

# Panel on Justice-Involved Women



Annual Report

February 2024

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## I. Acknowledgements

The Panel on Justice-Involved Women would like to acknowledge the work, collaboration, and cooperation of many individuals that have helped us carry out our work. The previous chairwoman, Allison Hallett, who has since retired from the Department of Correction, assisted this Panel in maintaining its work through the unprecedented Covid-19 pandemic. Under her leadership, this Panel was able to continue to meet through virtual means which continues to this day. Additionally, the Panelists who are no longer serving and have stepped down for a variety of reasons have assisted the Panel in its work and focus since it first met in 2018. There were many individuals who presented information to assist the Panel, we would like to thank them for their time and information in assisting us with understanding various perspectives on the needs of the women who are justice-involved.

We would also like to thank the Department of Correction, and the Massachusetts Sheriff's Association for their assistance in providing information and making their facilities available to the Panel for visits this past year. We would also like to thank the Executive Office of Public Safety for their support and guidance in this work. In addition, we would like to acknowledge and thank all the subject matter experts who took their time to present to this Panel and answer our questions to better understand the system.

Lastly, this work could not be done without the work of its members both past and present. To all of those that have served and influenced this work, we are grateful. Lastly, we would like to specifically thank Allison Hallett, previous chairwoman, of this Panel for her diligent work and guidance.

## II. Current Panel on Justice-Involved Women Members

<b>Seat</b>	<b>Member</b>
Chair, Commissioner of the Dept of Correction (or designee)	Kyle Pelletier, Director of Special Programs
Commissioner of the Dept of Children and Families (or designee)	Rebecca Brink, Assistant Commissioner, Program Support
Commissioner of the Dept of Mental Health (or designee)	Nancy Connolly, Psy.D., Assistant Commissioner of Forensic Services
Commissioner of the Department of Public Health (or designee)	Sarah Ruiz, MSW, Deputy Director for Strategy and Community Health, Bureau of Substance Addiction Services
Commissioner of the Office of Probation (or designee)	Corinn Crowninshield, Statewide Manager of Victim Services
Member of the House of Representatives	Representative Chynah Tyler
Member of the Senate <sup>1</sup>	Senator Liz Miranda
Member of the Massachusetts Sheriffs' Association <sup>2</sup>	Patricia Murphy Ed.D., ret. Assistant Superintendent Hampden County
Persons representing justice-involved women	Daisy Hernandez, MSW, LCSW, C4 Innovations
Persons representing re-entry programs	Katherine Moran, Victim Service Unit, Director, Parole  Meghan Winston, Chief of Transitional Services, Parole
Persons representing domestic violence prevention	Hema Sarang-Sieminski, Deputy Director, Jane Doe Inc.
One person who has been incarcerated <sup>3</sup>	Please see footnote

<sup>1</sup> Senator Cindy Friedman's service on the Panel in years prior and in January-March 2023 is noted and appreciated.

<sup>2</sup> Colleen Stocks was designated by the Massachusetts Sheriff's Association to serve on the Panel after Patty Murphy announced she would be retired her position on the Panel in January 2024.

<sup>3</sup> The invaluable insight of a member who has previously been incarcerated in Massachusetts is represented on the Panel from one of our members serving in a dual capacity fulfilling this statutory requirement.

### III. Introduction

Pursuant to Section 223 of Chapter 69 of the Acts of 2018, An Act Relative to Criminal Justice Reform (hereinafter “the Criminal Justice Reform Act”), the Panel on Justice-Involved Women (hereinafter “the Panel”) was established “to review and report on the impact of this act and other criminal laws on women and make recommendations on gender-responsive and trauma-informed approaches to address the pre-trial, incarceration, and rehabilitation needs of justice-involved women.” Further, the Panel is tasked with “review[ing] and consider[ing] improvements including, but not limited to, family visitation policies, available reproductive healthcare, gender specific, pretrial services, and programming offered within the correctional institutions and post release transitional assistance and supports for women.”

