

## Review of Massachusetts Corrections Master Plan (CMP): Focus on Women

The CMP was commissioned by the Massachusetts Division of Capital Asset Management (D-CAM) in 2010 and released in 2012. It was produced by two engineering firms, STV Inc. and Carter Goble Lee, whose expertise is in building correctional facilities.

### CMP Goals

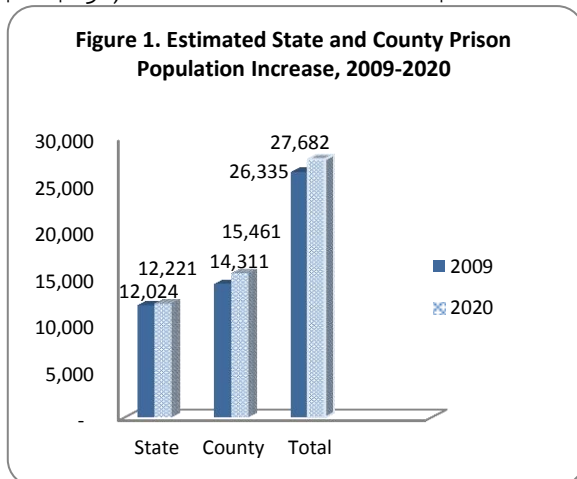
1. Predict the 2020 population of pre-trial, sentenced, and pre-release prisoners (state and county).
2. Estimate the additional bed spaces necessary to meet current cell size and occupancy standards.
3. Allocate bed spaces in an integrated, efficient, and cost-effective corrections system.
4. Meet the needs of “special” populations: i.e. women, physically and mentally ill, elderly, and sex-offenders.
5. Reduce recidivism.

### CMP Methodology

The 2020 prison population was estimated using a modified trend analysis based on prison population trends for 2000-2009, and current cell occupancy standards.

### Population and Cost Increases

While the total prison population is estimated to increase by 1,347 in 2020 to a total of 27,682 (see Figure 1), **the number of bed spaces will have to increase by 12,100** to meet current standards and alleviate the endemic prison overcrowding. The capital costs to meet this increase are estimated at \$1.2 - \$2.3b, and annual maintenance at \$120m.



### Policy

Although the consultants stated that fiscal, political, and financial policy recommendations were outside their sphere of work, they included in several policy suggestions:

1. The 2020 projections could be reduced by 2,000 if Section 35 cases, i.e., mentally ill, and federal prisoners were not held in state prisons.
2. *Pre-trial* prisoners should be housed only in county facilities, and 300 existing municipal lock-up facilities should be closed.
3. *Pre-release* prisoners should be eligible for a lower security status, thus allowing 600 to be housed near their home communities.
4. The state and county agencies should draw up agreements to define and coordinate their responsibilities.

### The CMP’s Responses to Women

The CMP is the first large-scale Massachusetts plan issued by the Executive Office of Public Safety and Security to include women in both state and county facilities in its population projections. Also, it is the first report on population to acknowledge that women have special circumstances and concerns.

### Background

For many years women in prison in MA have experienced serious inequities<sup>1</sup>:

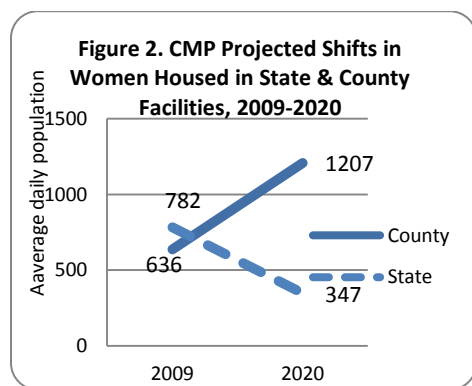
1. 40% of the women held in the state prison, MCI-Framingham (MCI-F) are serving ‘county’ sentences because half of Massachusetts counties do not hold sentenced women (compared with 0.2% of men who are held outside their counties).
2. Two thirds of the prisoners held awaiting trial are women (694); and their numbers increased 12% in the first quarter of 2012.
3. Twenty percent of the women held in MCI-Framingham are *awaiting trial*, compared to 3% of men who await trial in a state facility.
4. Half of the women who await trial in MCI-F are there because they could not afford to post bail in the amount of \$50.
5. The awaiting trial unit is the most overcrowded facility in the state (at 280% of capacity).

<sup>1</sup> See Gender & Justice Project Overview

- Two thirds of women in the CJ system have children and many are their children's prime caregivers.
- When women are detained – even prior to sentencing – they lose their homes and possessions, their children are displaced and often separated from their siblings (typically children whose fathers are in prison remain with their primary caregivers).

### Recommended Population Shift

- The plan projects an overall increase in the women's population of 136 by 2020, but conforming to revised housing standards will mean **an increase in 400 more bed spaces**.
- This will require a major shift for women. As Figure 2 the CMP recommends the average daily population (ADP) of women held in MCI-F be reduced from 782 to 347 by 2020, and the ADP of women held in the counties be increased from 636 to 1207



- The estimated cost is \$40m-\$72m, and the plan would require major state and county changes in policy, administration and finance.

### Continuing Questions and Concerns

- The CMP does not propose that all the counties house sentenced, pre-trial and pre-release women (as it does for men).
- The CMP does not directly address the thorny issue of the future of MCI-F once its population is decreased. The plan suggests a separate report be prepared for MCI-Framingham, but the prison's poor physical structure and resources are well-documented.<sup>2</sup>
- It accepts the historical rationale that some counties cannot house women because they lack the "critical mass" (which is not defined) to make this feasible, and instead proposes four

regional facilities for women: *Northeast, West, Central and Southeast*.

- The CMP is unclear about the response of counties that currently do not house sentenced women except to say that some might of them might consolidate – but this could result in women continuing to be housed at a significant distance from their children and home communities.
- Proposed administrative changes and construction plans would take years to achieve, further delaying change for women
- CMP is unclear how women in pre-release status would have their security status "stepped down" so they could be housed close to their communities.
- The CMP does not consider the possibility of overlapping special populations i.e., women who are mentally ill, have substance abuse issues, and are elderly; and leaves the care of these populations largely unidentified.

### Needed: A More Cost-Effective and Gender-Responsive Approach

- The value of the CMP lies in its being a catalyst for in-depth discussion about the future of prisons – especially for women – and a search for less expensive and more effective sanctions.
- It would be less costly and more effective to utilize Alternatives to Incarceration (ATI) than to incarcerate mostly non-violent women (85%) at a cost of \$30,000-\$47,000 a year (see Fact Sheet 4 on ATI).
- These conversations are timely because changes have begun to be implemented. In late 2011, some women from central and western MA were moved from MCI-F to the Western MA Women's Correctional facility, Chicopee.
- **Certainly we should question the plan's assumption that the incarceration of women in Massachusetts will continue at the same rate as in previous decades or that women will continue to be imprisoned pre-trial because they cannot pay small amounts of bail.**

<sup>2</sup> Comprehensive reviews of state prisons highlighted the poor conditions for women and the mentally ill in 2004, 2005, 2007.