

The following constitutes the Annual Report of the Office of Community Corrections as required by statute.

## CHAPTER 211F MANDATED REPORTING ITEMS

*The report shall include but shall not be limited to the following information:*

*(1) the effectiveness of the office of community corrections in promoting the goals of the commission; (2) the effectiveness of the office of community corrections in diverting offenders by reducing prison commitments;(3) the evaluation and recommendations submitted by the county community corrections advisory boards and by providers of community corrections programs;(4) fiscal audits on expenditures of state funds;(5) allegations of provider noncompliance and the results of any investigations into such allegations, ALM GL c 211F §5 (2011).*

- (1) The mission of the Massachusetts Sentencing Commission (MSC) is “to recommend sentencing policies and practices to develop systematic sentencing guidelines for every criminal offense and to integrate intermediate sanctions.” (Advisory Guidelines of the Massachusetts Sentencing Commission, 2017.) The Office of Community Corrections (OCC) promotes the goals of the MSC through the development and implementation of intermediate sanctions. Intermediate sanctions are criminal justice interventions that are more intensive than traditional probation or parole but do not include confinement. The OCC develops ‘community corrections’ programming that is implemented as intermediate sanctions by courts, probation, parole, sheriff’s departments and the Department of Correction. The OCC delivers intermediate sanctions through a statewide network of Community Corrections Centers (CCC) and the Community Service Program (CSP).

In its original 1996 recommendations, the MSC developed intermediate sanction levels as a component of its proposed sentencing guidelines. Consistent with its statutory charge, the OCC adopted the intermediate sanction levels as the means by which the court could order a combination of services and sanctions as a community-based intermediate sanction that would be delivered at CCC across the state. CCC were designed to execute sentences to Intermediate Sanction Level III (daily accountability) and IV (24-hour restriction).

In November 2017 the MSC published new advisory guidelines that eliminated reference to intermediate sanction levels I-IV. The MSC stated, “...this multilevel hierarchy of probation supervision has not gained wide usage among judges and attorneys. Further, probation supervision level is probably best set by use of a validated risk assessment...” As a result, the Office of Community Corrections worked with the Executive Office of the Trial Court to develop a new instrument by which the court effects a sentence to the CCC. Under this new Community Corrections Order (CCO) Intermediate Sanction Levels III and IV have been rebranded as Intensive Supervision with Treatment (IST). When the court orders a person to IST the CCC determines the appropriate level of intervention to be taken with the probationer based on the results of a comprehensive risk/needs assessment.

In FY20 there were 18 operational CCC which delivered IST and other statutory bases or “pathways” to community corrections programming. The OCC also operated the Community Service Program which administered court ordered community service as an intermediate sanction, to address criminogenic need associated with a lack of prosocial leisure and recreation, or in lieu of payment of the Probation Supervision Fee.

- (2) In FY20, 1,670 people were referred to the CCC. Among those referred: 1,299 were sentenced by the court, 142 were referred to the CCC via prerelease classification by a Sheriff’s Department, 225 were referred by Parole as a graduated sanction or condition of the Parole Board and 4 were previously incarcerated and attended voluntarily known as re-entry. Among those sentenced by the court, 85 were referred as a component of participation in a Specialty Court (Drug Court, Veterans Court or a different specialty court) and thus were not categorized as ISL III/IV. Increasing the number of Specialty Court participants that utilize resources delivered via the CCC was a priority in FY20 and will continue in FY21 through a Bureau of Justice Assistance Drug Court Enhancement Grant titled *Drug Court Integration Project: Access to Community Corrections*.

In FY20 there were 46,025 contacts with the CCC by probationers and parolees for ancillary supervision supports such as evening check-in with the probation/parole officer, participation in Motherhood, Fatherhood, Changing Lives through Literature, Intimate Partner Abuse Education, or other program. 5,523 were referred to the OCC’s Community Service Program to satisfy a community service obligation imposed by the court, to address a criminogenic need associated with antisocial leisure or recreation, or in lieu of paying the Probation Supervision Fee.

- (3) CCC hold quarterly meetings which serve as a community advisory forum for community corrections center operations. Quarterly meetings were held onsite or remotely (due to COVID-19) at all CCC. Meetings focused on specific local issues at CCC such as the efficiency of the referral process, transportation, and the development of linkages with community agencies such as community colleges, hospitals, residential treatment and health centers. Meetings were attended by representatives of local probation and parole, sheriff’s departments, bar advocates, and judges. No formalized evaluation or recommendations were made via the quarterly meetings in FY20.
- (4) CCC providers are required to invoice the OCC monthly and provide documentary support for all funds expended pursuant to contracts for Program/Treatment Management, Program Monitoring, and/or Drug and Alcohol Screening. OCC personnel assigned to fiscal affairs and contract management review invoices and documentary support pursuant to standards and subsequent review of the Office of Court Management. For CCC that are operated via Interdepartmental Service Agreement with Sheriff’s Departments the OCC requires the submission of all contracts executed by the Sheriff’s Department in performance of the ISA to the OCC. In FY20 there were no unresolved fiscal audits.
- (5) In FY20 OCC staff, including Regional Program Managers, conducted regular weekly supervision of provider operations of CCC. Regional Program Managers engaged

providers to ensure compliance with statutory and contractual requirements but there were no formalized allegations of provider noncompliance forwarded for hearing by the Executive Director.

Please see the attached “Utilization of Community Corrections Centers Statistical Report, Fiscal Year 2020” for more information about the Office of Community Corrections