The Panel is committed to the work prescribed by the Criminal Justice Reform Act. The tardiness of this report was impacted by several factors including the unprecedented COVID-19 pandemic. Since the last report there has been significant changes to the Panel’s membership, including a change in the chairperson, and a re-focusing on its work. Recognizing that many of the members of this Panel have changed over the course of its work and other’s roles have changed in their organization, this group has worked to be flexible to accommodate the membership to have as many participants as possible. The Panel has worked on changing when the meetings are held, surveying member’s availability prior to meetings, and reducing the frequency of meeting to work on getting consistent quorum to meet as scheduled. While these challenges have not yet fully been resolved, the Panel will continue to work in this way to encourage consistent attendance at scheduled meetings so we can make progress in this work. In the beginning, members of the Panel approached this work with their own priorities and views as it relates to women who are justice-involved. Significant time was spent on developing areas where there is some consensus. During the last four years, reproductive health, mental health treatment, family visits, and programs outside prison facilities such as diversion from prison and reentry supports continue to be common themes this Panel is generally interested in pursuing, as laid out by the Act which established its body. This was important work to help this Panel move forward over the next year with some shared goals and understanding of the work to be done. As such, this report serves only as a status update and does not include recommendations.

The following report contains an overview of the work the Panel has completed since the last status report from December 2019 and its plans for the coming year. The Panel intends to continue its mission of reviewing and understanding the existing conditions for justice-involved women and how the Criminal Justice Reform Act may be impacting this distinct group. The Panel will continue to explore the unique issues women may face including prenatal stress, trauma, abuse, substance use, and mental health needs throughout the criminal justice system, not just limited to those who are incarcerated. The Panel has set a goal to submit a comprehensive report in December 2024 which will seek to include recommendations based on the work that has been completed and will continue in the next year.

#### IV. Status of Justice-involved Women in the Commonwealth

Over the last forty years, the national rates of justice-involved women have grown at a rate faster than their male counterparts.<sup>4</sup> While in whole numbers, there remain more men under supervision of some kind. As of 2022, there were approximately 976,000 women nationally under some sort of supervision, with the vast majority under probation. Since 2000, the incarceration rate nationally for black women declined by 76% while the rate of incarceration for white women rose by 12%.<sup>5</sup> Despite this change in rate, there is still a higher proportion of black and Latinx women incarcerated across the nation. While important to be aware of the national context, this does not adequately represent the challenges that justice-involved women in the Commonwealth of Massachusetts face.

The national statistics above are often cited to discuss the reality of justice-involved women in Massachusetts. However, when we limit our understanding to the national statistics it does little to provide us with an understanding of those involved in our criminal justice system. It is important to the work of this Panel to understand the local reality to best address the needs and challenges of the citizens in the Commonwealth, which are distinct from that of a national context.<sup>6</sup> In a report available through the Sentencing Project, in 2021 the national rate of incarceration for women, including both state and federal system imprisonment, was about 47 out of every 100,000 women; while in this same time period, Massachusetts had the lowest incarceration rate of women at 6 per every 100,000.<sup>7</sup> This report does limit our understanding to only those under our state custody and the data does not reflect the differences in community-based supervision or those in the county system. The most recent report that attempts to do this analysis was completed by the Prison Policy Initiative and utilized data from 2015. In this report, they similarly found there were low rates of incarceration for Massachusetts compared to other states, approximately 40 women incarcerated per 100,000 persons.<sup>8</sup>

As the Panel seeks to understand the needs of women who are currently justice-involved in our state, we completed a similar analysis. The Panel gathered information from official sources to gain an understanding of the current landscape of justice-involved women in the Commonwealth. Chart 1 shows the number of women under specific types of supervision or custody for dates in October 2023.

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<sup>4</sup> <https://www.sentencingproject.org/fact-sheet/incarcerated-women-and-girls/>

