

Massachusetts Parole Board 2023 Annual Report





Commonwealth of Massachusetts

Maura T. Healey, Governor

Kimberley Driscoll, Lieutenant Governor

Executive Office of Public Safety and Security

Terrence M. Reidy, Secretary

Andrew Peck, Undersecretary

Massachusetts Parole Board

Tina M. Hurley, Chair

Lian R. Hogan, Executive Director

Judith M. Lyons, General Counsel

Pratikshya Bohra-Mishra, Director of Research and Planning

Prepared by

Pratikshya Bohra-Mishra, Director of Research and Planning

Kaitlin Fallon, Program Coordinator

July 2024

TABLE OF CONTENTS

MASSACHUSETTS PAROLE BOARD OVERVIEW 1

CHAIR’S MESSAGE: Reflecting on 2023 7

LOOKING BACK AT 2023: Board Members and Activities..... 8

LOOKING BACK AT 2023: Releases 9

LOOKING BACK AT 2023: Compliance Credits, Parole Violations, and Discharges..... 10

TRANSITIONAL SERVICES UNIT 11

LIFE SENTENCE UNIT 22

VICTIM SERVICES UNIT 25

OFFICE OF THE GENERAL COUNSEL..... 27

FIELD SERVICES DIVISION..... 32

APPENDIX A 58

APPENDIX B 60

APPENDIX C 60

MASSACHUSETTS PAROLE BOARD OVERVIEW

Introduction

The Massachusetts Parole Board (the Parole Board or the Board) is an agency within the Executive Office of Public Safety and Security (EOPSS) with the decisional authority in the Commonwealth of Massachusetts for matters of parole granting, parole supervision, rescission, revocation, discharges, and early termination of parole. The Parole Board has jurisdiction over all individuals committed to state or county correctional facilities for terms of sixty days or more, in accordance with M.G.L. c. 127, § 128, excluding those who are ineligible for parole. The agency serves the public, victims, incarcerated individuals, formerly incarcerated individuals, and petitioners for executive clemency throughout the Commonwealth by conducting face-to-face hearings, supervising formerly incarcerated individuals in the community, providing notice and assistance to victims and their families, and providing reentry services to individuals leaving custody, pursuant to M.G.L. c. 127, § 158.

In 1837, Massachusetts enacted the first law in the United States to authorize parole. Although over the years there have been numerous legislative changes affecting parole in Massachusetts, the agency's core reentry mission remains the same.

Mission

The Parole Board's overall mission is to promote public safety by the return of incarcerated individuals to the community through supervised, conditional release, so that a successful transition from confinement to discharge from parole provides a basis for continued responsible conduct.

Goals

The following constitute the Agency's 2023 goals:

1. Enhance our parole practices to ensure that we are providing the most equitable and efficient level of services for our population while reducing recidivism and maintaining public safety.
2. Continue to ensure that all hearings are conducted in a fair, impartial, and confidential manner, with both concern and compassion.
3. Enhance our efforts in providing appropriate reentry services to meet the complex needs of the population we serve by continuously and actively seeking partnerships for treatment and housing opportunities.
4. Work in collaboration with the Department of Correction (DOC) and Sheriff's Association to enhance rehabilitative programming opportunities to meet the specific need areas of incarcerated individuals seeking parole.
5. Continue to collaborate with the DOC regarding Release to Supervision (RTS) and medical release opportunities established by the Council of State Governments legislation.
6. Enhance our practices in accordance with recommendations provided in the "Special Commission on Structural Racism in the Massachusetts Parole Process" Report.

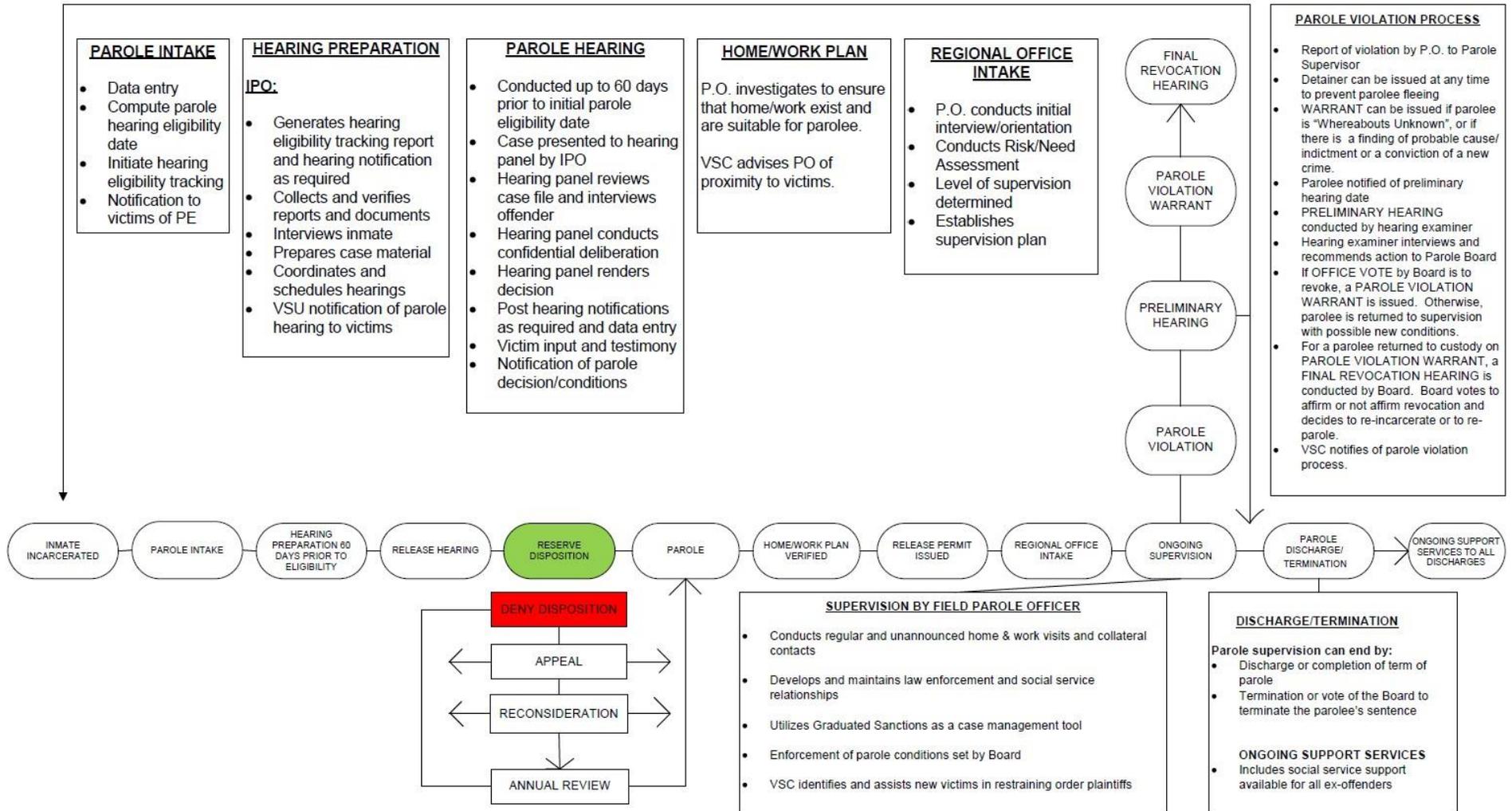
7. Improve life sentence voting timelines to ensure the issuance of decisions within 90 days following the parole hearing.
8. Continue to ensure that the agency is meeting all of its legal mandates, and American Correctional Association (ACA) standards to conduct hearings in a timely manner.
9. Continue to engage victims and survivors of crime and their family members in the parole decision-making process.
10. Continue to collaborate with the Massachusetts Probation Service and other stakeholders to ensure continued annual funding and expansion of transitional housing and sober housing beds for the individuals that we serve.
11. Continue to identify opportunities to expand community interventions and diversion beds for individuals under supervision who experience behavioral health and relapse issues in the community.
12. Expand collaboration with the Executive Office of Health and Human Services (EOHHS) along with other stakeholders to ensure justice-involved population with mental health and substance use needs have access to resources through Behavioral Health for Justice-Involved Individuals (BH-JI).
13. Reduce delays in the release of paroled individuals by incentivizing participation in and completion of certain recidivism reduction programs in the DOC and House of Correction (HOC) facilities.
14. Provide meaningful training opportunities pertinent to the roles and responsibilities of Board members and staff to enhance their knowledge and competencies.
15. Continue to work to increase the morale and employment satisfaction of agency employees through transparent communication, team building activities, and by providing positive feedback and gratitude to staff on a consistent basis.
16. Increase third party communication and collaboration with stakeholders, including attorneys from the defense bar, district attorney's offices, commissioners from the DOC, the Department of Mental Health, Department of Developmental Services, Sheriff's department's, Probation, the Massachusetts Legislature's Criminal Justice Reform Caucus, re-entry community directors, liaisons and other interested parties.
17. Fully promulgate termination regulations and assemble the Board to review and conduct hearings for eligible candidates.
18. Work to update, finalize, and implement various agency policies, including the policy for audio-recording of hearings.
19. Actively explore the funding avenues and software options for the implementation of a file digitization program to enhance easier access of records to staff, Board Members, and the Office of the General Counsel, which will ultimately promote efficiency in parole processes including hearing preparation and response to public records requests.
20. Continuously update the Agency website, as per suggestions by our internal and external stakeholders to ensure a user-friendly informational platform about the agency, the parole process, and include links to all policies.
21. Institute a Parole video hearing platform in SharePoint for the video recordings of all Life Sentence and Executive Clemency hearings for the Board members, the Office of the General Counsel, and the Life Sentence Unit to review.

22. Work in conjunction with the EOPSS and ForHealth Consulting at UMass Chan Medical School to conduct a formal review of the strategic planning process with the goal of refining and implementing the final plan.
23. Continue to work closely with EOPSS and DOC to create and implement a Parole Preparation Program at all DOC facilities to assist incarcerated individuals prepare for their hearings and interviews before the Parole Board.
24. Fully comply with the regulations that established data collection and reporting standards for all Criminal Justice Agencies to ensure consistent and accurate collection and reporting of data on the population of incarcerated and formerly incarcerated individuals.
25. Increase data transparency and data sharing to better capture parole processes and track performance in all areas of parole.
26. Continue to work collaboratively as members of the Interstate Commission for Adult Offender Supervision (ICAOS) across the Commonwealth and in conjunction with other member states to ensure that ICAOS goals and all new proposed rules affecting the ICAOS are met.

Parole Process

In Massachusetts, parole is the procedure whereby certain incarcerated individuals are released prior to the expiration of their sentence, permitting the remainder of their sentence to be served in the community under supervision, subject to specific rules and conditions of behavior. The Parole Board has statutory responsibility for administering the parole process. It determines whether and under what conditions an eligible individual sentenced to a correctional institution should be issued a parole permit. Once released, it supervises all individuals released under parole conditions. It also determines whether alleged parole violations warrant revocation of parole permits, and whether the circumstances warrant early termination of parole before the actual parole discharge date. Figure 1 captures the Massachusetts parole process.

Figure 1. Discretionary Parole Process



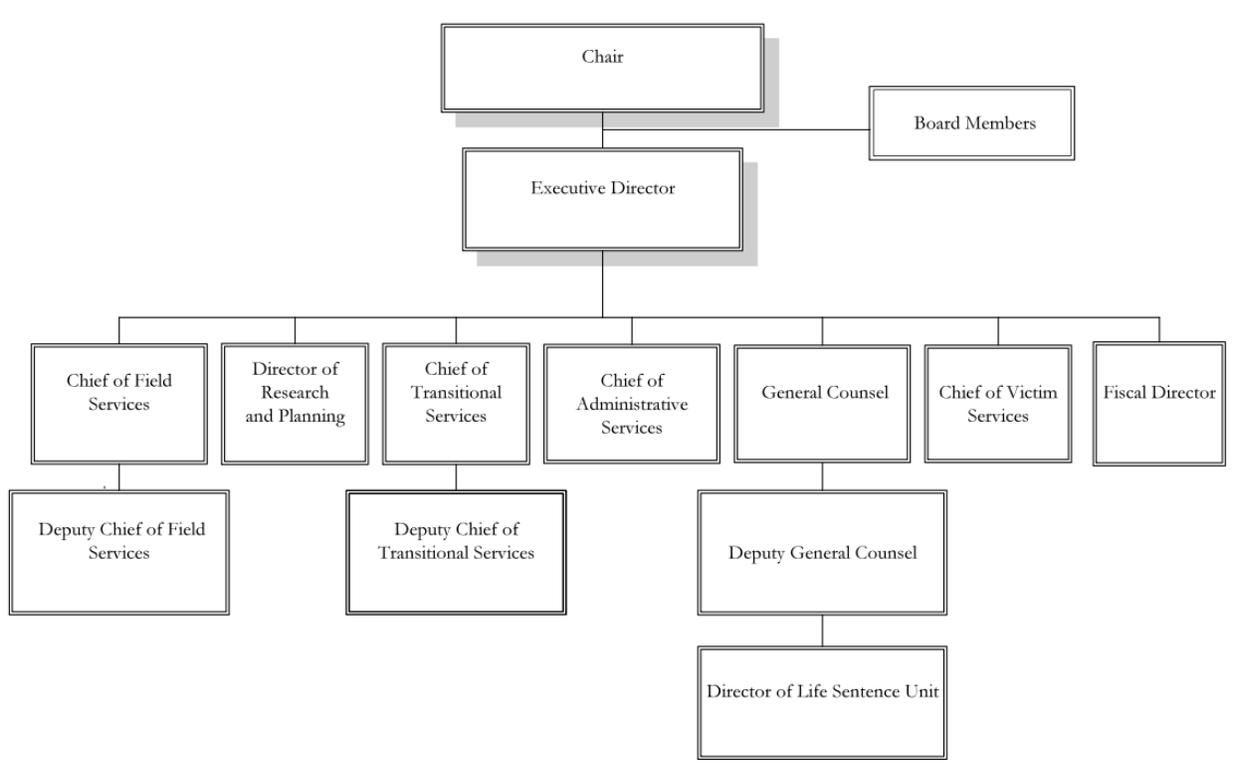
Organization Structure

The Chair of the Parole Board serves as the Executive and Administrative head of the agency, as well as the Commissioner of the Massachusetts Interstate Compact for Adult Offender Supervision (ICAOS). Each Board member, including the Chair, is appointed by the Governor to serve staggered five-year terms. The seven-member Board serves as the decision-making authority with respect to release, rescission, revocation, and early termination of parole, if applicable. Additionally, the Board functions as the Advisory Board of Pardons (ABP), making recommendations to the Governor on petitions for executive clemency.

As captured in the organizational chart (see Figure 2), there are eight divisions/units within the agency that work collaboratively to fulfill the common mission of the Parole Board. The Executive Director of the Parole Board assists the Chair by overseeing the operation of all units within the agency. The eight divisions/units include:

1. Transitional Services Unit (TSU)
2. Field Services Division (FSD)
3. Life Sentence Unit (LSU)
4. Victim Services Unit (VSU)
5. Office of the General Counsel (OGC)
6. Research and Planning Unit (RPU)
7. Administrative Services Unit (ASU)
8. Fiscal Unit

Figure 2. Organization Structure



The Parole Board’s employees are assigned to every state and county correctional institution in the Commonwealth, regional field offices across the state, and at the Parole Board’s central office.

