacted a medical parole bill which allows the release on parole prisoners who are terminally ill or permanently incapacitated. The legislature placed the decision to grant or deny an application for a medical parole solely in the hands of the Commissioner of Correction. Prisoners have applied for medical paroles with, but not limited to, chronic obstructive pulmonary disease, cadio-vascular disease, infestious diseases, neurological diseases, cancer, COVID-19, and dementia. (22)

Even with medical assurances that a prisoner, most of whom are elderly, is permanently incapacitated, the DOC has denied medical parole applications based on a commissioner's belief that the prisoner could be a threat to public safety despite the prisoner's incapacitation. An Oversight Committee need only tour the chronically ill units at MCI-Shirley and MCI-Norfolk to assess how ridiculous the DOC's contentions are for numerous prisoners who should be released on medical paroles. And, for those who worry that if released, a prisoner might become a risk to society, fear not for medical paroles can and have been revoked.

An Oversight Committee could and should investigate the use

and misuse of medical paroles by the DOC. At the very least, an Oversight Committee should recommend that the power to decide on a medical parole application be taken out of the hands of the Commissioner of Correction and placed in the hands of a panel of medical experts.

Copies of the Lifer's Group Inc. reports cited in this report can be accessed at: realcostofprisons.org/writing. To receive a copy of this or any report published by the Lifer's Group Inc., write to:

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END NOTES

1) Report on MA DOC Expenditures and Staffing Levels For Fiscal 2024, Lifer's Group Inc., October 2024, at 4.

2) Response by the DOC to a Public Records Request submiited by the Lifer's Group Inc.

3) A Report on the Massachusetts Department of Correction's Institional Fact Cards As of July 1, 2025, Lifer's Group Inc., August 2025, at 10.

4) Id at 13.

5) Massachusetts Department of Correction Prison Population Trends Report, April 2025, at 6. Percentages calculated by the author.

6) Id at 4.

7) Annual cost and percentage calculated by the author. This annual cost estimate is based on data supplied by the DOC.

8) Prison Legal News, Help Wanted, September 2025 at 3.

9) Id.

10) The January 1, 2025 data is from the July 24, 2025 reponse from the DOC to a Public Records Request submitted by the Lifer's Group Inc. The source for the January 1, 2016 data is: A Report On The Massachusetts Department of Correction's Expenditures and Staffing Levels For Fiscal Year 2017, Lifer's Group Inc., January 2018 at 3.

11) Massachusetts Department of Correction Lowers Age to Become a Correction Officer to 19. DOC Press Release, May 22, 2025.

12) Id.

13) Commonwealth v, Mattis, 493 Mass. 216 (2024).

14) Id at 225 - 229.

15) Trapped In Time - The Silent Crisis of Elderly Incarceration, Alysa Gordon, Michele Deitch and Alycia Welch, Am. Civ. Liberties Union Nat'l Prison Project, 2025 at 8, 18.

16) Id at 49.

17) Massachusetts Department of Correction Prison Population Trends Report, supra at 2.

18) Id at 4.

19) An End In Sight: A Confluence of Practical Financial and Beneficial Strategies For Massachusetts Life-Without-Parole. Dirk Greineder, Lifer's Group Inc., July 2025 at 1. See also: How to Cut the Prison Population, Save Money and Make Us Safer, German Lopez, New York Times, September 8, 2025. (Federal prisons ... spend five times as much per person on medical care for older prisoners.)

20) Aging and Risks of Criminal Offenders: Aging Results in Dramatic Reductions in Criminal Behavior. Dirk Greineder, Lifer's Group Inc., December 2024 at 1.

21) Department of Correction Medical Parole Annual Reports For Fis- Years 2024, 2023, 2022.

22) Id.