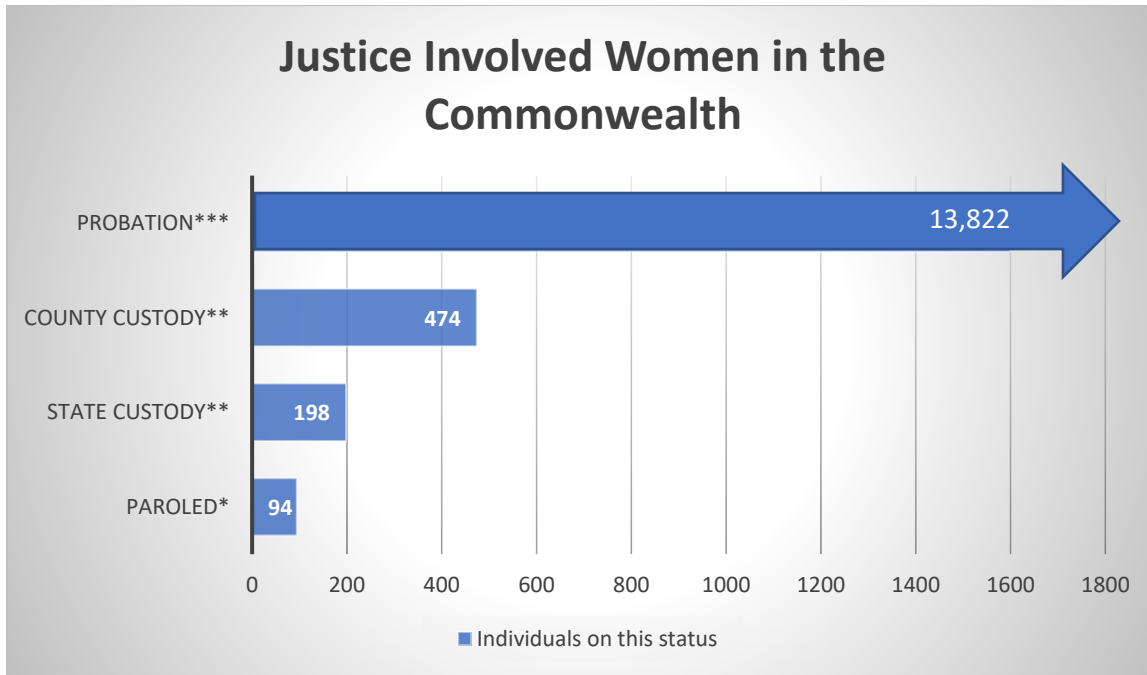
<sup>5</sup> <https://www.sentencingproject.org/fact-sheet/incarcerated-women-and-girls/>

<sup>6</sup> <https://www.sentencingproject.org/fact-sheet/incarcerated-women-and-girls/>

<sup>7</sup> <https://www.sentencingproject.org/fact-sheet/incarcerated-women-and-girls/>

<sup>8</sup> <https://www.prisonpolicy.org/global/women/2018.html>

Chart 1

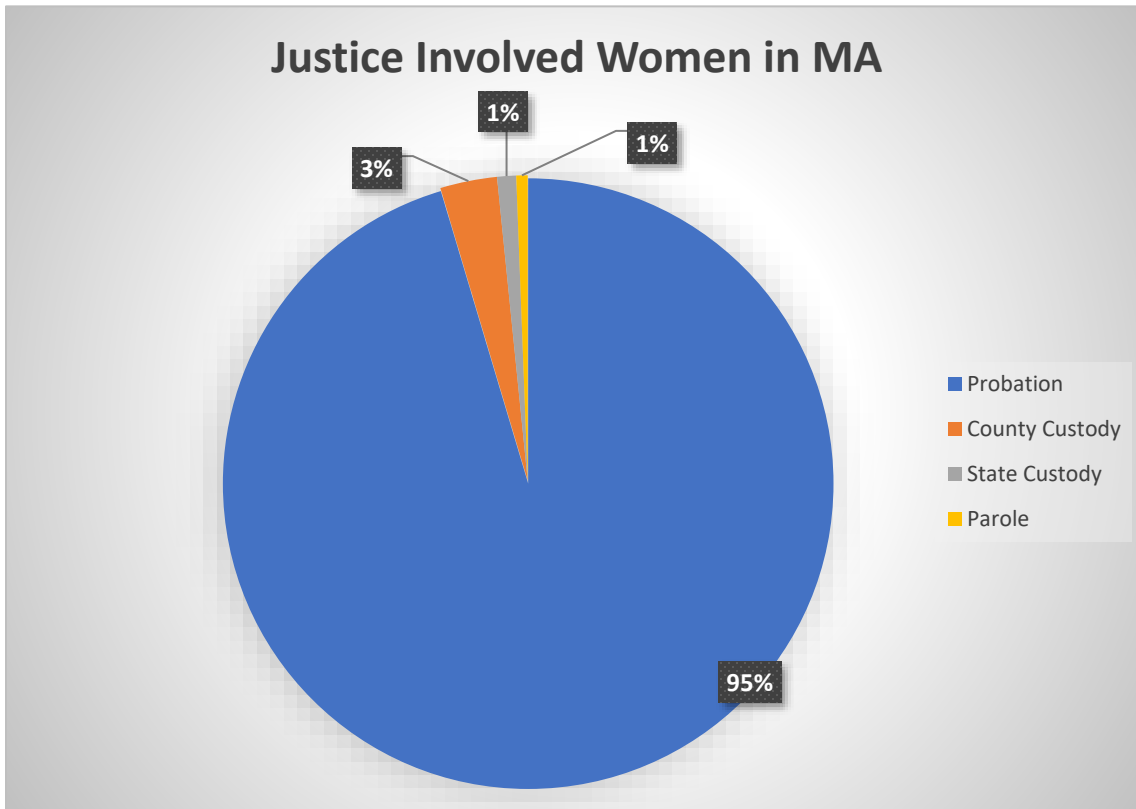


\*On October 31, 2023; Provided by Parole

\*\* On October 9, 2023; from Mass.gov, and MADOC official numbers

\*\*\* Data extracted from MassCourts on 2/12/2023 – Probation data includes all women supervised by MPS, including pre-trial