CHAIR'S MESSAGE: Reflecting on 2023

Dear Governor Healey, Lieutenant Governor Driscoll, and Secretary Reidy,

I am pleased to present to you the *Massachusetts Parole Board's 2023 Annual Report*. The year 2023 was filled with growth, empowerment, and the collective action of many people who share our dedication to creating and upholding an equitable, fair, and transparent parole system. Throughout the year, our shared goal of promoting a balanced and efficient approach to lowering recidivism and enhancing public safety remained at the forefront and guided our actions as an Agency. We are now even more focused on approaching the work we do in a new way so that it is more purpose-driven and intentional.

The parole process in Massachusetts is a critical cornerstone of our criminal justice system. We were made stronger every day by the efforts of many throughout the Commonwealth and we were constantly exploring new ways to educate, motivate, and prepare individuals eligible for parole. Supporting and guiding those that are under supervision was one of our key priorities along with holding fair and timely hearings.

These efforts were led by Parole Board Members Edee Alexander, Charlene Bonner, Tonomey Coleman, Sarah Coughlin, and James Kelcourse as well as Executive Director Lian Hogan, General Counsel Judith Lyons, Chief of Field Services Angelo Gomez, Chief of Transitional Services Meghan Winston, Deputy Chief of Transitional Services Jon Spinale, Director of Victim Services Katherine Moran, Director of Research and Planning Pratikshya Bohra-Mishra, Director of the Life Sentence Unit Joyce Crosby, and Chief of Administrative Services Debra Tata.

Most importantly, without the critical work done every day by the field and transitional parole staff, legal team, hearing examiners, and all the support staff, none of the efforts and initiatives would have been possible. I would also like to pay a special thanks to Former Judge Paul Chernoff and Former Parole Supervisor James McCarthy as their contributions as Special Board Members enabled us to keep pace with the increase in full-board activities over the past year.

I am also grateful to the many community-based organizations and service providers for the rehabilitative programming and reentry services that they provide in the prisons and to the individuals on parole in our communities. The Board and the Field and Transitional teams visited many community-based-organizations this year, which helped to enhance collaboration and creativity with our community partners to better understand what works.

I also appreciate the attorneys who represent incarcerated people in the parole process, the prosecutors who appear at our weekly public hearings, and the individuals in prison, on parole, and post-parole who have committed themselves to positive change.

Finally, I want to acknowledge and thank crime victims and survivors for their participation in the parole process. I am constantly inspired by their strength, courage, and resilience.

We, the Parole Board, look forward to continued growth in 2024. We are wholly focused on partner-to-partner collaboration and ensuring a fair criminal justice system for all.

Sincerely,

Tina M. Hurley

Chair of Massachusetts Parole Board and Commissioner of Interstate Compact for Massachusetts

LOOKING BACK AT 2023: Board Members and Activities

In Massachusetts, the Governor, with the advice and consent of the Council, appoints seven members to the Parole Board to serve staggered five-year terms. The Board has the authority to make decisions on release, rescission, revocation, and early termination of parole. The Board in its role as the Advisory Board of Pardons (ABP) also has the authority to make recommendations to the Governor on executive clemency petitions.

In 2023, the Board had only four members from July onwards until two new Board Members were added in November and December. During the interim with only four Board Members, retired Judge Paul Chernoff and retired Parole Board Field Supervisor James McCarthy stepped up in August and September respectively, to serve as Special Hearing Officers to assist with conducting timely parole hearings.

Tina M. Hurley is the Chair of the Massachusetts Parole Board. She was confirmed to her second term with the Board in November 2022. She has over 30 years of experience in the fields of parole and juvenile rehabilitation, including her service as a parole officer, supervisor, manager, hearings examiner, and Parole Board member.

Edith J. Alexander was confirmed to the Board in November 2023. She has been a leader in her community for decades. Her career began at Perrin House Community Services in Boston where she ran a residential program for new and expectant mothers in recovery. She began working in probation in 1999 and was a longtime Probation Officer at the Roxbury Division of the Boston Municipal Court (BMC).

Sarah B. Coughlin, LICSW LADC-I, a licensed clinical social worker, an alcohol and drug counselor, and a certified recovery coach supervisor was confirmed to the Board in September 2023. Prior to joining the Board, she worked for over a decade in public health at Massachusetts General Hospital where she oversaw a multi-sector coalition aimed at addressing the social determinants of health inequities.

In 2023, the number of face-to-face hearings conducted by the Parole Board comprised:

- 3,100 Institutional Hearings
- 133 Life Sentence Hearings
- 19 Termination Hearings
- 9 Executive Clemency Hearings

The Board processed a total of 2,423 Office Votes, out of which, 51 and 24 were voted in Executive Sessions for Termination Applications and Executive Clemencies respectively. The Board also held 151 Executive Sessions to make decisions on Lifer Hearings held in 2022 and 2023. It also completed 141 graduated sanctions as an alternative to detainment for hearing.

Dr. Charlene Bonner has served as a member of the Parole Board since 2011 and was confirmed to her fourth term in June 2023. She is a certified Designated Forensic Psychologist (DFP). She has served as the Clinical and Administrative Director of Bournewood Hospital's Ambulatory Services, a Juvenile and Adult Court Clinician, and a Lecturer at Saint Anselm College. She has over thirty years of experience in the diagnosis and treatment of mental health and substance use disorders. She was certified as a Licensed Alcohol and Drug Counselor (LADCI) in 2003. She is also the president of a non-profit 501 (c) 3 foundation. In addition to a Master of Education, she has a Doctoral Degree from William James College.

Tonomey Coleman, Esq. was confirmed to serve a third term as a member of the Parole Board in November 2022. He is an attorney with 21 years of prior legal experience, which includes his two years of service as a law clerk and his 19 years of practice in civil and criminal law. He has a Juris Doctorate from Boston College Law School. He also serves on the Massachusetts Task Force on Hate Crimes.

James M. Kelcourse was appointed as a member of the Parole Board in June 2022. He is an attorney with a background in criminal defense and civil litigation. He has also served four terms in the Massachusetts House of Representatives. He has a Juris Doctorate degree from the Massachusetts School of Law.

Releases:

1,967 incarcerated individuals were released to supervision in 2023, a 5% increase from the number released in 2022 (N=1,876). The Agency ensured that inmates with a positive vote achieved timely release by:

- Carefully vetting home plans to maximize the rate of suitable home approvals.
- Providing additional transitional and sober housing options through the availability of both transitional housing and Massachusetts Alliance for Sober Housing (MASH) grants in 2023. Approximately 38% of releases are attributable to these forms of housing.



Compliance Credits:

- Out of all successful discharges from supervision that were eligible for compliance credits (CCs), in 2023, 89% were discharged early due to earned CCs, compared to 88% in 2022. In both years, early discharge due to accrual of CCs resulted in average of over two months of reduced supervision.

Parole Violations:

- There was an increase in the number of revocations from 321 in 2022 to 375 in 2023. However, as a proportion of all MA commitments under MA community supervision in 2022 and 2023, there was no significant change in the percentage of commitments that were revoked. Across both years, for each parole revocation, an average of over three parole rules were violated.

Discharges:

- Among all MA commitments under MA community supervision in 2022 and 2023, 81% were either successfully discharged from supervision or continued to remain on supervision in both years.

TRANSITIONAL SERVICES UNIT

The TSU is responsible for preparing all release, revocation, and rescission hearings to be heard by the Parole Board related to either the Commonwealth's Department of Correction (DOC) or a county House of Correction (HOC). The division compiles necessary case information for the Parole Board members to make an informed, balanced judgment. Duties include data entry for all incarcerated individuals committed across the state, date calculations to determine parole eligibility and discharge dates, as well as case preparation for parole hearings. The case preparation for a parole hearing includes reviewing and investigating any inconsistencies in the parole eligible incarcerated individual's master file, analyzing and summarizing information for the Parole Board members, interviewing the incarcerated individual and completing an assessment of his/her criminogenic factors, as well as acting as an agency liaison to the incarcerated individual as they prepare for their appearance before the Parole Board. The Level of Service/Case Management Inventory (LS/CMI) is a validated risk/needs assessment tool used by TSU staff to assess the risk and need areas of individuals in preparation for their hearings. The TSU is also responsible for scheduling, coordinating, and facilitating all Parole Board hearings and office votes, with the exception of hearings and office votes for incarcerated individuals on life sentence, early termination of parole, and executive clemency. The TSU executes the release of incarcerated individuals on parole and coordinates with Field staff for their successful transition to the community. Finally, TSU tracks parole violation warrants and coordinates preliminary revocation hearings in conjunction with Hearing Examiners for individuals who are returned to custody.

Release, Rescission, and Revocation Hearings

Three types of hearings are held across the Commonwealth of Massachusetts primarily in correctional facilities, and are broadly categorized as release, rescission, and revocation hearings. These hearings are primarily held at the institutions and are therefore, referred to as institutional hearings. Institutional hearings are typically held in two locations: the HOC facilities, located in each county within the Commonwealth, and the state DOC facilities. There are also parole hearings held at the Parole Board's Central Office, which include some victim access hearings (VAH)¹, all life sentence hearings, executive clemency hearings, and termination hearings. Life sentence hearings, executive clemency hearings, and termination hearings are all open to the public and separately reported under the sections for Life Sentence Unit and Office of the General Counsel.

Table 1 presents the number of all institutional release, rescission, and revocation hearings held in 2023 with either a positive or denied vote, broken out by facility type. In 2023, the Parole Board held 2,934 institutional hearings with either a positive or a denied vote. Out of the total, 69% of hearings were held for incarcerated individuals housed in the county HOCs and the remaining 31% were held for incarcerated individuals housed in the Massachusetts DOC. As a result of these hearings, 1,956 individuals were granted a positive parole vote. In the majority of cases, incarcerated individuals receiving a positive vote are released to supervision in Massachusetts. They could also be released to out of state supervision through the Interstate Compact Unit (ICU),

¹ VAH hearings are included under institutional hearings.

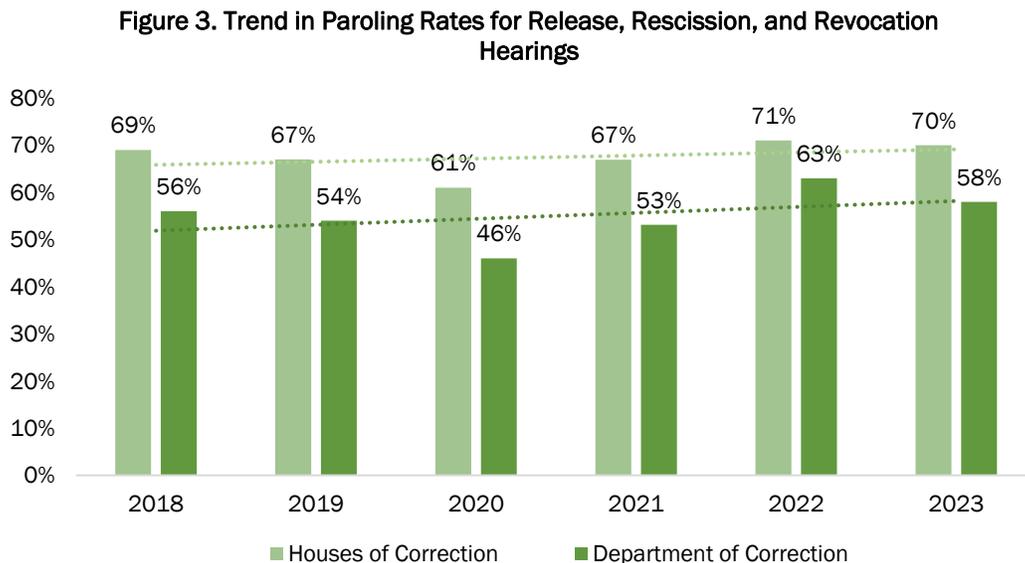
to serve another state or federal sentence, or to Immigration and Customs Enforcement (ICE) custody. In a small number of cases, incarcerated individuals are also released to a Massachusetts DOC or HOC facility.

As presented in Table 1, the number of positive votes this year resulted in an overall paroling rate of 67% for all incarcerated individuals, with the paroling rate being higher (at 70%) among individuals from the HOC compared to 58% among individuals from the DOC, which is consistent with the historical trend.² The paroling rate is calculated by dividing the number of hearings that resulted in a positive Parole Board vote by the sum of total hearings held that resulted in either a positive or denied vote.

Table 1. 2023 Institutional Release, Rescission, and Revocation Hearings.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
Houses of Correction	1,421	596	2,017	70%
Department of Correction	535	382	917	58%
Total	1,956	978	2,934	67%

Figure 3 shows the trend in paroling rates separately by the type of facility. Although the HOC and DOC paroling rates have fluctuated somewhat over the past six years, there is a modest upward trend in the paroling rates, as captured by the trendlines in the figure below.



² <https://www.mass.gov/lists/parole-board-reports>

Table 2 provides the racial/ethnic breakdown for all institutional hearings with positive and denied votes.

Table 2. 2023 All Institutional Hearings Held with Positive or Denied Votes by Race/Ethnicity.

Race/Ethnicity	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
Caucasian/White	941	454	1,395	67%
Hispanic/Latino	562	258	820	69%
African American/Black	414	251	665	62%
Asian/Pacific Islander	16	4	20	80%
American Indian/Native Alaskan	2	1	3	67%
Not Reported	21	10	31	68%
Total	1,956	978	2,934	67%

Release Hearings

Table 3 shows release hearings with either a positive or a denied vote for incarcerated individuals housed in the Massachusetts DOC and HOC facilities.

Table 3. 2023 Release Hearings.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
Houses of Correction	1,325	521	1,846	72%
Department of Correction	435	328	763	57%
Total	1,760	849	2,609	67%

Table 4 further breaks out the release hearings by HOC facilities, which served as the hearing location.

Table 4. 2023 Release Hearings by House of Correction Facility.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate ³
Barnstable County House of Correction	38	18	56	68%
Berkshire County House of Correction	56	20	76	74%
Bristol County House of Correction	193	74	267	72%
Dukes County House of Correction	2	2	4	n/a
Essex County Correctional Alternative Center	76	9	85	89%
Essex County House of Correction	152	48	200	76%
Essex County Women in Transition Center	16	0	16	100%
Franklin County House of Correction	60	17	77	78%
Hampden County House of Correction	73	38	111	66%
Hampshire County House of Correction	23	8	31	74%
Middlesex County House of Correction	112	51	163	69%
Norfolk County House of Correction	79	38	117	68%
Plymouth County House of Correction	46	33	79	58%
Suffolk County House of Correction ²	181	74	255	71%
Western Mass Recovery and Wellness Center	66	10	76	87%
Western Mass Regional Women's Correctional Center	34	8	42	81%
Worcester County House of Correction	118	73	191	62%
Total	1,325	521	1,846	72%

Table 5 separates the release hearings by DOC facilities, which served as the hearing location.

³ Paroling rates are not provided where the sum of positive and denied votes is less than 5.

