

**Approved on 2/9/26**

**Special Commission on Correctional Consolidation & Collaboration Meeting Minutes**

Date: 1:00 PM – 3:00 PM, January 12<sup>th</sup>, 2026

Location: Room 428, 24 Beacon St, Boston, MA 02133

**Commission Members in Attendance:**

- William Brownsberger, Chair- State Senator, Suffolk
- Daniel Hunt, Chair – State Representative, 13<sup>th</sup> Suffolk District
- Estela Reyes- State Representative, 4th Essex District
- Andrew Peck- Undersecretary of Criminal Justice, EOPSS
- Anthony Amore- Director of Security, Isabella Stewart Gardner Museum
- Andrea Cabral- Former MA Secretary of Public Safety + Former Sheriff,
- Robert Gittens- Former Executive Director, Bridges Homeward
- Patrick Cahillane- Sheriff, Hampshire County
- Nicholas Cocchi- Sheriff, Hampden County
- Joseph McDonald- Sheriff, Plymouth County
- Meaghan Dupuis- Executive Director, ForHealth Consulting
- David Rini – Executive Director of Prisoners Legal Services
- Mac Hudson - Paralegal at Prisoners' Legal Services
- Harry Jean Jaques

**Staff To Be Contacted:**

- Eric Helmuth, Senator Brownsberger’s Staff Director -[Eric.Helmuth@masenate.gov](mailto:Eric.Helmuth@masenate.gov)
- Teri Valentine, Senator Brownsberger’s Legislative Director -  
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- Erin Walsh, Representative Hunt’s Staff Director – [erin.walsh@mahouse.gov](mailto:erin.walsh@mahouse.gov)
- Cassie Tobin, Representative Hunt’s Legislative Aide - [cassie.tobin@mahouse.gov](mailto:cassie.tobin@mahouse.gov)

## 1:05 PM Start

Are there any questions or thoughts to discuss regarding the previous hearing (12/12/25), the first public hearing of this assembled correctional committee?

1:07 PM Commissioner Rini Q: Will there be future availability for public input?

- Senator Brownsberger: Yes, but we will need the time to plan things like video testimony and give adequate public notice. It went well but there were questions regarding classifications of inmates, which brings us to this presentation.

**Classification System Presentation**, Commissioner Jenkins with the Deputy Commissioner Mitzi Peterson and Assistant Deputy Commissioner Abby Nelligan, the “Subject Matter Expert”

Questions that were asked during this study:

- Is the objective point-based system accurately identifying misconduct?
- Is it biased racially or ethnically?
- How do overrides impact this equation?

## Classification System Overview

- Escape, institutional misconduct and prison violence factors contribute to an objective point-based system built to avoid threats to the individual or the general public.
  - What is an objective point-based system?: It is the standardized evaluation of the custody assignment of individuals based upon objectively defined criteria.
  - The criteria is memorialized in the classification process in the Code of Massachusetts Regulations (103 CMR 420), with two goals; public safety and the promotion of the reintegration of incarcerated individuals.
- Each facility assignment is unique, based on an individual's classification, programming and medical needs.
- This study (and some of the staff) have been invited to the winter conference for American Correctional Facilities, as a leading program in the country.
- The system was originally designed in 1995 and was later implemented under Romney in 2006.

- There is a centralized board to classify individuals, this division has the sole authority to assign custody levels and determine transfers within facilities.
- There are then decentralized bodies at the institutional level to classify individuals, which are frequently audited.
  - The classification system is gendered and reviewed annually (or every 6 months)
  - The initial classification is primarily focused on the offense and someone's criminal history, whereas the reclassification instrument is designed to focus on one's institutional adjustment and response to their incarceration.

1:22 PM Senator Brownsberger Q: Can you elaborate on the different types of overrides?