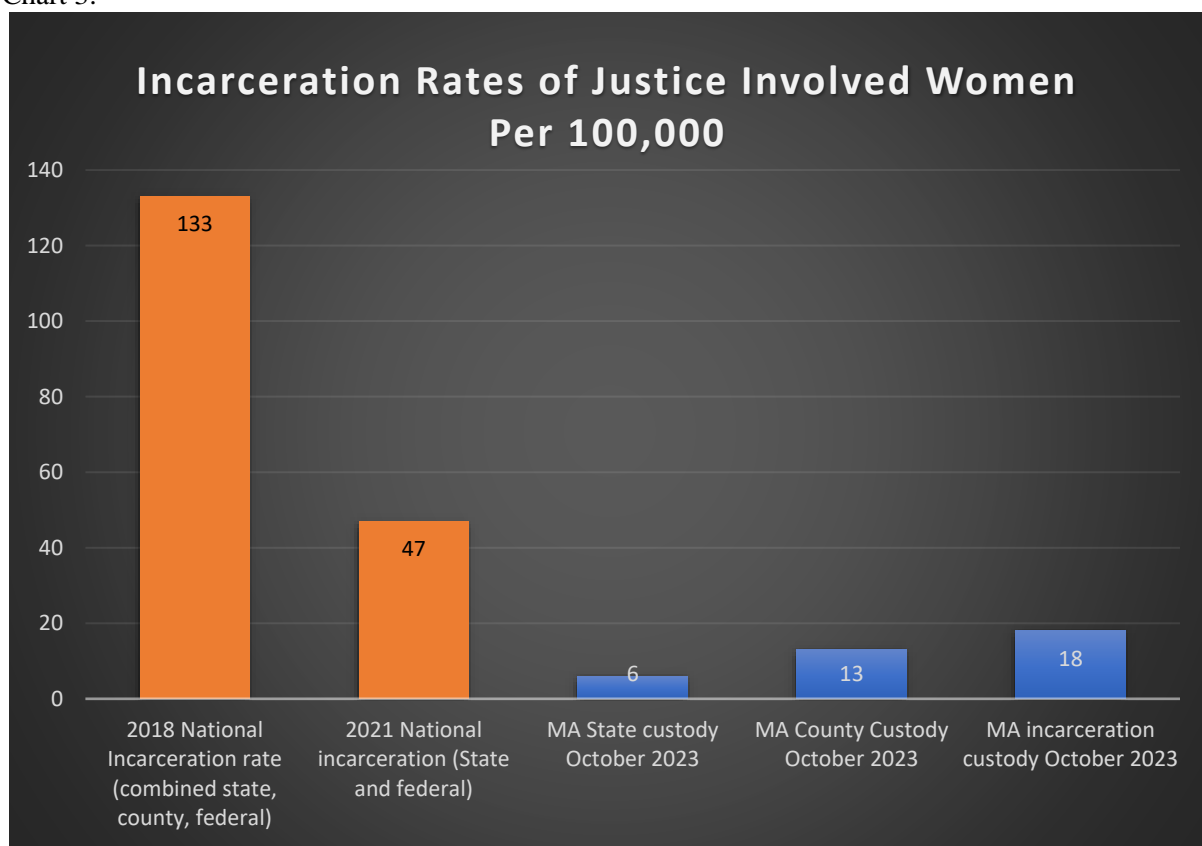
Chart 2



As expected, there is a higher number of women under probation supervision than any other type of supervision, which is consistently reflected in the national data. Of note when compared to this national data from 2021, our proportion of justice-involved women under probation supervision is much higher proportionality than from national data: 73% nationally, 95% locally.<sup>9</sup> This means our system is more likely to supervise women under the criminal justice system through probation rather than incarceration.

To further understand this information, the Panel chose to calculate the custody level rate per 100,000. This was done using the numbers provided, and the most recent census data from 2020.<sup>10</sup> The goal of this analysis was to assist us in understanding our current trends rather than relying on data that is nearly a decade old. The results indicate that, when using current numbers for women involved in the criminal justice system, we continue to see the same reality that Massachusetts maintains a very low incarceration rate (see Chart 3).