Table 5. 2023 Release Hearings by Department of Correction Facility.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate ⁴
Boston Pre-Release Center	19	0	19	100%
Central Office - Natick ⁵	27	63	90	30%
MA Treatment Center	6	46	52	12%
MCI - Cedar Junction	3	4	7	43%
MCI - Concord	43	20	63	68%
MCI - Framingham ⁶	18	6	24	75%
MCI - Norfolk	61	34	95	64%
MCI - Shirley (Medium)	97	51	148	66%
NCCI - Gardner (Medium)	20	24	44	45%
Northeastern Correctional Center	50	4	54	93%
Old Colony Correctional Center (Medium)	11	16	27	41%
Old Colony Correctional Center (Minimum)	14	0	14	100%
Souza Baranowski Out of State Cases	0	0	0	n/a
Pondville Correctional Center	31	1	32	97%
Souza Baranowski Correctional Center	35	59	94	37%
Total	435	328	763	57%

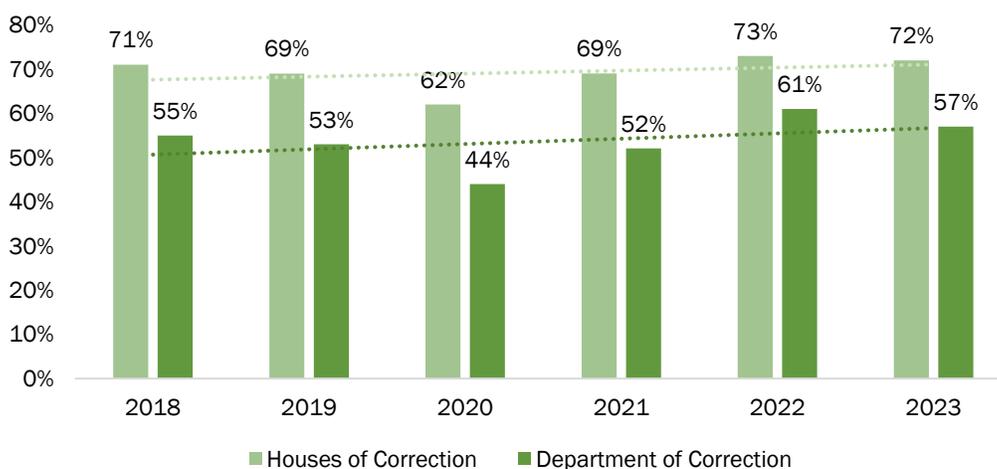
Figure 4 summarizes the trend in paroling rates for release hearings only, separately by the type of facility.

⁴ Paroling rates are not provided where the sum of positive and denied votes is less than 5.

⁵ These are VAH hearings held at the Parole Board's central administrative office for individuals housed in the DOC facilities.

⁶ Due to some Massachusetts counties not having housing for female inmates, numerous females serving county sentences are sentenced to serve at MCI-Framingham. Therefore, some of the hearings held at state facilities are for county sentenced inmates.

Figure 4. Trend in Paroling Rates for Release Hearings



Rescission Hearings

Rescission hearings are held when the Parole Board exercises its discretion to re-visit a prior decision to grant parole, due to a change in circumstances following the date of the incarcerated individual’s parole hearing to determine whether to withdraw, postpone, or allow the prior positive parole vote to stand. A change of circumstance that prompts the Parole Board to hold a rescission hearing could be when the incarcerated individual has received new disciplinary infractions for institutional misconduct or availability of new information since the date of the hearing (i.e. an outstanding warrant). Table 6 displays the paroling rate for rescission hearings by facility type. For rescission hearings, a positive vote means rescission was either affirmed or not affirmed but the individual was granted parole. A denied vote means rescission was affirmed and the individual was denied parole.

Table 6. 2023 Rescission Hearings.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
House of Correction	52	23	75	69%
Department of Correction	23	13	36	64%
Total	75	36	111	68%

Revocation Hearings

Revocation is the process by which a formerly incarcerated individual’s parole permit may be permanently or temporarily revoked as a result of a new crime or violation of one or more conditions of parole. More information concerning parole violations, which may lead to a revocation hearing is available in the Field Services Division section of this report. Table 7 displays the paroling rate for revocation hearings by facility type. For revocation hearings, a positive vote

means revocation was either affirmed or not affirmed but the individual was granted parole. A denied vote means revocation was affirmed and the individual was denied parole.

Table 7. 2023 Revocation Hearings⁷.

Hearing Location	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
House of Correction	44	52	96	46%
Department of Correction	77	41	118	65%
Total	121	93	214	57%

Hearing Waivers, Postponements, and Other Dispositions

Not all eligible hearings will receive a positive or denied disposition from the Parole Board. Table 8 below breaks out the number of eligible institutional hearings in 2023. The total eligible institutional hearings went up by 2.5 percent in 2023 (from 5,738 in 2022 to 5,882 in 2023).

Table 8. 2023 All Eligible Institutional Hearings.

Hearings	Houses of Correction	Department of Correction	Total	Percentage
Hearings Held with Positive or Denied Vote	2,017	917	2,934	50%
Waivers, Postponements, and Other Dispositions	2,439	509	2,948	50%
All Eligible Hearings	4,456	1,426	5,882	100%

Both currently and formerly incarcerated individuals may waive their right to a parole hearing, either prior to, or during the hearing process. They may also postpone a scheduled parole hearing; the next hearing (i.e. postponement hearing) is then scheduled to be held a year later. An incarcerated individual may postpone if they want to receive additional time to establish a plan for their parole, to resolve outstanding legal matters, or to have counsel present in situations where representation is needed. In instances where it does not appear possible for a parole eligible incarcerated individual to receive an adequate parole hearing due to circumstances outside the individual's control such as lack of sufficient information to make an informed decision, the Parole Board may administratively postpone the incarcerated individual's hearing in order to obtain the needed information.

⁷ The table includes only those hearings which received a disposition of denied re-release or approved re-release regardless of whether their revocation was affirmed or not. Out of a total of 457 eligible for final revocation hearing in 2023, 237 hearings were held (23 received dispositions other than reserve or denied and the remaining 214 received either a reserve or denied disposition). Of the 220 hearings not held, 75 and 145 were postponed and waived at own request respectively. Among all eligible for hearing, 375 received a disposition of revocation affirmed, which includes 145 who waived their hearing (See Table 34).

In addition to waivers and postponements, hearings may result in an action pending vote or other types of votes. These miscellaneous votes serve as an administrative disposition. For example, if a Board Member needs additional information to make an informed decision, they may vote “action pending” for receipt of the desired document, and then make a final decision once in receipt of the desired document. A hearing may result in a vote type of “other” because the incarcerated individual was sick and could not be seen (i.e., receive a vote “not seen”), the Board Members voted in opposition (i.e., split decision), or the case needs to be put on the next available hearing list (i.e., PONAL). In these cases, the final disposition is captured by a subsequent hearing and disposition. Table 9 displays the breakdown for all eligible hearings into those hearings that were held with different dispositions, those that were postponed to a later date by the individual (as opposed to postponed by the Board), and those waived at the individual’s request prior to hearing. 1,182 out of 5,882 eligible hearings (i.e. 20% of the total eligible hearings) were waived either prior to the hearing (20%) or waived at the hearing (<1%) in 2023.

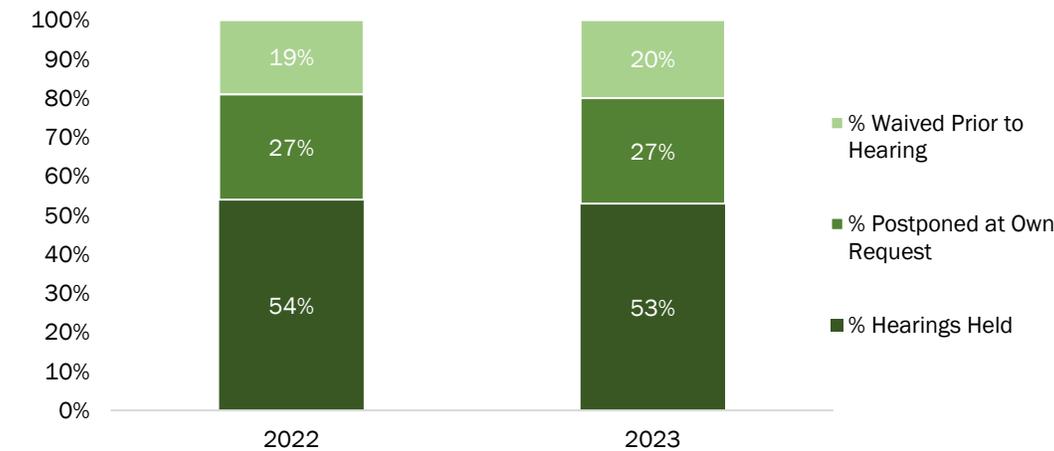
Tables B1 and B2 in Appendix B provide the racial/ethnic breakdown of all HOC and DOC hearing eligible population, and those who had their hearings with a positive or denied vote in 2023, respectively. Table B3 provides race/ethnic breakdown for those who waived their hearing.

Table 9. 2023 All Eligible Institutional Hearings.

	House of Correction	Department of Correction	Total	Percentage
Hearings Held	2,123	977	3,100	53%
Hearings Held with Positive or Denied Vote	2,017	917	2,934	50%
Postponed at Board Request	65	27	92	2%
Waived at Hearing	13	2	15	<1%
Action Pending	17	13	30	1%
Other	11	18	29	<1%
Hearings Postponed to a Later Date at Own Request	1,411	204	1,615	27%
Hearings Waived at Own Request Prior to Hearing	922	245	1,167	20%
Total	4,456	1,426	5,882	100%

Figure 5 compares the proportion of hearings (out of all eligible hearings) that were held as opposed to postponed to a later date at own request or waived prior to hearing between 2022 and 2023.

Figure 5. Hearings Held vs. Waived and Postponed.



Office Votes

In addition to holding institutional hearings, the Parole Board makes decisions on parole related matters that do not require an in-person hearing. This is done by using documentation of the case to provide resolutions via office votes. Office votes require a combination of efforts by TSU, FSD, OGC, Board Members, and hearing examiners. Office votes are used for a variety of reasons. Examples of office vote types include requests for change of vote, provisional rescissions and revocations, appeal requests, and requests for reconsideration. The description of each office vote type used in 2023 is included in Appendix A. In 2023, the Parole Board processed 2,348 office votes; this includes all office votes except office votes pertaining to executive clemencies and termination requests, which are voted in the Executive Sessions, and have been included in the Office of the General Counsel section.

Table 10. 2023 Office Votes.

Office Vote Type	Approved	Denied	Set Conditions	Other Dispositions	Total
Change of Vote Request	669	88	n/a	2	759
Mandatory Release Conditions Request	n/a	n/a	219	n/a	219
Reconsideration Request	75	108	n/a	n/a	183
Request for Out of State/Country Travel	214	2	n/a	n/a	216
Request for Provisional Rescission	154	26	n/a	n/a	180
Request for Provisional Revocation	528	2	n/a	73	603
Appeal Request	8	71	n/a	n/a	79
Other ⁸	66	21	13	9	109
Total	1,714	318	232	84	2,348

Institutional Risk/Needs Assessments

As a Criminal Justice Agency with a commitment towards public safety, the Parole Board uses a validated actuarial risk/needs assessment instrument in making parole release decisions. The assessment identifies an individual's risk to recidivate, as well as reveals their criminogenic needs, which can then be incorporated into the formerly incarcerated individual's supervision case plan. The risk/needs assessment tool used by the Parole Board is the Level of Service Case Management Inventory (LS/CMI). The Parole Board implemented the LS/CMI in early 2013 as a tool to help in decisions to grant parole to incarcerated individuals, and for formulating appropriate supervision strategies for formerly incarcerated individuals under supervision. The LS/CMI categorizes risk to recidivate from very low to very high as set forth in Table 11. The institutional assessments captured in this table include those conducted by parole officers within the TSU as well as those conducted by Special Investigators within the LSU.

As summarized in Table 11, most of the institutional assessments scored at high risk level (43%), followed by medium risk (35%), and very high (at 12%). Only around 10% of assessments scored at low to very low risk. Table 12 further provides LS/CMI breakdown for major race/ethnic groups; the same pattern holds across race/ethnic groups with a much smaller proportion scoring low to very low while a higher proportion scoring medium to very high.

⁸ 'Other' includes all other office vote types that were used less than 50 times in 2023, including request to attend hearing, special consideration request, request to resolve action pending, request to postpone VAH hearing, medical release conditions request, request for the Board to note info. memo, and withdraw warrant request.

Table 11. 2023 LS/CMI Institutional Assessments by Risk Level.

Risk Level	Count	Percentage
Very Low	37	1%
Low	260	9%
Medium	1,018	35%
High	1,264	43%
Very High	353	12%
Total	2,932	100%

Figure 6. 2023 LS/CMI Institutional Assessments Risk Level Distribution

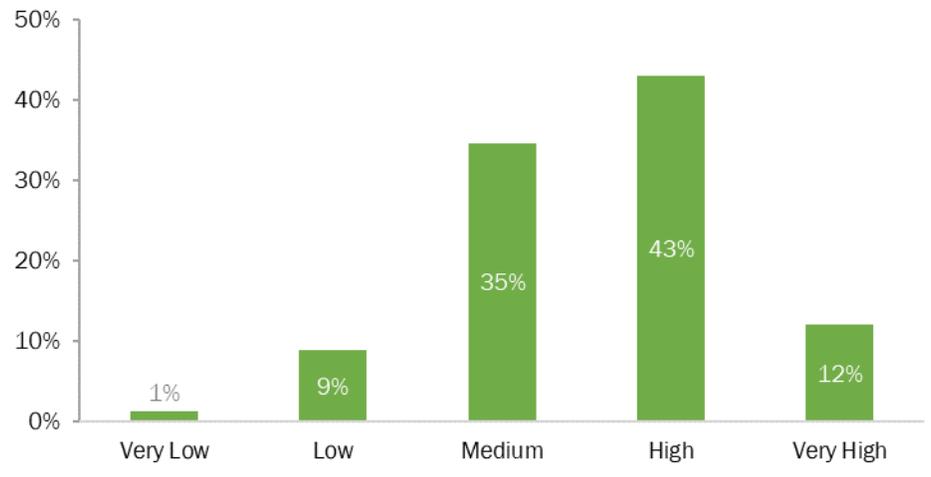


Table 12. 2023 LS/CMI Institutional Assessments by Risk Level and Race/Ethnicity.

Race/ Ethnicity	Caucasian/ White		Hispanic/ Latino		African American/ Black		Other ⁹		All	
	#	%	#	%	#	%	#	%	#	%
Very Low	15	1%	14	2%	6	1%	2	3%	37	1%
Low	113	8%	77	10%	58	8%	12	20%	260	9%
Medium	452	33%	298	38%	245	35%	23	39%	1,018	35%
High	619	45%	308	39%	317	46%	20	34%	1,264	43%
Very High	187	13%	95	12%	69	10%	2	3%	353	12%
Total	1,386	100%	792	100%	695	100%	59	100%	2,932	100%

⁹ Includes other race/ethnicity such as Asian/Pacific Islander, American Indian/Native Alaskan and not reported.

LIFE SENTENCE UNIT

The LSU is responsible for preparing all eligible incarcerated individuals sentenced to life in prison for parole hearings. This includes gathering case materials, preparing case files for Parole Board members, interviewing incarcerated individuals in preparation for hearings, and conducting the LS/CMI risk/needs assessments. The unit is responsible for maintaining the incarcerated individual's master file, which is a comprehensive compilation of documents and records related to the individual's criminal history, institutional history, trial testimony, risk assessments, and additional evaluative information. The unit coordinates with affiliate agencies such as the District Attorneys' Offices, the Attorney General's Office, Massachusetts State Police, local police departments, and the DOC in order to obtain such materials. The unit organizes initial life sentence hearings and review hearings, which involves tracking initial parole eligibility and subsequent review hearing eligibility for parole eligible individuals sentenced to life. The unit also provides all necessary notifications of scheduled hearings at the Parole Board's central office and supplies notifications of subsequent decisions.