There are 2 types of overrides:

- Discretionary: Changing a status of classification based on the opinions of professional staff, these never exceed 15% of overall overrides. It is nationally advised that 50% of these overrides be to lower security levels and 50% be to higher security levels.
  - These are necessary to review an individual outside of the original equation; the decision is then reviewed in 6 months.
  - There are 7 discretionary overrides to higher security and two to lower security.
  - In Massachusetts 8% of the discretionary overrides are to higher security facilities and 6% are to lower security facilities.
  - Ex: If someone is currently under investigation, negative adjustment, the notoriety of the offense, criminal history.
- Non-Discretionary: There are 8 types of overrides that restrict individuals from being in minimum security and three types to restrict individuals from medium security.
  - Refraining from Minimum Security:
    - Must be within 5 years of their earliest release dates
    - Unresolved permissible and non-permissible legal issues
    - Subject to civil commitment after release
    - Committed on a sexual offense or have been determined to have sexual intent
    - Have an immigration detainer or deportation order
    - Serving a murder first sentence who are not eligible for parole
    - Convicted of a crime while incarcerated or committing a crime against a public official, unless they are within 2 years of a defined release date.

- Require medical assistance housed in our skilled nurse setting
- Committed a loss of life crime unless they have a positive parole code or are within three years of a defined release date.
- Refraining from Medium Security
  - Starting a life first sentence you must do a minimum of one year at a maximum security facility
  - Individuals who have killed while incarcerated, they will remain in maximum security facilities until the end of their sentence.
  - Individuals with serious outstanding legal issues which mostly consists of anyone with a pending murder charge, until the charge is resolved.
  - This study has since had three full revalidations which are multidisciplinary steering committees that includes a multi stakeholder panel, such as: staff, incarcerated individuals, activist groups, field experts and individuals with a wide array of diverse backgrounds.

1:35 Senator Brownsberger Q: What is the current breakdown at different security levels?

- A: 16% Maximum, 74% Medium and 10% Lower / pre-release

**Presentation from: Dr. Gina Vincent & Dr. Spencer Lawson from University of Massachusetts Chan Medical School of Psychiatry**

- This program is funded through the National Institute of Justice and the WEB Du Bois Grant.
- This program has been practicing for 30 years across many states to improve science and system driven outcomes for incarcerated individuals and their communities.
  - They are partnering with the DOC to examine the accuracy of their classification tools amongst 7,611 participants from 2019 to 2022.
- The end result of this project is a tool kit to assist other DOCs.
- The external steering committee consists of career professionals, 2 of which are national recognized experts: Dr. James Austin and Evelyn Bush.
  - There is also an advisory board of individuals with lived experience, 2 are currently incarcerated, 2 are on parole and 1 member has finished their time with the system.
- This study was looking at the accuracy of their predictive tools, the impacts of racial or ethnic bias, and the outcomes of discretionary and non-discretionary overrides.

- They studied the averages, but also heavily depended on the lived experiences to qualify their results.
- The scored custody level was studied for a general outcome of the tool, while the informed custody level includes overrides.
- The study context is informed by modern and historical data (2019 / 2022), and the follow through of an individual from one classification to the next.
  - Reclassification cases were the primary study group.

Figure 1: Classification Accuracy With Overrides

- The tool was proven to accurately predict misconduct by custody level. The survival curve shows the opportunity to commit misconduct over time; this was a clear visualization over our data.
- The Area Under the Curve (AUC) was also a key performance metric for risk assessment, it was measuring how effectively the model distinguishes between individuals with high vs. low risk.

1:52 Senator Brownsberger Q: To what extent does their classification cause their actions?

- A: Criminology has shown that there is certainly a circular behavior pattern with the exposure to a more negative environment, but the study cannot entirely determine that.

1:56: Representative Hunt Q: We've compared the continuation of violence or scimmages between maximum and medium inmates, and it's been found that individuals under maximum security are allowed to carry out their disagreements. Is there evidence of this in the study?

- A: That would be beyond the scope of this research, especially given that we are not looking at individual facilities. Violent misconduct only came to 5%, over 3 years, while general misconduct ranged from 30 to 45%.