Chart 3:



While this is excellent news for the Commonwealth, there is still work to be done. This exercise provides us with a better understanding of our realities and can guide this Panel’s attention and

<sup>9</sup> [Incarcerated Women and Girls – The Sentencing Project](#); Comparing national data on probation to our internal data is done for proportion review only, as there is no national standard on how to report probation data and it varies by jurisdiction.

<sup>10</sup> [Data \(census.gov\)](https://www.census.gov)

<sup>11</sup> <https://www.prisonpolicy.org/global/women/2018.html>; [Incarcerated Women and Girls – The Sentencing Project](#) Mass.gov; MADOC; Parole



direction to ensure that the needs of all women that are justice-involved are understood and included in our future recommendations. Based on this information, the Panel seeks to not only better understand the needs of those incarcerated, but to put a concerted effort into understanding the needs of those women who are justice-involved within the community.

## V. Specialized Workgroups:

The Panel created seven smaller workgroups to assist in breaking down the areas of concern and interest. The goal of this was to provide a deeper understanding of the common challenges of justice-involved women, and to assist in moving the work of this Panel forward and tackle its mandate set forth in the Criminal Justice Reform Act. The work group topics consisted of; reproductive health care, pre-trial services, family visitation policies, programming offered within correctional institutions, post-release transitional assistance and supports, site visit questionnaire, and gender-specific recommendations.

The workgroups convened regularly in 2021, to a lesser extent in 2022, and in this past year only a few met. Each workgroup sought to understand their specific area by consulting with subject matter experts relating to their topic of interest and collecting official documents such as pending legislation or policies on the topic. In general, the focus of these work groups was on the care of incarcerated women, or the gaps in information post release or during pre-trial detainment. The goal of most was to understand the current standards being followed to identify any gaps. There are no specific recommendations brought to the Panel at this time from the work done in these smaller groups.

Over the course of the next year the Panel will revisit the scope of the work assigned to each group. This will be done to ensure the workgroups remain relevant for the current work and focus, that they are including research and understanding beyond those incarcerated, and work to produce recommendations for all justice-involved women.

## VI. Facility Site visits

Over the course of the last several years there has been disagreement of the Panel's role in visiting facilities or observing built spaces. More recently there was some consensus that visiting the facilities where justice-involved women are housed would be an important step to understand the status for those who are incarcerated. In June of 2023, the Panel began attending brief tours of various facilities. This past summer, the Panel organized site visits to MCI Framingham, Bristol County, and Hampden County. The turnout for these visits was unremarkable, with only one Panelist proxy attending the Bristol County visit, and two attending Hampden County. As such, this will require follow up work in the future to better understand these facilities. The final visit this year was completed in November 2023, at Suffolk County and was visited by several members. Over the course of 2024, the Panel has plans to visit the remaining facilities to get an idea of the physical space where pretrial and sentenced women are housed.

As a result of these visits, previous discussions of interviewing and surveying those who are incarcerated resurfaced. The Panel is currently drafting a survey which could be used to structure in person discussions, as well as to allow the individual to complete it at their own pace to gather more information of those involved in the justice system. The survey has not yet been used during any site visit, as visits were primarily done to understand the built space. An important part of this survey will be to not only focus on the needs of those currently incarcerated, but to better understand those who are justice-involved in the community. Understanding the variety of needs different groups of justice-involved women have will better equip this Panel on making holistic recommendations for the continuum of justice-involved women. As demonstrated through the data regarding the scope of those involved in the justice system, it will be imperative for this group to understand not just the experience of those incarcerated, but the needs and challenges of those in community supervision or pre-trial. The survey seeks to provide information on all aspects of women who are justice-involved.

## VII. Conclusion

The current report aims to provide an understanding of the work this Panel has accomplished. There is clearly more work to be done. Recognizing that the Commonwealth has the lowest incarceration rate in the country, this Panel does seek to expand its understanding of the scope of those affected by other points in the justice system. This will be critical to further understanding how women may be impacted by established processes and ensure their needs are recognized and addressed.

We will continue to understand the state of those who are under the most secure supervision in the state, while also building an understanding of the pre-trial and community supervision supports that seek to divert individuals from a carceral setting. We are accomplishing many things well in the Commonwealth, and while we hope to understand those more fully, we also hope to find areas we can improve upon to ensure the unique needs of women can be addressed when justice involvement is necessary.

## VIII. References

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