Life Sentence Hearings

There are two types of parole hearings for parole eligible individuals sentenced to life: initial and review hearings. Adults sentenced to serve life in prison with the possibility of parole must serve no less than fifteen (15) years before becoming eligible for parole. The Parole Board holds the initial hearing within sixty (60) days of initial eligibility. If the Parole Board denies parole after the initial hearing, the incarcerated individual is provided with a subsequent review hearing at five years, or earlier, at the discretion of the Parole Board. Both the initial and review hearings take place before all seven members of the Parole Board at the Parole Board's central office and are open to the public. As these hearings are public, the Records of Decision (RODs) on life sentence hearings are made available on the Parole Board's website. Table 13 provides paroling rates for life sentence hearings held in 2023 with either a positive or denied vote, broken out by initial and review hearings.¹⁰

¹⁰ There were six additional hearings held, three with a disposition of 'Postpone (Board Decision)', two with a disposition of 'Action Pending', and one incarcerated individual passed away while awaiting their hearing disposition.

Table 13. 2023 Life Sentence Hearings.

Hearing Type	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
Initial	7	18	25	28%
Review	66	36	102	65%
Total	73	54	127	57%

Figure 7 presents trend in paroling rates for life sentence hearings over the past eight years.

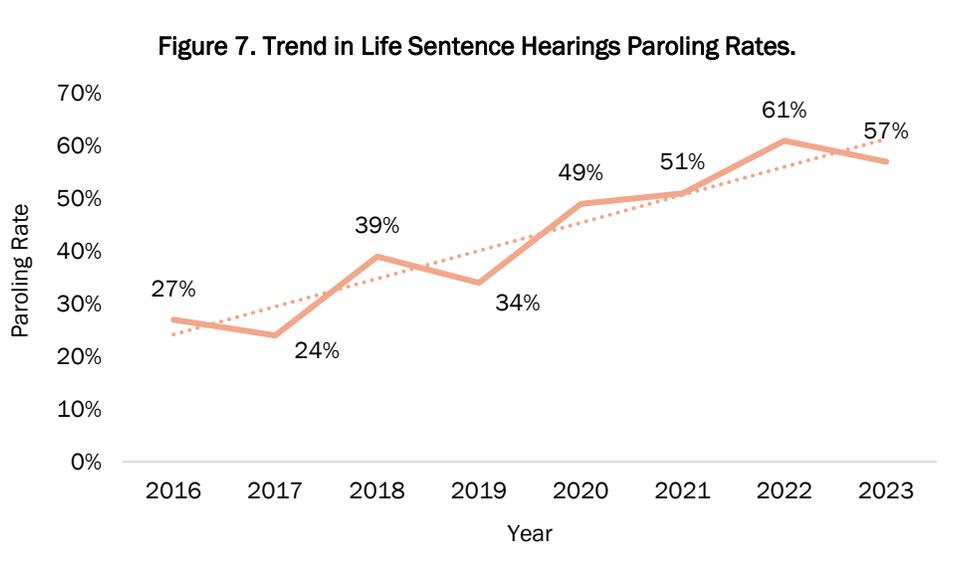


Table 14 displays the racial/ethnic breakdown for the 127 life sentence hearings held in 2023 with either a positive or denied vote.

Table 14. 2023 Life Sentence Hearings by Race/Ethnicity.

Race/Ethnicity	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
Caucasian/White	32	25	57	56%
Hispanic/Latino	11	9	20	55%
African American/Black	29	18	47	62%
Asian/Pacific Islander	0	1	1	0%
Not Reported	0	1	1	0%
Total	73	54	127	57%

Juveniles with Life Sentences

In *Miller v. Alabama*, 132 S. Ct. 2455 (2012), the United States Supreme Court held that the “imposition of a mandatory sentence of life in prison without parole on individuals who were under the age of 18 when they committed the murder is contrary to the prohibition on ‘cruel and unusual punishments’ in the Eighth Amendment.” Following the *Miller* decision, a juvenile who had been convicted of first-degree murder filed a petition, challenging Massachusetts laws that required all individuals convicted of first-degree murder to serve life in prison without the possibility of parole. On December 24, 2013, the Massachusetts Supreme Judicial Court ruled in *Commonwealth v. Diatchenko*, 466 Mass. 655 (2013), that the statutory provisions mandating life without the possibility of parole were invalid as applied to juveniles who committed murder. The Court also determined that its holding was retroactive for all juveniles currently serving life sentences for first degree murder, and that Diatchenko (and others similarly situated) must be given a parole hearing.

After the Supreme Judicial Court’s decision on December 24, 2013, the Parole Board identified cases in which incarcerated individuals were under the age of 18 on the date of the offense and were serving a sentence of life without parole for a conviction of first-degree murder.

Among the 127 life sentence hearings held in 2023, six hearings were held with incarcerated individuals charged with first degree murder as juveniles (see Table 15)

Table 15. 2023 Life Sentence Hearings: 1st Degree Murder Juvenile Offenders.

Hearing Type	Positive Votes	Denied Votes	Positive + Denied Votes	Paroling Rate
Initial	1	0	1	100%
Review	2	3	5	40%
Total	3	3	6	50%

VICTIM SERVICES UNIT

The VSU provides statewide assistance to victims of violent crimes, whose perpetrators become parole eligible. It provides assistance to victims of homicide, domestic violence, sexual assault, child abuse, motor vehicle homicide, and other violent crimes. The unit provides critical services to victims and family members, including but not limited to:

- Serve as a source of information for parole eligibility, the parole decision-making process, parole supervision, and notification of parole events.
- Provide assistance in preparing victim impact statements and/or testimony for parole hearings.
- Accompany victims, parents/guardians of minor aged victims, and family members of homicide victims to parole hearings.
- Provide crisis intervention services.
- Request for parole conditions that increase the safety and wellbeing of victims.
- Provide safety planning.
- Offer information on victim compensation.
- Assist with Victim Notification Registration (VNR), which is also known as Criminal Offender Record Information (CORI) registration, that enables victims and family members to receive notification and services.
- Make referrals to appropriate criminal justice agencies and community-based victim service providers.

Victim Notifications

The VSU is responsible for providing victim notification for all parole related events, including notice of parole hearing dates, parole hearing decisions, and parole releases. The VSU is also responsible for providing victims and CORI registered petitioners with notification related to public parole hearings conducted for incarcerated individuals sentenced to life in prison, clemency petitions, and applications for early termination of parole.

In 2023, the VSU sent 17,526 notifications of parole events to registered victims, surviving family members of homicide victims, and citizen-initiated petitioners. The VSU also worked on 13 medical parole petitions and provided notifications to 23 CORI petitioners. Starting in 2023, VSU handled 19 termination hearings, providing notification and support surrounding the hearing process to 30 CORI petitioners. VSU further handled three executive clemency hearings and assisted nine victims/survivors and family members regarding the process.

Locating Victims for CORI Registration

The VSU is responsible for locating and providing outreach to victims and their families. The VSU continues to increase its efforts to identify victims of violent crimes who are not CORI Certified at the time of sentencing. The Unit's efforts include education and outreach to both District Attorney Victim Witness Advocates and community-based victim service agencies. The VSU's active participation in more than 25 community collaborations and high-risk teams across the state has increased awareness of victim rights in the parole process and created a seamless network of services for crime victims. VSU's goal is to ensure through education, outreach, and cross-agency collaboration that each agency working with crime victims recognizes and understands post-conviction victim rights; and that every victim is advised of the importance of the CORI registration process to access post-conviction victim services. These services include timely notification, assistance, and referrals to appropriate resources. Through their investigative efforts, the VSU has successfully located and established 240 new CORI Registrations in 2023.

Victim Services at Parole Hearings

The VSU assists victims, family members, and survivors of homicide victims during Victim Access Hearings (VAH) and life sentence hearings. During these hearings, victims and family members are provided the opportunity to attend the parole hearing in person and give oral testimony. Victim Service Coordinators (VSCs) are experienced professionals who provide victims and family members with guidance, support, and information throughout each step of the parole process. There are three types of Victim Access Hearings.

- Type A: Offense resulted in death
- Type B: Offense was either violent or sexual in nature
- County: County sentences in which hearings are held in HOC (excluding Type A)

The following table provides the number of VAH and life sentence hearings held in 2023 in which the VSU assisted victims or families of victims who attended the hearing, along with the total number of attendees at these hearings. There were 94 VAH hearings held at the Central Office including 90 with a reserve or denied disposition.

Table 16. 2023 VSU Services Provided by Hearing Type.

Hearing Type	No. of Hearings with Attendees	% of Hearings with Attendees	Number of Attendees	% of Attendees
VAH (Type A)	55	20%	156	29%
VAH (Type B)	36	13%	51	9%
VAH (County)	52	19%	52	10%
Life Sentence	133	48%	283	52%
Total	276	100%	542	100%

OFFICE OF THE GENERAL COUNSEL

The Office of the General Counsel represents the Parole Board in all litigation affecting the agency in the state's trial courts and represents the agency in labor and employment matters. It further develops agency regulations and policies, and monitors and drafts parole related legislation. The primary role of the Board's General Counsel, and by extension the Office of the General Counsel as a whole, is to support and represent the Chair and the Board in all legal and policy matters. To that end, the General Counsel has been appointed a Special Assistant Attorney General for the purpose of representing the agency in state and federal court.

The Office of the General Counsel evaluates the appropriateness of the provision of counsel prior to any parole release hearing in response to the request by an incarcerated individual for accommodation under the ADA. Each request for counsel is evaluated and a referral is made to the Committee for Public Counsel Services (CPCS) for appointment of counsel. A referral for counsel may also be made for rescission and revocation hearings.¹¹

Preliminary Revocation Hearings

The hearing examiners within the Office of the General Counsel schedule and conduct preliminary revocation hearings at all state and county correctional facilities, parole regional offices, and other designated locations. At preliminary revocation hearings, the hearing examiner determines whether there exists reasonable grounds to believe that a formerly incarcerated individual has committed acts that constitute a violation of parole condition(s) or has engaged in a new crime, and if so, whether there is probable cause to provisionally revoke parole and hold the formerly incarcerated individual in custody, pending the result of a final revocation hearing. Following a hearing, the hearing examiner prepares a summary and submits a recommended decision to the Parole Board.

In 2023, the Parole Board's hearing examiners conducted 330 preliminary revocation hearings, compared to the 299 preliminary revocation hearings that were held in 2022.

Executive Clemency

The Office of the General Counsel reviews all executive clemency requests. In Massachusetts, the power to grant executive clemency is held by the Governor, with the advice and consent of the Governor's Council. The Office of the General counsel reviews all petitions for executive clemency submitted to the Governor for consideration to determine if the request meets the Governor's guidelines.¹² It then presents petitions to the Parole Board, which acts as the Advisory

¹¹ Individuals appearing for a rescission or a revocation hearing have a right to counsel regardless of any need for an accommodation.

¹² The Governor issued updated Clemency Guidelines in October 2023.

Board of Pardons (ABP). If a petition does not meet the Governor’s eligibility guidelines, then it is administratively closed. If a petition meets the guidelines, the ABP votes in the executive session to determine if the petition merits a hearing. In the event that the ABP conducts a public hearing, a recommendation is made to the Governor thereafter.

Pardons

A pardon is the forgiveness of the underlying offense, which has the effect of treating the petitioner as though the offense was never committed. To be granted a pardon, a petitioner should demonstrate “good citizenship”. In making its decision, the ABP views evidence, including support for the petitioner in the institution and community, their accomplishments and achievements, and the nature and extent of any opposition to the petition.

Commutations

Commutation is the lessening of a penalty without forgiveness for the underlying offense. A commutation of a sentence has the effect of releasing a petitioner from an ongoing sentence of incarceration. A grant of commutation may also enable an incarcerated individual to appear before the Parole Board for release consideration at a time earlier than permitted by the court-imposed sentence.

Executive Clemency Executive Session Votes to Grant or Deny a Hearing

Table 17 captures the ABP’s votes in 2023 in response to pardon and commutation requests. The Office of the General Counsel processed a total of 28 pardon petitions, which included six administrative closes and three petitions that were withdrawn. The remaining 19 pardon petitions were submitted to the ABP. The ABP voted at the executive session to determine whether a hearing should be granted; four were granted a hearing while 15 were denied (See Table 17). Similarly, eight commutation petitions were processed, which included one administrative close and two petitions that were withdrawn. The remaining five petitions were submitted to the ABP. The ABP voted at the executive session to determine whether a hearing should be granted, and all five were denied a hearing.

Table 17. Executive Clemency Executive Session Office Votes in 2023.

Office Vote Type	Count
Pardon Request	19
Request Approved, Grant Hearing	4
Request Denied	15
Commutation Request	5
Request Approved, Grant Hearing	0
Request Denied	5
Total	24

Executive Clemency Hearings

Once the ABP determines a petition warrants a hearing based on the Governor’s guidelines, a public hearing is held at the Parole Board’s Central Office. Petitioners may provide information and testimony necessary for the ABP to make a formal recommendation to the Governor.

Table 18 captures pardon and commutation hearings held in 2023. The ABP held seven pardon hearings, resulting in six favorable recommendations. Likewise, it held one commutation hearing with a favorable decision. In 2023, Governor Healey granted 13 pardons following a favorable recommendation from the ABP.¹³

Table 18. Executive Clemency Hearings Held in 2023.

Hearing Type	Count
Pardon Hearing	7
Favorable Recommendation	6
Unfavorable Recommendation	1
Commutation Hearing	2
Favorable Recommendation	1
Unfavorable Recommendation	1
Total	9

Requests for Early Termination of Parole

On December 23, 2022, 120 CMR 700.00 was promulgated to establish new rules and procedures to be followed by the Parole Board in order to grant an early termination of sentence and thus issue a certificate of early termination of parole supervision. To be eligible for consideration for a Certificate of Termination of parole under M.G.L. c. 127 § 130A, the formerly incarcerated individual must meet the following minimum eligibility requirements, and they shall only be eligible for consideration of termination of parole every 12 months:

¹³ Out of the 13 pardons granted in 2023 by Governor Healey, the Advisory Board of Pardons made favorable recommendations on five of them during hearings held in 2023, six during hearings held in 2022, and two during hearings held in 2021.

1. Completed at least one year of satisfactory parole supervision
2. Been assessed as low or very low risk in the most recent LS/CMI and currently under ‘reduced’ supervision, or assessed as moderate in the most recent LS/CMI and currently under ‘standard’ supervision, and completed at least ten years of satisfactory parole supervision
3. Received no written warnings, parole violation reports, or warrants in the past year, and has no open court cases
4. In compliance with all other parole supervision requirements.

Formerly incarcerated individuals seeking a Certificate of Termination must submit a completed Termination Application to the Office of the General Counsel, which reviews the application to determine whether the formerly incarcerated individual meets the minimum eligibility requirements. If the application does not meet the requirements, the application is administratively closed. If the application meets the minimum eligibility requirements, the Office of the General Counsel submits the application to the Parole Board for review. The Parole Board votes in executive session and provides a disposition to either deny the application and continue supervision of the formerly incarcerated individual or grant a hearing to determine whether or not to approve the application and terminate the sentence. In some cases, it can also terminate the sentence without a hearing.