1:58 PM Commissioner Hudson Q: Did you look at previous studies? Including the JRC report from the Governor's Commission on Correction Advisory Council? What about the work from Michael Forcier, he studied overrides in 1994?

- A: To our understanding, this type of study has never been done in the Commonwealth before.
- Sherriff Cocchi A: Our facilities have changed a lot since 1994, "our practices used to be lock them up and throw away the key", but we look at figures from even 15 years ago, and it is a more accurate reflection of our current facilities.

2:02 Commissioner Hudson Q: The Public Security Safety Board (PSSB) used to be the standard for reclassifying inmates, has that been reviewed in your study?

- A: Our study is regarding data from 2019 to 2022, other states have also not mentioned having a PSSB at that time.

Figure 2: The Survival Curve Without Overrides.

- There was a reduction of predictive accuracy with overrides, especially between minimum and medium security groups.
- Once non-discretionary overrides (43% of the group) were removed from the study the tool was found to have significantly higher accuracy.

2:11 PM Sherriff Cocchi Q: How does the repetition of an institutional misconduct affect the score of an individual after they may have been classified several times?

- A: Any history of violence or misconduct is typically included as a factor in their score, which is reevaluated every 6 months to a year.

2:14 PM Commissioner Gittens Q: Are there statistics for when an individual is sent up to medium or maximum from minimum security detention?

- A: We now have a higher threshold to return individuals to a higher classification. If there are drugs, violence or a threat to the population they most likely be raised from minimum to medium.

The non-discretionary overrides which presented the irregularities, are most frequently impacted by code C, alternative civil commitments, or the likelihood that they will flee.

- Roughly 18% of the total study population (1370 people) had Code C violations.

2:28 PM Commissioner Rini Q: Does the list of non- discriminatory override restrictions have the same oversight as the rest of the classification? How do we compare to other states, given that we have a comparably lower number of individuals in minimum?

- A: Yes, the restriction list is reviewed at the national level. And out of the other 24 states we surveyed, we found Massachusetts to be one of the least conservative states, with a stronger focus on behavior while in incarceration. Other states also have secure minimum security facilities, unlike the Commonwealth.

2:29 Commissioner Cabrall Q: Is there a system to measure the capability for step-down?

- Commissioner Jenkins A: We are working between the DOC and the Sheriffs to step down people, but the length of sentencing and the needs of an inmate can sometimes limit the possibility of stepping down.

2:33 Commissioner Gittens Q: Are you including recidivism data in this study?

- A: people who have stepped down from lower security have lower rates of recidivism. However, there is a complex relationship between the recidivism rates from a minimum security individual and the risk factors that keep someone in medium until release.

2:41 PM Commissioner Hudson Q: I would recommend that there be an option to release on furlough at every institution, but minimum security also provides a better preparation for release. Historically the limited availability of minimum security has been designated to white inmates, how are we incorporating historic biases in this prediction?

- The discretionary overrides are made by professionals who have hands on experience with the inmate, but this a wider overview of data and cannot discuss the intricacies of each case.

### **Ending Notes:**

2: 45 PM Senator Brownsberger: Commissioner Jenkins can you please summarize the key points of this presentation?

- The DOC does have room in minimum security facilities but there are often factors that keep people in medium before release, including flight risk, medical needs, and programming availability.
- Please forward any question to the committee chairs or their staffs.
- Claire Mazzington: Legal Advisors Committee: We are overclassifying to medium, 30% over the national average. The lack of infrastructure needs to be addressed, and the predictive accuracy shows the overclassifications.
  - o Subsequently the risk of flight cannot be measured.
- Future Meetings:
  - o The next commission will meet on February 9<sup>th</sup> to discuss parole.
  - o The following meeting can be a second public hearing, specifically for incarcerated individuals and alternative groups.
- Facility Visits:
  - o The Duke's visit is on for this Friday.

- The Suffolk visit is 1/23/26, followed by the Berkshire's, Hampshire and Franklin facility, with the possibility of an overnight trip.
  - We would appreciate RSVPs.

**2:59: Moved to Adjourn**