HOUSE DOCKET, NO. 1288 FILED ON: 2/4/2021

HOUSE . . . . . No. 1518

The Commonwealth of Massachusetts

PRESENTED BY:

Michael S. Day and David M. Rogers

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to clarity and consistency for the Justice Reinvestment Oversight Board.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Michael S. Day	*31st Middlesex*	*2/4/2021*
David M. Rogers	*24th Middlesex*	*2/25/2021*
James J. O'Day	*14th Worcester*	*2/25/2021*
Lindsay N. Sabadosa	*1st Hampshire*	*2/26/2021*
Elizabeth A. Malia	*11th Suffolk*	*3/18/2021*
Mary S. Keefe	*15th Worcester*	*6/30/2021*
Tommy Vitolo	*15th Norfolk*	*12/1/2021*

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By Messrs. Day of Stoneham and Rogers of Cambridge, a petition (accompanied by bill, House, No. 1518) of Michael S. Day, David M. Rogers and others relative to the Justice Reinvestment Oversight Board. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *3564* OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to clarity and consistency for the Justice Reinvestment Oversight Board.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 18¾ of chapter 6A of the General Laws, as amended by chapter 69 of the acts of 2018, is hereby amended by striking out clauses (12) through (14) and inserting in place thereof the following:-

(12)(i) to establish data collection and reporting standards for criminal justice agencies and the trial court, including the probation service, the parole board, the executive office of public safety and security, the department of correction, houses of correction, county jails, and the several district attorneys to capture and report information on their populations, including recording all applicable charges and convictions. The secretary shall promulgate regulations regarding: (i) the format for the submission of the data and (ii) the categories and types of data required to be submitted, including, but not limited to: (A) a unique statewide identification

number assigned to each person who enters the criminal justice system, including but not limited to the fingerprint-based state identification number and the probation central file number; (B) the offense for which the person has been incarcerated; (C) the date and time of the offense, (D) the location of the offense; (E) the race, ethnicity, gender age of the person, whether the person is a primary caretaker of a child and the status of the person's reproductive health needs; (F) risk and needs assessment scores; (G) participation and completion of evidence-based programs; and (H) dates entering and exiting the jail or the date entering the department or house of correction custody, wrap-up release date and actual release date.

(ii) the data collected pursuant to clause (i) shall be in the form of a cross-tracking system for data collection and reporting standards for criminal justice agencies and the trial court, including the probation service, the parole board, the executive office of public safety and security, the department of correction, houses of correction, county jails, and the several district attorneys. The cross-tracking system shall require all these agencies to use a unique state identification number assigned to each person who enters the criminal justice system and to incorporate the unique state identification number into their data systems upon a person's initial transfer to their jurisdiction. Anonymized cross-agency data shall be made available to the public for analysis through an application programming interface which allows access to all electronically available records.

(13) to establish data collection and reporting standards for criminal justice agencies and the trial court, including the probation service, the parole board, the executive office of public safety and security, the department of correction, houses of correction, county jails, and the several district attorneys relative to recidivism rates for rearraignment, reconviction and reincarceration. Recidivism rates, determined by the data collected, shall be reported annually to

the secretary. The data shall be submitted by each agency to the secretary who shall subsequently publish the information quarterly on the executive office of public safety and security website. Reported data shall be tracked over 1, 2 and 3 year periods and include categorizations by race, ethnicity, gender and age.

(14) to establish data collection and reporting standards for criminal justice agencies and the trial court, including the probation service, the parole board, the executive office of public safety and security, the department of correction, houses of correction, county jails, and the several district attorneys to standardize methods of reporting of race and ethnicity data to facilitate assessment of the racial and ethnic composition of the criminal justice population of the commonwealth. These agencies shall coordinate to ensure that racial and ethnic data related to populations, trends and outcomes is reported accurately to the secretary of the executive office of public safety and security and the public.

SECTION 2. Section 11 of chapter 7D of the General Laws, as amended by chapter 69 of the acts of 2018, is hereby amended by striking out the second paragraph and inserting in place thereof the following:-

The board shall meet quarterly to review the compliance of criminal justice agencies and the trial court, including the probation service, the parole board, the executive office of public safety and security, the department of correction, houses of correction and, county jails and the several district attorneys in: (1) collecting and submitting data required by paragraphs (12), (13) and (14) of section 18¾ of chapter 6A; (2) making said data available to the public as required by said paragraphs 12, 13 and 14 of said section 18¾ through the development of data portals to make data without personally identifiable information so available; and (3) maintaining policies

ensuring accurate data collection across racial, ethnic and gender classifications; provided, that compliance shall include a review of whether the methods of data collection are appropriately screening for gender-specific risk or needs that may be addressed by evidence-based programs. A report on the collection of data and the compliance with justice reinvestment policies shall be submitted annually to the clerks of the house of representatives and the senate on or before July 1.