In 2023, the Office of the General Counsel processed 53 applications, which included one application that was administratively closed and one application that was withdrawn. Among the remaining 51 applications that were deemed eligible for early termination and submitted to the Board, the Parole Board voted on all of them at the executive session, providing the disposition captured in Table 19. While 30 applications were denied, and 20 were granted a hearing, only one was terminated without a hearing.

Table 19. Termination of Parole Executive Session Office Votes in 2023.

Office Vote Disposition	Count
Denied, Continue Supervision	30
Terminate Sentence, Close Case without Hearing	1
Request Approved, Grant Hearing	20
Total	51

If an application is granted a hearing at the executive session, the hearing is held at the Parole Board's Central Office and is open to the public.

The final determination of whether to terminate the sentence or deny the application is made by a majority vote of the full Parole Board, which determines whether such termination is in the public interest.

In 2023, 19 of the applications that were granted a hearing were heard; five were denied while 14 were approved, which granted the formerly incarcerated individuals early termination of their sentence and hence, their parole supervision.

In total, in 2023, there were 15 formerly incarcerated individuals who were granted early termination, including the one case terminated without a hearing (captured earlier). In comparison, in 2022, only one formerly incarcerated individual was approved an early termination of their sentence.

Table 20. Termination of Parole Hearings Held in 2023.

Hearing Disposition among Request Approved Granted Hearing	Count
Denied, Continue Supervision	5
Terminate Sentence, Close Case	14
Total	19

FIELD SERVICES DIVISION

The FSD is composed of the central office management staff, nine regional parole field offices, and specialized units namely, the Interstate Compact Unit (ICU), the Warrant and Apprehension Unit (WAU), and the Training Unit. The division is primarily responsible for supervising and monitoring all formerly incarcerated individuals who have been released on parole by the Parole Board and/or via the ICU, as well as those on mandatory or medical release. Supervision duties include conducting home and work investigations, conducting home and community visits, and verifying formerly incarcerated individual employment, programming, treatment, etc. The duties further include ensuring a formerly incarcerated individual is in compliance with general and special conditions of parole, responding to any violations of Global Positioning Systems (GPS), administering substance abuse testing, conducting LS/CMI assessments, investigating and reporting on parole violations, making arrests, and transporting parole violators. Above all, the FSD plays a key role in assisting with successful reintegration of formerly incarcerated individuals into the community by building strong partnerships with community service providers and referring individuals to these service providers for employment, housing, programming, medical, and rehabilitation services.

Releases to Supervision

Releases resulting from a positive Parole Board vote are discretionary releases and make up the largest proportion of all releases to parole. In 2019, as a result of the criminal justice reform laws passed in April 2018, the Parole Board began to supervise formerly incarcerated individuals who have been issued a parole permit for mandatory release to supervision, as well as medical releases. A medical release occurs when an incarcerated individual's petition for medical parole is granted by the Commissioner of the DOC, pursuant to M.G.L. c. 127, § 119A. A mandatory release to supervision on the other hand is granted when a state incarcerated individual completes specific programs as determined by the DOC pursuant to M.G.L. c. 127, § 130B. Completing these programs earns the incarcerated individual completion credits, which deduct from their maximum sentence, allowing them to be eligible for mandatory release.

Table 21 breaks out the releases to parole supervision in 2023 by release type. In 2023, discretionary releases made up 89% of all releases to parole, followed by mandatory releases (at 10%), and medical releases at 1%, which is consistent with 2022.

Table 21. 2023 Releases to Supervision by Release Type.

Release Type	# Released	Percentage
Discretionary	1,751	89%
Mandatory	203	10%
Medical	13	1%
Total	1,967	100%

Table 22 disaggregates the releases in 2023 by commitment type. The term commitment as used by Parole refers to a court order to confine an individual to a DOC or HOC facility for a sentence on an offense, or a group of offenses, for which, the individual has been convicted. In cases where an incarcerated individual serves one commitment type and is transferred to another (i.e., mixed sentence structure), the initial commitment type will be used for classification. Also, not included in the definition above are Out of State commitments, which refers to individuals transferred from another state for supervision in Massachusetts.

Table 22. 2023 Releases to Supervision by Commitment Type.

Commitment Type	# Released	Percentage
House of Correction	1,091	55%
Department of Correction	791	40%
Out of State	85	4%
Total	1,967	100%

Upon release to parole supervision, most formerly incarcerated individuals serve the remainder of their sentence (i.e. current commitment) in the community under the supervision of a parole officer assigned to one of the nine regional offices. In some cases, an incarcerated individual may be granted parole but will not be released directly to the community. (Some may later get transferred and ultimately end up being supervised in one of the nine regional offices as well.) Examples include, but are not limited to, an incarcerated individual who is paroled from their current commitment to begin another consecutive sentence in a HOC, DOC, another state, or federal facility; an incarcerated individual who is paroled to a warrant in Massachusetts, another state, or federal jurisdiction; and an incarcerated individual who is paroled to ICE custody.

Parole releases are counted based on the initial parole of an incarcerated individual's current commitment and re-paroles. A re-parole or a re-release is a subsequent discretionary parole on an incarcerated individual's current commitment (i.e., revoked, re-committed, and re-paroled). Releases from a detainee (i.e., warrant for temporary custody) are not included in the number of re-paroles. Table 23 below summarizes releases to supervision in 2023.

Table 23. 2023 Releases to Supervision.

Commitment Type	Released	Re-Released	Total Released	% Total Released
MA Commitments Released to MA Supervision	1,587	128	1,715	87%
Out of State Commitments Released to MA Supervision	77	8	85	4%
MA Commitments Released to Out of State Compact Supervision	44	2	46	2%
MA Commitments Released to ICE Custody	70	0	70	4%
MA Commitments Released to a Federal or another State's Warrant	44	0	44	2%
MA Commitments Released to MA State Correctional Facility	3	0	3	<1%
MA Commitments Released to MA Houses of Correction Facility	4	0	4	<1%
Total	1,829	138	1,967	100%

Table 24 provides breakdown of the regional parole offices assigned to commitments that were released to supervision in Massachusetts. The regional office a formerly incarcerated individual is assigned to is based on geographical proximity to the individual's approved home plan.

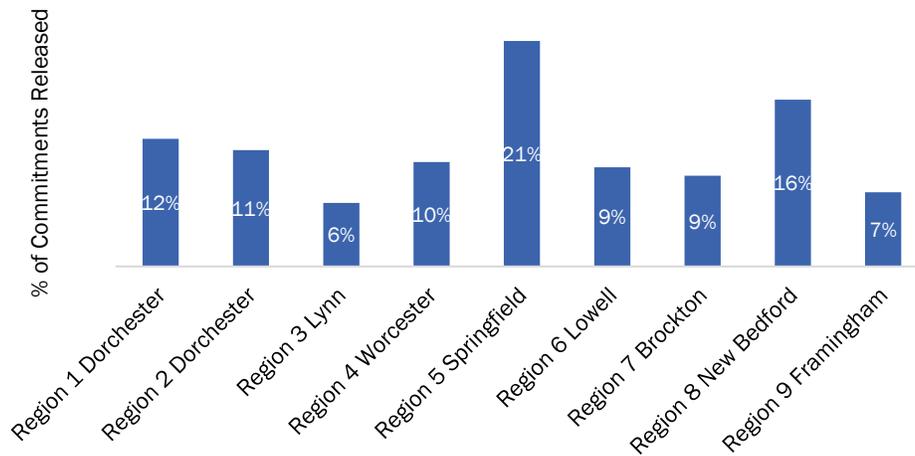
Table 24. 2023 Releases to MA Supervision by Regional Office.¹⁴

Location	Released	Percentage
Region 1 Dorchester	215	12%
Region 2 Dorchester	196	11%
Region 3 Lynn	107	6%
Region 4 Worcester	176	10%
Region 5 Springfield	380	21%
Region 6 Lowell	167	9%
Region 7 Brockton	153	9%
Region 8 New Bedford	281	16%
Region 9 Framingham	125	7%
Total	1,800	100%

¹⁴ Includes MA Commitments Released to MA Supervision and Out of State Commitments Released to MA Supervision

In 2023, Region 5 had the highest number of formerly incarcerated individuals released to MA supervision (at 21%) while Region 3 had the lowest (at 6%).

Figure 8. 2023 Commitments Released to MA Supervision by Regional Office



Tables 25 and 26 provide the demographic breakdown for all parole releases in 2023.

Table 25. 2023 Releases to Supervision by Gender.

Gender	Released	Percentage
Male	1,781	91%
Female	186	9%
Total	1,967	100%

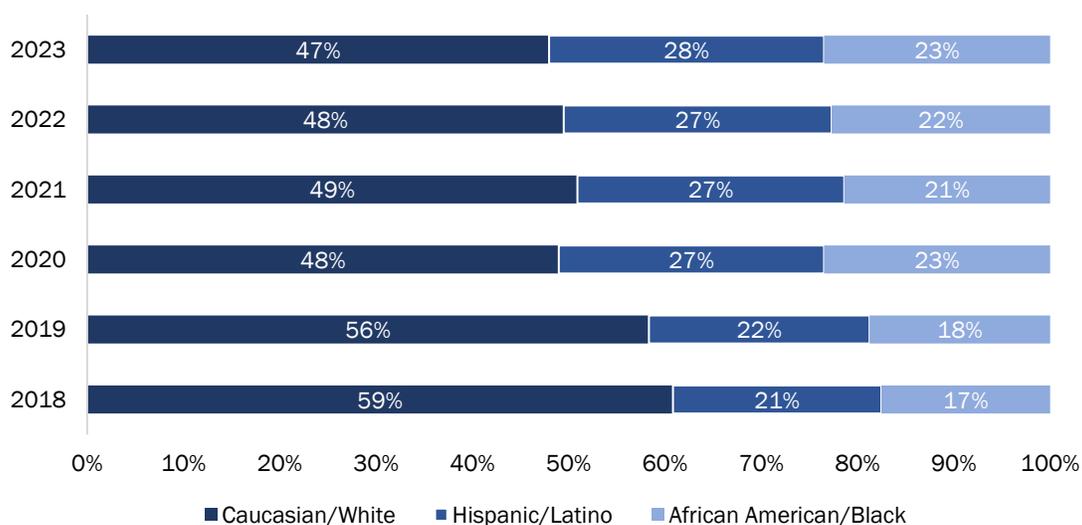
The table below displays the racial/ethnic breakdown of parole releases to supervision, separately for HOC and DOC releases.

Table 26. 2023 Releases to Supervision by Race/Ethnicity.¹⁵

	HOC		DOC		Out of State		All	
	N	%	N	%	N	%	N	%
Caucasian/White	599	55%	282	36%	41	48%	922	47%
Hispanic/Latino	274	25%	261	33%	20	24%	555	28%
African American/Black	195	18%	235	30%	21	25%	451	23%
Asian/Pacific Islander	7	1%	8	1%	2	2%	17	1%
American Indian/Native Alaskan	1	<1%	1	<1%	1	1%	3	<1%
Not Reported	15	1%	4	1%	0	0%	19	1%
Total	1,091	100%	791	100%	85	100%	1,967	100%

Figure 9 displays the racial/ethnic composition among releases to supervision for the three major racial/ethnic groups over the past six years.

Figure 9. Trend in Racial/Ethnic Composition among Releases to Supervision.



Transitional and Sober Housing Programs

In 2019, the Parole Board collaborated with the Massachusetts Probation Service (MPS), Community Resources for Justice (CRJ), the Sheriffs’ Departments, and the DOC to place formerly incarcerated individuals at three transitional housing locations: Brooke House in Boston,

¹⁵ Race/ethnicity data is based on information provided by the facility. Incarcerated individuals reported as having a Hispanic/Latino ethnicity are categorized as such for their race/ethnicity.

McGrath House in Boston, and the Western Mass Reentry Center in Springfield. In June 2020, a fourth location named There-Is-A-Solution (TIAS) was added in New Bedford. In June 2021, a fifth location, Rocky Hill Reentry was added in Northampton.

The transitional housing program is funded by the MPS. The program serves formerly incarcerated individuals, probationers, and discharged incarcerated individuals. Formerly incarcerated individuals receive free housing for up to six months with case management and referral services. The Parole Board has been the largest referral source for this program. In 2023, a total of 251 formerly incarcerated individuals were placed in transitional housing across all five locations, as summarized in Table 27. This is a 21 percent increase from 2022.

Table 27. 2023 New Placements in Transitional and Sober Housing Programs.

Housing Programs	Formerly Incarcerated Individuals under Community Supervision ¹⁶
Transitional Housing	251
CRJ Western Mass Reentry Center	57
CRJ Brooke House	87
CRJ There Is A Solution (TIAS)	41
Rocky Hill Reentry	32
CRJ McGrath House	34
MASH Sober Housing	497
Total	748

In order to support the goal of further reducing the prison population and improving re-entry outcomes, the Parole Board initiated a contract with the Massachusetts Alliance of Sober Housing (MASH) in May 2020. The contract enabled the provision of eight weeks of sober housing upon release of formerly incarcerated individuals, probationers, and discharged incarcerated individuals, at no cost to the individual. In 2023, a total of 497 formerly incarcerated individuals benefitted from this initiative, a 12% increase from the 444 formerly incarcerated individuals who benefitted from the program in 2022.

The availability of both transitional housing and MASH sober housing grants in 2023 enabled the Agency to provide additional home plan options to formerly incarcerated individuals, thus helping ensure their release. Approximately 38% of releases in 2023 were supported by the provision of transitional housing and MASH sober housing programs (748 out of 1,967 releases utilized housing beds through transitional and MASH sober housing grants).

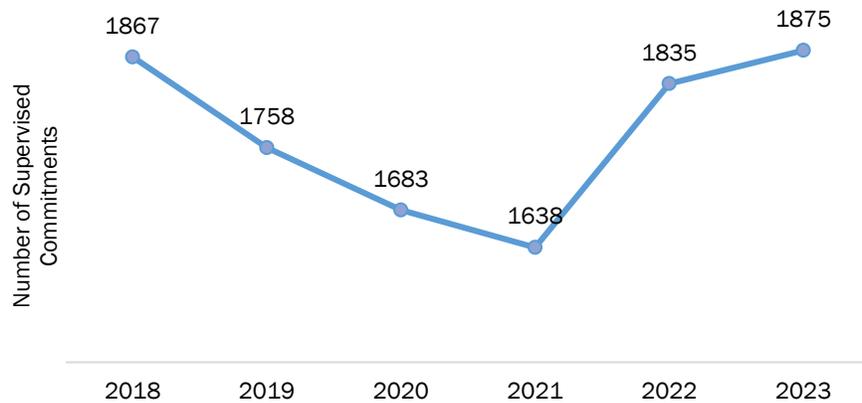
¹⁶ Comprises those released to or transferred to the nine regional offices for community supervision.

Active Supervision Caseload on 12/31/2023

At the end of 2023, there were **1,875 commitments** under the supervision of the Parole Board. Of these cases:

- **1,380** were under community supervision in one of parole’s nine regional offices,
- **109** were under the Warrant and Apprehension Unit of the FSD¹⁷,
- **257** were Interstate Compact cases, and
- **129** were incarcerated at either a state or county correctional facility (while either awaiting a final revocation hearing or serving a combination of sentences while on parole).

Figure 10. Trend in Total Commitments under MA Parole Board Supervision.



