

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 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 Justice Support Centers (formerly known as Community Corrections Centers) 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 Community Justice Support Centers (CJSC) across the state. CJSCs 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 CJSC. 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 CJSC determines the appropriate level of intervention to be taken with the probationer based on the results of a comprehensive risk/needs assessment.

In FY22, there were 18 operational CJSCs which delivered IST and other statutory bases or “pathways” including services for those in the pretrial phase of a case and those returning to the community after a period of incarceration. 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 FY22, 1,031 people were referred to the CJSCs. Among those referred: 804 were sentenced by the court, 15 were referred to the CJSCs via prerelease classification by a Sheriff’s Department, 112 were referred by Parole as a graduated sanction or condition of the Parole Board and 100 were previously incarcerated and attended voluntarily known as re-entry. CJSCs continued to enhance capacity by providing support to those returning from a period of incarceration. Admissions to the Reentry Services Program pathway has increased from 5% of admissions in FY21 to 10% of admissions in FY22.

In FY22, there were 52,000 contacts with the CJSCs 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. 1,919 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) CJSC hold quarterly meetings which serve as a community advisory forum for Community Justice Support Center operations. Quarterly meetings were held at all CJSC. Meetings focused on specific local issues at CJSC such as the efficiency of the referral process, transportation, and the development of linkages with community agencies such as community colleges, hospitals, residential treatment centers, and health centers. Importantly, meeting members considered measures to enhance services for those returning from incarceration through the Re-entry Services Programs pathway. These considerations included outreach to stakeholders, including judges, prosecution, and defense counsel regarding pretrial pathways. 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 FY22.
- (4) CJSC 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 CJSC 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 FY22, there were no unresolved fiscal audits.

- (5) In FY22, OCC staff, including Regional Program Managers, conducted regular weekly supervision of provider operations of CJSC. 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 Justice Support Centers Statistical Report, Fiscal Year 2022” for more information about the Office of Community Corrections.