

LIFERS' GROUP Inc. FAST FACTS: MEDICAL COSTS IN THE MASSACHUSETTS DOC

A Stunning Surge

BACKGROUND

As prison populations slowly begin to shrink, one group of prisoners continues to grow: older prisoners. Largely due to the harsh and frequently life-long sentences prevalent over the last five decades, prisoners are aging in prison. It is well known that costs of incarceration are 2-3 times greater for older prisoners than for prisoners overall.ⁱ Much of these increased costs are attributable to the costs of medical care, which rise steeply as people age. The Massachusetts Department of Correction (DOC) is no exception and is seeing a staggering surge in aging prisoners and medical costs.

THE FACTS

- The table summarizes medical expenditures over the last four fiscal years and lists the annual costs per prisoner based on the count of all custody prisoners held in the DOC on January 1 of each fiscal year. It is apparent that the annual costs per prisoner have more than doubled over four years.

	FY 2016	FY 2017	FY 2018	FY 2019
Prisoner Medical Expenditures	\$ 94,450,606	\$ 115,308,393	\$ 135,305,313	\$ 169,093,167
Increase Over Prior Fiscal Year	NA	22%	17%	25%
Cumulative Increase from FY2016	NA	22%	43%	79%
Facilities Prisoners Population Count †	9,479	9,015	8,835	8,425
Average Annual Cost per Prisoner	\$ 9,964	\$ 12,791	\$ 15,315	\$ 20,070

† Total facilities prisoner count on January 1 of each year. Data sources: Annual DOC Population "Fact Cards" and public records requests from DOC 2017, 2018, 2019; & Haas G. *A Report on MA DOC Expenditures And Staffing Levels for Fiscal Year 2018* (Lifers' Group Inc., Norfolk, MA December 2018).

- Prisoner medical expenditures do not include costs of security staff coverage during hospitalizations and transport for medical appointments.
- Contributing to the high medical costs is the fact that Massachusetts state prisoners are the oldest in the United States, with 14.4% aged 55 and over and 33.1% aged 40-54.ⁱⁱ
- 12.3% of Massachusetts state prisoners are aged 60+ and 3.0% are aged 70+ and the oldest prisoner in 2019 is 95 years old.ⁱⁱⁱ
- Massachusetts criminally sentenced prisoners aged 50 and older have increased from 4.2% in 1999 to 28.3% in 2019, an almost 7-fold increase in 20 years.^{iv}
- Massachusetts DOC overall expenditures, including medical costs, increased 4.9%, 4.5%, and 6.0%, respectively, year over year, FY2016 through FY2019.^v

(Please Turn Over)

- Prisoner medical expenditures comprised 16.5%, 19.2%, 21.6% and 25.4% of total MA DOC expenditures for FY2016, FY2017, FY2018, and FY2019, respectively.^{vi}
- The percentage of Massachusetts criminally sentenced prisoners serving Life Without Parole (LWOP) has more than doubled, increasing from 6.2% in 1999 to 13.4% in 2019 even though on average 8 LWOP prisoners have been dying in prison each year.^{vii}
- 49.3% of Massachusetts prisoners serving LWOP were aged 50 and older on January 1, 2019.^{viii}
- Massachusetts life-sentenced prisoners (LWOP and Life With the possibility of Parole (LWP)) constituted 26% of criminally sentenced prisoners on January 1, 2019.^{ix}
- On January 1, 2019 there were 1,084 prisoners serving LWOP sentences in the Massachusetts DOC all of whom are destined to age and die in prison under current laws.^x
- During FY2019 the average annual cost of incarceration per prisoner in state prison escalated to \$78,802, increasing at a rate of approximately \$5,000 each year.^{xi}
- Nationally, by 2013, 40% of prisoners aged 55+ had served 10+ years and 6 of 10 aged 55+ had aged into that cohort while in prison (double the share in 1993).^{xii}

CONCLUSION

Medical costs for prisoner health care have more than doubled in only four years and show no signs of abating. A significant element contributing to the growing costs is the rapid aging of the prisoner population. It is time for the legislature to seriously consider legislative proposals offering viable reforms promoting the release of the elderly prisoners who can demonstrate that they have become rehabilitated and are able to live in society without violating the law.

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For Lifers' Group Inc., P.O. Box 43, Norfolk, MA 02056 by Dirk Greineder (August 2019)

ENDNOTES

ⁱ ACLU. *At America's Expense: The Mass Incarceration of the Elderly* (ACLU, New York, NY: June 2012); Greineder D. *Massachusetts Incarceration of the Elderly: Morally Questionable, Costly and Unnecessary for Public Safety*. *Journal of Prisoners on Prisons*, 27(1)17-54(2018) (Univ of Ottawa Press, Ottawa, Ont. Canada).

ⁱⁱ McKillop M & Boucher A. *Aging Prison Populations Drive Up Costs* (Pew Charitable Trusts, Washington, DC, February 20, 2018).

ⁱⁱⁱ Massachusetts Department of Correction. *Population Trends; Annual Reports 2009 – 2018*(DOC, Milford, MA); and public records requests from DOC, 2017 and 2019 (Milford, MA).

^{iv} Greineder, *Massachusetts Incarceration of the Elderly*, note i.

^v Data from Haas G. *A Report on MA DOC Expenditures and Staffing Levels for Fiscal Year 2018* (Lifers' Group Inc., Norfolk, MA December 2018); and Commonwealth of Massachusetts, *Budget Summary FY2019*, (Mass.gov, Boston, MA, accessed December 2018).

^{vi} *Ibid.*

^{vii} Greineder D. *"Life" is a Death Sentence: Aging and Dying in Massachusetts Prisons*.(Lifers' Group Inc., Norfolk, MA, January 2018) and public records requests from DOC, 2017 & 2019.

^{viii} *Ibid.*

^{ix} DOC. *Population Trends, 2018*, (DOC, Milford MA, July 2019) and public record request from DOC, 2019.

^x *Ibid.*

^x *Ibid.*

^{xi} Haas G. *A Report on MA DOC Expenditures...*, note v; Commonwealth of Massachusetts, *Budget Summary*, note v; and *"Fact Cards"* (DOC, Milford, MA, 2016-2019).

^{xii} McKillop & Boucher. *Aging Prison Populations Drive Up Costs*, note ii.