Formerly Incarcerated Individual Monitoring

The Parole Board monitors formerly incarcerated individuals using tools such as Global Positioning System (GPS) devices. Monitoring with GPS devices allows the agency to actively track the whereabouts of formerly incarcerated individuals at any point in time during the supervision period. GPS data also allow the Parole Board to set exclusion zones that the formerly incarcerated individual must avoid while in the community. An exclusion zone is the area in or around a particular address that, if entered by the formerly incarcerated individual, will immediately alert designated parole staff regarding the individual’s location.

There are four ways by which a formerly incarcerated individual can be mandated to GPS supervision as a condition of their parole:

- 1) By Parole Board vote,
- 2) By Parole Board policy for a sex offense,

¹⁷ Starting June of 2019, if an individual’s status has remained whereabouts unknown for at least 30 days, regional offices transfer these cases to the Warrant and Apprehension Unit.

- 3) By Parole Board policy for a non-sex offense, but required to register with the Sex Offender Registry Board (SORB) for a prior sex offense and classified by SORB as a Level 3 or unclassified sex offender,
- 4) By a parole supervisor in response to a graduated sanction, as an alternative to incarceration.

At the end of 2023, there were 491 formerly incarcerated individuals actively on GPS supervision. Throughout the year, there were 1,281 GPS activations (i.e. GPS was deployed as a part of supervision) (see Table 28).

Table 28. 2023 Global Positioning System Activations by Regional Office.

Regional Office	Count
Region 1 Dorchester	161
Region 2 Dorchester	155
Region 3 Lynn	71
Region 4 Worcester	139
Region 5 Springfield	215
Region 6 Lowell	89
Region 7 Brockton	141
Region 8 New Bedford	239
Region 9 Framingham	71
Total	1,281

Drug and Alcohol Testing

The Parole Board will periodically require urine and/or breath samples from formerly incarcerated individuals to monitor for illicit drug and alcohol usage. Through appropriate drug testing, treatment, and sanctions, the Parole Board will be able to monitor an individual's integration into the community more effectively, prevent serious criminal behavior through early intervention, and promote appropriate treatment to assist the individual's rehabilitation.

Parole officers use portable drug testing kits and breathalyzers, allowing for immediate access to test results. This type of testing not only provides officers with an effective supervisory tool but also has a deterrent effect on formerly incarcerated individuals who know if they violate the conditions of their parole by using alcohol and/or illicit drugs, it will be quickly detected. In addition to parole officers conducting tests, substance use tests are conducted by authorized agencies and treatment programs.

During 2023, 11,805 drug and alcohol tests were conducted on formerly incarcerated individuals supervised in the nine regional offices.¹⁸ Drug tests consisted of the following test types: Cocaine

¹⁸ This number is comparable to the 11,394 tests conducted in 2022 for approximately 123 thousand specimens being tested.

Test, Orallab Test Cup, Teststik, Oxycodone Test, Opiates Test, THC Test, Onsite Test Cup, Benzodiazepines Test, Amphetamines Test, and the iCup (i.e., oxycodone, morphine, benzodiazepines, THC, PCP, methamphetamines, cocaine).

Breathalyzers were used for detecting alcohol use. Additional test types include those conducted by Community Corrections Centers and residential programs.

Table 29. 2023 Drug and Alcohol Tests by Assigned Regional Office.

Regional Office	No. of Tests
Region 1 Dorchester	1,571
Region 2 Dorchester	1,241
Region 3 Lynn	644
Region 4 Worcester	1,202
Region 5 Springfield	2,823
Region 6 Lowell	1,054
Region 7 Brockton	1,158
Region 8 New Bedford	1,824
Region 9 Framingham	288
Total	11,805

Parole Reentry Navigator Program

The Parole Board's Reentry Navigator Program (formerly known as Substance Abuse Coordinator Program) is a collaborative initiative between the Parole Board and the Department of Public Health's (DPH) Bureau of Substance Addiction Services (BSAS). In 2023, there were eight full-time Reentry Navigators from licensed DPH service vendors, placed and working at each of Parole's regional field offices; region 3 and Region 6 share the same Navigator. However, there were periods of time in regions 2, 7, 8, and 9 when navigators were in transition and the regional offices did not have any coverage.

Some of the basic duties of the Navigators include formerly incarcerated individual intake, triage, and referral functions. They conduct evaluations for potential substance use and mental/behavioral health disorders, provide treatment referrals and outreach to service providers, community-based organizations and resources such as support groups, legal services, and clinical mental health services. They are also responsible for tracking and monitoring the progress of clients and treatment providers. The Navigators' services assist formerly incarcerated individuals in making a successful transition to communities across the state.

Parole Regional Re-entry Centers

Parole Regional Re-entry Centers (RRC) operate in eight regional areas. Each RRC is housed within the same site as Parole’s regional field offices. This gives the Navigators close proximity to the assigned field officer when a case needs to be supervised, reviewed, or sanctioned. Each RRC is open Monday through Friday, 9:00 am to 5:00 pm. Onsite supervision of the Navigators is provided jointly by the parole supervisor and the sub-contractor’s Clinical Director.

The Navigator is responsible for meeting and interviewing each formerly incarcerated individual when they are released on parole, and for completing an “Intake” if it is the formerly incarcerated individual’s first release on parole. They are responsible for conducting substance abuse evaluations for every parole release. For those formerly incarcerated individuals with substance abuse history who need support, the Navigators complete an “enrollment” in the BSAS. Finally, after 90 days of enrollment or on being discharged from supervision, whichever date is sooner, the enrolled formerly incarcerated individual is disenrolled. During disenrollment, BSAS makes referrals to different services.

In 2023, 1,138 formerly incarcerated individuals were enrolled in the BSAS. The table below further breaks down these enrollments by regional centers. Among those disenrolled from the BSAS in 2023, they were referred to a variety of services, primarily Outpatient SA Counseling, and mental health services.

Table 30. 2023 Enrollments in the Bureau of Substance Addiction Services (BSAS) by Regional Center.

Location ¹⁹	Count	Percentage
Region 1 Dorchester	190	17%
Region 2 Dorchester	158	14%
Region 4 Worcester	156	14%
Region 5 Springfield	204	18%
Region 3 Lynn and Region 6 Lowell ²⁰	165	14%
Region 7 Brockton	111	10%
Region 8 New Bedford ²¹	72	6%
Region 9 Framingham	82	7%
Total	1,138	100%

¹⁹ There were periods of time in regions 2, 7, 8, and 9 when navigators were in transition and the regional offices did not have any coverage, which could result in underreporting of the enrollment numbers for these regions.

²⁰ Region 3 and Region 6 share the same navigator.

²¹ The enrollment number is underreported since it is based on enrollments between January and May 2023 as the region was without a Reentry Navigator since June of 2023 until a new navigator joined and received training. Nevertheless, all clients released after May were still getting referral services directly through Parole Field staff.

Behavioral Health for Justice Involved Individuals (BH-JI)

In September 2019, the Parole Board collaborated with the Executive Office of Health and Human Services (EOHHS), the Massachusetts Probation Service (MPS), the DOC, Middlesex County Sheriff's Office (MSO), and Worcester County Sheriff's Office (WCSO), along with Open Sky Community Services,²² and Advocates²³ to refer high-risk individuals with acute behavioral health support needs to an enhanced navigator program referred to as BH-JI. In 2021, EOHHS put out a request for responses from organizations that would go on to provide BH-JI supports statewide for justice-involved MassHealth-eligible individuals. The project was piloted in Middlesex and Worcester counties in 2019 with Advocates, Inc and Open Sky Community Services, and was expanded statewide on February 1, 2022.

MassHealth also requested permission to launch similar community support for members enrolled in MassHealth managed care, which became the Community Support Program for Justice Involvement individuals (CSP-JI). CSP-JI services became effective September 1, 2022 with the Managed Care Organizations (MCOs), ACPPs, and the State's behavioral health vendor.

The mission of both BH-JI and CSP-JI is to assist justice-involved population with their mental health and substance use needs by connecting them to the right health care and community services program.

Across the entire year, in 2022, combining BH-JI and CPS-JI, there were a total of 1,927 referrals to the programs from all agencies, and 1,498 participants had enrolled in the programs. Among them, there were 113 referrals (98 to BH-JI and 15 to CSP-JI) and 65 enrollees (51 to BH-JI and 14 to CSP-JI) from the Parole Board. Furthermore, there were 58 individuals referred by the DOC who were incarcerated at referral. In 2023, there were 2,771 referrals to both the programs across all agencies, and 1,987 participants had enrolled in the programs. Among them, there were 76 referrals (33 to BH-JI and 43 to CSP-JI) and 53 enrollees (11 to BH-JI and 42 to CSP-JI) from the Parole Board. Additionally, there were 130 individuals referred by the DOC who were incarcerated at referral. It should be noted that while a majority of referrals and enrollees are not formerly incarcerated individuals, those referred and enrolled at the DOC and HOC will be eligible for continued services upon release on parole.

Field Services Risk/Needs Assessments

In addition to conducting LS/CMI risk/needs assessments at the correctional institutions in preparation for parole hearings, field parole officers conduct reassessments using the same LS/CMI assessment after release of formerly incarcerated individual in the community to apply effective supervision strategies. Outcomes of reassessments in the field can be used to ensure that formerly incarcerated individuals are receiving appropriate services in response to their case management needs.

²² Open Sky Community Services is a behavioral health service provider, headquartered in Worcester, Massachusetts.

²³ Advocates is a behavioral health service provider located in multiple counties within Massachusetts.

Consistent with the previous year, in 2023, most field assessments conducted scored medium risk (53%), followed by low to very low risk (39%), and less than 9% scored high to very high risk (see Table 31). This is a stark difference compared to the risk-level distribution seen at the institutional level earlier in this report with a majority scoring at high risk. The pattern holds true across different race/ethnic groups as summarized in Table 32, which provides LS/CMI breakdown by race/ethnicity. This speaks to the lower risk level associated with the population that is deemed suitable for parole supervision; the risk level might decline further for formerly incarcerated individuals who remain stable and are successful under supervision when they are reassessed by the Field staff.

Table 31. 2023 LS/CMI Field Assessments.

Risk Level	Count	Percentage
Very Low	43	5%
Low	284	34%
Medium	438	53%
High	66	8%
Very High	2	<1%
Total	833	100%

Table 32. 2023 LS/CMI Field Assessments by Risk Level and Race/Ethnicity.

Race/ Ethnicity	Caucasian/ White		Hispanic/ Latino		African American/Black		Others ²⁴		All	
	#	%	#	%	#	%	#	%	#	%
Very Low	25	7%	5	3%	7	3%	6	23%	43	5%
Low	130	35%	66	38%	82	31%	6	23%	284	34%
Medium	191	51%	85	49%	149	57%	13	50%	438	53%
High	25	7%	18	10%	22	8%	1	4%	66	8%
Very High	0	0%	0	0%	2	1%	0	0%	2	<1%
Total	371	100%	174	100%	262	100%	26	100%	833	100%

Prison Rape Elimination Act (“PREA”)

The Parole Board is committed to zero tolerance of any form of sexual abuse and sexual harassment. The agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control. In 2023, there were no PREA-related allegation of sexual abuse reported.

²⁴ Includes other race/ethnicity such as Asian/Pacific Islander, American Indian/Native Alaskan and not reported.

Graduated Sanctions

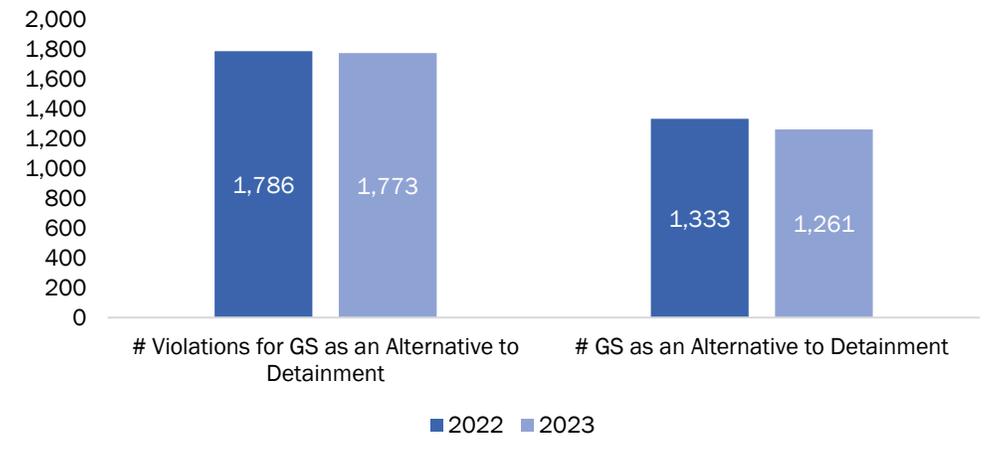
The Parole Board's policy for graduated sanctions is intended to provide consistency, transparency, fairness, and efficiency throughout the parole violation process. The installation of graduated sanctions as a case management tool denotes a controlled delegation of authority by the Parole Board to the officers in the FSD. If a formerly incarcerated individual is willing to work with his or her parole officer, then the Parole Board will work toward that individual's continued success. The Parole Board believes success is not achieved through the individual's automatic return to custody in the event of a parole violation. The agency's primary mission, however, has been and will remain to ensure public safety.

The guidelines for imposing graduated sanctions match the severity of the violation with the formerly incarcerated individual's risk level to determine the appropriate treatment, intervention, and/or sanction. For example, if a low to medium risk individual has failed to attend substance abuse classes yet continues to be employed and maintains a healthy lifestyle, then the parole officer has the discretion to sanction this violation of parole conditions by issuing a warning ticket, requiring the individual to attend a meeting with the parole officer, or stage an intervention with a substance abuse counselor at one of the regional field offices. The parole officer has the discretion to engage the various graduated sanctions within their level of authority as an alternative to returning the individual to custody for a parole revocation hearing and possible re-commitment to the original terms of their sentence. If the parole officer wants to impose a sanction that is outside their level of authority, they have to submit a completed form to their supervisor. The supervisor may then impose an appropriate graduated sanction within their level of authority but if they decide the sanction is insufficient, they may pursue a Parole Board level sanction. In this case, the supervisor will pick a Parole Board level sanction and submit the graduated sanction form to the Parole Board. The Parole Board members will review the graduated sanction and affirm the sanction picked by the parole supervisor, reject and enter a different sanction, or request more information from the supervisor and then process it.

In 2023, there were 1,261 graduated sanctions issued and completed as an alternative to detainment, in response to 1,773 reported violations. A single graduated sanction can be issued for multiple violations. Graduated sanctions are primarily used as an alternative to returning the formerly incarcerated individual to custody for a possible revocation of parole. Figure 11 shows that the number of reported violations between years 2022 and 2023 did not change much but there was a 5% decline in the use of graduated sanctions as an alternative to detainment and possible revocation of parole.

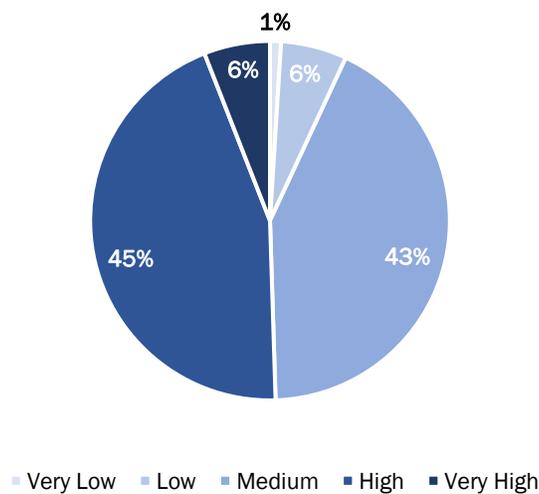
Out of the 1,261 graduated sanctions completed as an alternative to detainment for hearing, 141 (i.e. 11%) were completed by the Board. In comparison, in 2022, out of the 1,333 graduated sanctions completed as an alternative to detainment, 154 (i.e. 11.6%) were completed by the Board.

Figure 11. Use of Graduated Sanctions (GS) as an Alternative to Detainment in Year 2022 vs. 2023.



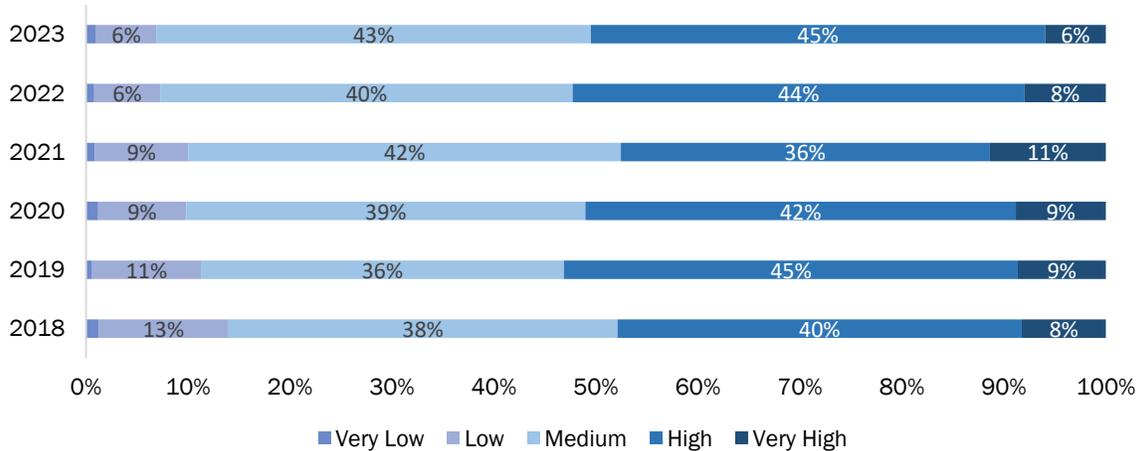
The appropriate response in terms of use of sanctions and interventions in response to an alleged parole violation is determined by the graduated sanctions guidelines grid, which considers the formerly incarcerated individual’s risk level based on risk/needs assessment (LS/CMI), and the severity of the violation. The risk distribution of individuals receiving these sanctions in 2023 can be seen in the chart below. A majority of the graduated sanctions issued in 2023 were for individuals with a high risk level (at 45%), closely followed by those with medium risk level (at 43%).

Figure 12. 2023 Graduated Sanctions by Risk Level



As presented in the chart below, the proportion of graduated sanctions imposed on higher risk individuals (medium to very high) has increased over the past six years (from 86% in 2018 to 94% in 2023), while the proportion of sanctions imposed on lower risk individuals (low to very low) has steadily decreased (from 14% in 2018 to 7% in 2023).

Figure 13. Trend in Graduated Sanctions by Risk Level.



Warrants

A warrant for detainer purposes (i.e., 15-day warrant) and an Interstate Compact warrant for detainer purposes (i.e., 60-day warrant) are referred to as Warrants for Temporary Custody (WTC). A 15-day detainer is issued when a parole officer has reasonable belief that a formerly incarcerated individual has lapsed into criminal ways, has associated with criminal company, or has violated the conditions of his or her parole. The parole officer may then, with the consent of a parole supervisor or other superior officer, issue a WTC of the individual. A WTC authorizes the detention of the individual for a maximum period of 15 days or up to 60 days in the case of a formerly incarcerated individual being supervised by the authorities of another state (e.g. out of state commitments supervised in MA), pursuant to the terms of the Interstate Compact. The issuance of a WTC does not interrupt the formerly incarcerated individual’s sentence.

A Warrant for Permanent Custody (WPC) on the other hand, is an order of imprisonment of the formerly incarcerated individual, which may be issued upon a finding that there exists probable cause to believe that the individual has engaged in new crime or has violated one or more conditions of parole. The individual’s supervision status upon issuance of a WPC, and the underlying sentence, resumes only after service of the warrant.

With an Interstate Compact warrant for detainer purposes (i.e., 60-day warrant) and an Interstate Compact Warrant for Permanent Custody, the Parole Board is authorized to issue and serve a

warrant to detain formerly incarcerated individuals whom the Parole Board is supervising under the Interstate Compact.

In 2023, a total of 594 warrants for 15-day detainer were issued. Out of these warrants issued, 573 (i.e. 96%) served custody or were arrested. Among the 573 arrested, 91% were provisionally revoked, 5% were issued Interstate Compact warrant for 60-day detainer, 3% had their warrant extinguished, and the remaining 1% received a warning or final warning from the Board. The 21 who were issued a warrant but not arrested, had their provisional revocation hearing held in their respective regional office locations, and all received a warning or final warning from the Board.

Among the 573 arrested, 521 individuals were provisionally revoked and were issued a WPC for imprisonment, following which, they will await their final revocation hearing.

Table 33. 2023 Warrants Issued and Outcomes.

	#	%
All Warrants Issued for 15-Day Detainer Purposes	594	100%
Outcomes for 15-Day Detainer Served Custody/Arrested	573	96%
Provisional Revocation	521	91%
Interstate Compact 60-Day Detainer	27	5%
Warrant Extinguished	17	3%
Warning/Final Warning	8	1%
Outcomes for 15-Day Detainer Not Served Custody²⁵	21	4%
Warning/Final Warning	21	4%

Revocations

When a parolee is criminally charged or has displayed severe misconduct (i.e., assaultive/violent behavior, absconding, violating a restraining order, etc.) or when an appropriate range of sanctions and interventions have been utilized and have been ineffective, a revocation occurs and the formerly incarcerated individual is re-committed to the terms of their original sentence, following a final revocation hearing. It should be noted that upon revocation of parole, individuals do not necessarily serve the remainder of their commitment in a correctional facility. The Parole Board reassesses their suitability for re-parole.

Table 34 presents revocations by commitment type, where the final revocation hearing resulted in a “revocation affirmed” vote. This includes all dispositions including reserves, denied, waivers, postponements, action pending, and PONAL. It is important to note that individuals whose parole is revoked may be re-paroled; therefore, revocations will only capture a setback or failure for a short period of time. In 2023, among all eligible for final revocation hearing (i.e. those provisionally revoked at the preliminary revocation hearing by the hearing examiner and

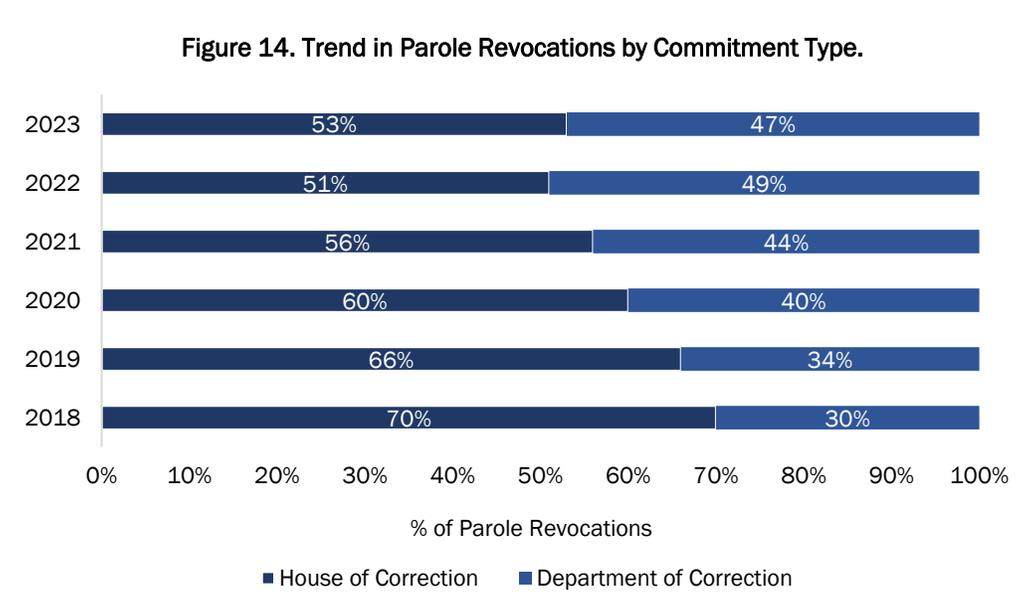
²⁵ In these cases, hearings were held in regional field offices.

confirmed as provisionally revoked by the Board), 375 received a disposition of revocation affirmed, which included 145 who waived their hearing. Of the remaining 230 who had their final revocation hearing with a revocation affirmed disposition, 51% received a positive vote for re-parole while 40% were denied re-parole, and the remaining 8% received other dispositions. Furthermore, out of the 375 revocations, 134 (i.e. 36% of those revoked) were re-paroled²⁶, and 55 of them (i.e. 41% of those re-paroled) were successfully discharged from supervision by April 20, 2024.

Table 34. 2023 Revocations by Commitment Type.

Commitment Type	# Non-Crime/Technical	% Non-Crime/Technical	All	All %
House of Corrections	168	55%	200	53%
Department of Correction	136	45%	175	47%
Total	304	100%	375	100%

Figure 14 below, captures the trend in parole revocations by commitment type for the past six years.



²⁶ Includes those released on mandatory parole.

Tables 35 and 36 provide demographic breakdown for all parole revocations in 2023. For comparison purposes, Appendix C includes race/ethnicity breakdown for all Massachusetts commitments who were on community supervision in the regional field offices in 2023, which would be the base population that would be subject to revocation.

Table 35. 2023 Revocations by Gender.

Gender	# Non-Crime/Technical	% Non-Crime/Technical	All	All %
Male	285	94%	353	94%
Female	19	6%	22	6%
Total	304	100%	375	100%

Table 36. 2023 Revocations by Race/Ethnicity.

Race/Ethnicity	# Non-Crime/Technical	% Non-Crime/Technical	All	All %
Caucasian/White	140	46%	169	45%
Hispanic/Latino	78	26%	96	26%
African American/Black	82	27%	105	28%
Asian/Pacific Islander	0	0%	1	<1%
American Indian/Native Alaskan	1	<1%	1	<1%
Not Reported	3	1%	3	1%
Total	304	100%	375	100%

Parole violations, which precede revocations, can be of two types: new crime violations and non-crime or technical violations. Revocations that result from a new criminal charge (i.e., “new crime”) are typically initiated by law enforcement, and not the formerly incarcerated individual’s field parole officer. Non-crime or technical violations are violations of general and special conditions of parole, excluding those that involve new criminal charges. However, non-crime violations may include acts that involve criminal behavior that did not lead to new charges. Some revocations may result from both new crime and non-crime violations. For example, a formerly incarcerated individual who is arrested for assault and battery, drug trafficking, or breaking and entering may be revoked for violations of parole conditions (i.e. non-crime or technical violation), in addition to incurring new criminal charges (i.e. new crime violation). Table 37 below breaks down revocations in 2023 by parole violation type.

Table 37. 2023 Revocations by Parole Violation Type.

Type	#	Percentage
Non-Crime/Technical ²⁷	304	81%
Both New-Crime and Non-Crime	47	13%
New Crime	24	6%
Total	375	100%

A revocation typically results from violation of multiple parole conditions as recorded in the Parole Violation Report (PVR). In 2023, there were a total of 375 revocations based on 1,168 reported number of Parole Violation Report (PVR) rules that were violated. This translates to violation of average of over three rules for each parole revocation. Although there was an increase in the number of revocations in 2023 compared to 2022 (from 321 to 375), the change should be viewed in the context of an overall increase in the number of active formerly incarcerated individuals under supervision across the two years, which went up from 2,715 in 2022 to 2,917 in 2023²⁸. The revocation number for each year also includes formerly incarcerated individuals who were not under active community supervision in the particular year but were either already detained and awaiting revocation hearing or were whereabouts unknown (and later revoked) at the beginning of the year.²⁹

For a more accurate comparison across years, we focus on the outcomes for all the Massachusetts commitments that were under Massachusetts community supervision in year 2022 and 2023 and break out the outcomes by the end of each year. Table 38 below captures the breakdown. In both years, 81% of the Massachusetts commitments that were under community supervision in Massachusetts were successfully discharged or continued to remain under supervision, and there was no significant change in the percentage that were revoked (from 10% in 2022 to 11% in 2023).

²⁷ Of those parolees revoked for alleged technical violation (304), a total of 163, or 54% had received at least one prior graduated sanction before their revocation. The majority of the remaining 141 parole violators who had not received a prior graduated sanction, incurred violations that included termination from a residential treatment program, transitional housing, or sober housing (92 cases), or had absconded from supervision (62 cases); among these 38 had both violations.

²⁸ These numbers include only Massachusetts commitments under Massachusetts community supervision and exclude Out of State cases under Massachusetts community supervision.

²⁹ The revocation number also includes any Massachusetts commitment supervised in another state if they are revoked.

Table 38. Outcomes for MA Commitments under MA Community Supervision in 2023 vs. 2022.

	CY 2022		CY 2023	
	#	%	#	%
Successful Discharge/Continued Supervision				
Successfully Discharged from Parole Supervision	1,008	37%	1,191	41%
Active Parolees on Continued Supervision ³⁰	1,206	44%	1,176	40%
Revocations				
Non-Crime/Technical Revocation	226	8%	255	9%
New Crime Revocation	45	2%	47	2%
Other				
Detained, Pending Revocation or Whereabouts Unknown ³¹	104	4%	114	4%
Other Discharges from Parole (deaths, court release, closed from Institution while on Parole status etc.)	126	5%	134	4%
Active MA Commitments under MA Community supervision	2,715	100%	2,917	100%

Discharges from Supervision

As with releases to parole, discharges from parole are also based on commitments. The counts in the table below are drawn from the point in time when the commitment was closed. A commitment can close for a variety of reasons, the most common of which is at the parole discharge date. However, formerly incarcerated individuals may be discharged for other reasons (e.g., Interstate Compact Case closed interest, Good Conduct Discharge after sentence completion from correctional facility, vacated/court release). In addition, individuals can be discharged while under supervision by another authority. For example, an individual may end a period of supervision while under the custody of ICE or another state's warrant. In a majority of cases however, discharge occurs while the individual is under parole supervision in Massachusetts. Table 39 below displays the discharges from supervision by commitment type.

Table 39. 2023 Discharges from Supervision by Commitment Type.

Commitment Type	Count	Percentage
House of Correction	917	59%
Department of Correction	566	36%
Out of State	71	5%
Total	1,554	100%

Tables 40 and 41 provide a demographic breakdown for all parole discharges from supervision in 2023.

³⁰ As of beginning of the following year.

³¹ As of beginning of the following year.

Table 40. 2023 Discharges from Supervision by Gender.

Gender	Count	Percentage
Male	1,411	91%
Female	143	9%
Total	1,554	100%

Table 41. 2023 Discharges from Supervision by Race/Ethnicity.

Race/Ethnicity	Count	Percentage
Caucasian/White	751	48%
Hispanic/Latino	429	28%
African American/Black	328	21%
Asian/Pacific Islander	16	1%
American Indian/Native Alaskan	1	<1%
Not Reported	29	2%
Total	1,554	100%

Table 42 below represents discharges from supervision by type of discharge.

Table 42. 2023 Discharges from Supervision by Discharge Type.

Discharge Type	Count	Percentage
MA Commitments Closed from MA Supervision	1,221	79%
MA Commitments Closed from MA House of Correction Facility	118	8%
Out of State Commitments Closed from MA Supervision	71	5%
MA Commitments Closed from Out of State Compact Supervision	50	3%
MA Commitments Closed from ICE Custody	29	2%
MA Commitments Closed from Deported Custody	29	2%
MA Commitments Closed from MA Department of Correction	22	1%
MA Commitments Closed from Federal or Out of State Warrant	14	1%
Total	1,554	100%

As captured in Table 38 earlier, among all Massachusetts commitments that were under Massachusetts community supervision in year 2022 and 2023, 37% and 41% of the commitments were successfully discharged in 2022 and 2023 respectively.

Compliance Credits

In 2019, pursuant to M.G.L. c. 127, § 130C, the Parole Board established a policy and procedure for issuance of compliance credits to formerly incarcerated individuals for satisfactory conduct. To be eligible for compliance credits, formerly incarcerated individuals would have to meet the following criteria:

- An active formerly incarcerated individual released on or after January 13, 2019
- Serving a state sentence
- Released on either discretionary or medical parole
- Supervised in one of the Parole regional offices
- Not be serving a life sentence.

Eligible formerly incarcerated individuals may earn up to 15 compliance credits each month, equivalent to reduction in Parole Discharge Date by 15 days, leading up to their earliest parole discharge date based on adherence to their special conditions of parole. The accrued number of credits deducts from a formerly incarcerated individual's parole discharge date, ultimately granting them an earlier discharge from parole supervision.

Table 43 exhibits the number and proportion of formerly incarcerated individuals who earned compliance credits out of all formerly incarcerated individuals who were eligible, by year of release to parole supervision, along with the average credits received by release year. 74% of compliance credit eligible formerly incarcerated individuals released to supervision in 2023 earned compliance credits, which is slightly higher than the 69% of eligible formerly incarcerated individuals released in 2022 who earned compliance credits³².

Table 43. Compliance Credits Earned by Year of Release.

Release Year	Eligible for Credits	Earned Credits	% Earned Credits	Avg. Credits Earned (# Days)
2022	420	288	69%	33
2023	365	269	74%	39
Total	785	557	71%	54

Table 44 presents the number of formerly incarcerated individuals who were discharged early due to earned compliance credits, broken out by year of discharge from parole supervision. In 2022, out of all successful discharges from supervision that were eligible for CCs, 88% were discharged early due to compliance credits; the proportion discharged early due to earned CCs was comparable at 89% in 2023.³³ In both the years, early discharge due to accrual of CCs resulted in average of over two months of reduced supervision.

³² Number of earned credits for releases in 2022 and 2023 are measured as of March of 2023 and March of 2024 respectively, for appropriate comparison across years.

³³ 2022 and 2023 numbers are based on data retrieved as of March of 2022 and March of 2023 respectively.

Table 44. Early Discharge from Supervision due to Compliance Credits (CCs) among CC Eligible Commitments Successfully Discharged from Supervision.

Discharge Year	Eligible for CCs	Discharged Early due to Earned CCs	% Earned CCs	Avg. Credits Earned (# Days)
2022	248	219	88%	66
2023	236	210	89%	62
Total	484	429	89%	60

Interstate Compact Unit

The Massachusetts Parole Board is a member of the Interstate Commission for Adult Offender Supervision (ICAOS), with Massachusetts Parole Board Chair Tina M. Hurley serving as Compact Administrator and Attorney Keara Kelley serving as the Deputy Compact Administrator.

Established in 1937 with the purpose of regulating the movement of probationers and parolees across state lines, the ICAOS is enacted in all 50 states and three U.S. territories. The Interstate Compact grants member states the authority to track supervised individuals who move across state lines, in accordance with the ICAOS Mission Statement: “The Interstate Commission for Adult Offender Supervision will guide the transfer of supervised individuals in a manner that promotes effective supervision strategies consistent with public safety, accountability, and victims’ rights.”

The Parole Board’s designated Interstate Compact Unit (ICU) lies within the Field Services Division. The ICU coordinates the interstate transfer of formerly incarcerated individuals entering or leaving the state and oversees an active caseload of Massachusetts formerly incarcerated individuals residing out of state under the Interstate Compact. The ICU also supervises all Massachusetts incarcerated individuals paroled to Immigration and Customs Enforcement (ICE) detainers and deportation warrants.

At the end of 2023, there were 257 commitments under supervision through the ICU. Formerly incarcerated individuals’ status through the ICU encompasses a variety of circumstances including supervision by another state’s paroling authority (149), ICE custody (24), and deportation (84).

Throughout 2023, there were 116 Massachusetts commitments released to the Interstate Compact to be supervised by other states or transferred to other types of custody. Of these cases:

- 46 Formerly incarcerated individuals were released to be supervised by another state’s parole agency, and
- 70 formerly incarcerated individuals were released to ICE custody.

In addition, during 2023, there were 85 commitments from other states released to Massachusetts for parole supervision.

In 2023, the ICU worked collaboratively across the Commonwealth and in conjunction with other member states to ensure that ICAOS goals were met. In September 2023, Commissioner Hurley attended the ICAOS Annual Business meeting in Norfolk, Virginia. At this meeting, members voted on new rule proposals affecting the ICAOS. Compact administrators also participated in

several meetings of the ICAOS East Region, which allowed for collective progress on issues affecting our geographic region. In November, the Massachusetts State Council met to discuss compact issues affecting the individuals supervised by the Massachusetts Parole Board and Massachusetts Probation Service. Discussion topics included the role of the Interstate Compact for individuals supervised on medical parole or those applying for termination of parole supervision.

Warrant and Apprehension Unit

The Warrant and Apprehension Unit (WAU), which lies within the FSD, assists staff in the regional parole offices in locating and apprehending formerly incarcerated individuals who have violated their parole conditions and absconded from supervision. The unit also arranges for the apprehension of formerly incarcerated individuals who have fled the Commonwealth and monitors the Criminal Justice Information System (CJIS) for criminal activity among parole violators. The unit is also responsible for entering, updating, and removing parole violation warrants from the agency's database, as well as coordinating all required extraditions.

The primary function of the WAU is to assist regional parole offices in locating and arresting parole violators and returning them to custody. In addition to conducting these fugitive investigations, the WAU performs numerous other duties as listed below:

- Provides and coordinates security for all life sentence and VAH hearings at the central office in Natick, Massachusetts.
- Enters, modifies, and cancels all Parole Board Warrants for Temporary Custody (WTC) and Warrants for Permanent Custody (WPC) into the National Crime Information Center (NCIC) database.
- Enters, modifies, and cancels information regarding lost or stolen agency equipment.
- Enters broadcasts regarding fugitives and completing extraditions.
- Monitors Criminal Justice Information Services databases.
- Processes all paroles from Massachusetts state and county facilities to out-of-state warrants and/or commitments, and supervises this caseload until release from out-of-state custody.
- Supervises a caseload of warrant cases held in custody out-of-state, ensuring extradition at the appropriate time.
- Maintains a caseload of whereabouts unknown cases, including Interstate Compact cases.
- Serves as the Parole Board's 'After-Hour Duty Station'.

Arrests and Transportations to Custody

In 2023, the WAU parole officers participated in 398 arrests. Those arrests included 211 parole violators (117 of them were with the status of whereabouts unknown at the time of arrest) and 187 arrests in cooperation with interagency task forces and partnerships. The unit was also responsible for 171 prisoner transports.

Extraditions

The WAU is also responsible for handling the extradition of parole violators being returned to Massachusetts from other states. The WAU works closely with law enforcement and correctional facilities across the nation in order to fulfill extraditions. In 2023, the WAU supervised the extradition of 27 parole violators from around the United States back to Massachusetts. This involves collaborating with the arresting states and ensuring that all legal extradition procedures are being followed.

Paroles to Out-of-State Warrants

The WAU processes all paroles from Massachusetts correctional facilities to out-of-state warrants and/or out-of-state commitments. This includes supervising individuals until their release from out-of-state custody. 44 individuals were released to out of state warrants in 2023.

Warrant Cases In Custody Out-of-State

The WAU oversees all warrant cases held in custody out-of-state. The WAU supervises these parole violators; it monitors incarcerated and formerly incarcerated individuals' progress with the out-of-state correctional facility, and arranges extradition when the parole violator is made available. The average caseload of warrant cases in custody out-of-state in 2023 was 24.

Warrant Cases – Whereabouts Unknown

The WAU has responsibility for formerly incarcerated individuals who abscond from parole supervision and have their status changed to whereabouts unknown when they are transferred to the WAU from a regional field office. The caseload of warrant cases with status of whereabouts unknown at the end of 2023 was 94.

Twenty-Four Hour Duty Station

The WAU serves as the agency's 'Twenty-Four Hour Duty' station, responding to all emergency inquiries made after 5:00 pm on weekdays, as well as on weekends and holidays. All after-hour calls are received by the Massachusetts State Police Central Dispatch, who then contacts the WAU for further handling of the situation. The WAU officer on duty contacts the appropriate parole officer to ensure that each case has been addressed. If the assigned parole officer is unavailable, then the case is referred to the after-hour duty parole supervisor from a rotating list. The WAU processed approximately 163 after-hour calls in 2023.

Training Unit

All Field Officers including supervisors completed a minimum of 40 hours of in-service training in 2023. Training consisted of classroom, online, and practical hands-on application of certain job duties. In partnership with UMass Chan, Field Officers received trainings on pharmacological effects of certain street and prescription drugs. Field Officers continue to train and retrain on AED (Automated External Defibrillator) and on Naloxone (NARCAN) for a continued response to fight the Opioid overdose crisis. Annual training in use of force de-escalation, firearms, and defensive

tactics was completed. Some officers attended specialized trainings in the areas of wellness, stress resiliency, and communication with deaf and hard of hearing. All officers completed trainings in the following topics: trauma informed responses in Law Enforcement, hate crimes, legal updates, digital technology, and suicide intervention and prevention. Staff also attended the 2023 summit for emerging adults, and reentry drug court initiatives. No new Parole recruit class was held in 2023.

APPENDIX A

Office Vote Types

Change of Vote Request: A change of vote is submitted upon request to change conditions of a parole reserve vote (i.e. a positive vote).

Request for Provisional Revocation: When a formerly incarcerated individual is alleged to have violated one or more conditions of parole, and satisfactory evidence thereof is presented in a parole violation report, the Parole Board members or a parole supervisor or other superior officer may authorize a preliminary revocation hearing. A Hearing Examiner shall prepare a summary of what occurred at the preliminary revocation hearing and a request for provisional revocation is submitted.

Reconsideration Request: An incarcerated individual may petition for reconsideration of a parole decision. 120 CMR 304.2. The Board may reconsider a decision on its own initiative.

Mandatory Release Conditions Request: If a prisoner serving a state sentence has not been granted a discretionary parole permit by the prisoner's release to supervision date, then the Parole Board shall issue a mandatory release to supervision parole permit to that prisoner for the remainder of his or her sentence, as reduced by any good conduct deductions issued by the Department of Corrections. The Parole Board does not make any decision on the release and therefore, a request is submitted to set release conditions.

Request for Provisional Rescission: When the Parole Board members set a parole release date, release on that date is contingent upon continued satisfactory conduct by the incarcerated individual and the absence of any new and significant adverse information not known to the parole hearing panel at the time the release decision was made. Where the Parole Board learns of new adverse information, the Board may suspend the individual's parole date pending investigation by the Parole Board.

Request for Out of State/Country Travel: A request for out of state travel is submitted to allow/deny formerly incarcerated individual's request for travel.

Appeal Request: An incarcerated individual may petition for appeal of a parole decision.

Request to Attend Hearing: In general, representatives for the incarcerated or formerly incarcerated individual are not permitted to attend a closed hearing, except under special circumstances and at final rescission/revocation hearing. A request to attend hearing is submitted to have a witness attend a hearing.

Special Consideration Request: A request for early parole eligibility hearing based on a combined request from the incarcerating facility and the incarcerated individual.

Request to Resolve Action Pending: A request to resolve a disposition of “action pending” is forwarded to the original hearing panel with information that was not available at the original hearing.

Request to Postpone Victim Access Hearing (VAH): A request to postpone a Victim Access Hearing is requested by the incarcerated individual, which must be approved by a majority vote of the Parole Board.

Medical Release Conditions Request: Under certain circumstances, the Department of Corrections may grant early release to an incarcerated individual due to terminal illness and/or permanent incapacitation. The Parole Board does not make any decision on the release and therefore, a request is submitted to set release conditions.

Request for the Board to Note Information Memo: A request for the Board to note information is submitted to provide the Board with information that was not available at the time of the hearing.

Withdraw Warrant Request: An individual who is serving an intervening sentence with a parole violation warrant lodged, may petition the Parole Board to have the warrant removed if the warrant has not been served.

APPENDIX B

Parole Hearings by Race/Ethnicity

Table B1. 2023 All Eligible for Institutional Hearings by Race/Ethnicity						
Race/Ethnicity	HOC Hearings	%	DOC Hearings	%	All Eligible Hearings	%
Caucasian/White	2,265	51%	575	40%	2,840	48%
Hispanic/Latino	1,134	25%	417	29%	1,551	26%
African American/Black	935	21%	413	29%	1,348	23%
Asian/Pacific Islander	24	1%	10	1%	34	1%
American Indian/Native Alaskan	12	<1%	1	<1%	13	<1%
Not Reported	86	2%	10	1%	96	2%
Total	4,456	100%	1,426	100%	5,882	100%

Table B2. 2023 Hearings Held with Positive or Denied Vote by Race/Ethnicity						
Race/Ethnicity	HOC Hearings	%	DOC Hearings	%	All Positive + Denied	%
Caucasian/White	1,042	52%	353	38%	1,395	48%
Hispanic/Latino	527	26%	293	32%	820	28%
African American/Black	407	20%	258	28%	665	23%
Asian/Pacific Islander	12	1%	8	1%	20	1%
American Indian/Native Alaskan	3	<1%	0	0%	3	<1%
Not Reported	26	1%	5	1%	31	1%
Total	2,017	100%	917	100%	2,934	100%

Table B3. 2022 & 2023 Waivers of Parole Hearing by Race/Ethnicity				
	2022		2023	
	N	%	N	%
Caucasian/White	565	51%	655	55%
Hispanic/Latino	268	24%	273	23%
African American/Black	206	19%	225	19%
Asian/Pacific Islander	8	1%	5	<1%
American Indian/Native Alaskan	0	0%	4	<1%
Not Reported	56	5%	20	2%
Total	1,103	100%	1,182	100%

APPENDIX C**Parolees on Community Supervision in 2023 by Race/Ethnicity**

Race/Ethnicity	#	%
Caucasian/White	1,348	46%
Hispanic/Latino	748	26%
African American/Black	744	26%
Asian/Pacific Islander	39	1%
American Indian/Native Alaskan	5	<1%
Not Reported	33	1%
Total	2,917	100%



Massachusetts Parole Board

12 Mercer Road
Natick, MA 01760
Tel: (508) 650-4500
Fax: (508) 650-4599