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Senator William N. Brownsberger and Representative Daniel J. Hunt
Co-Chairs
Special Commission on Correctional Consolidation and Collaboration

July 22, 2026

RE: UMass Prison Classification Project - Clarification to Recent Testimonies

Dear Senator Brownsberger and Representative Hunt:

My colleague, Dr. Gina Vincent, and I from the Law & Psychiatry Program in the Department of Psychiatry and Behavioral Sciences at the University of Massachusetts Chan Medical School (UMass Chan) wish to submit this letter to the *Special Commission on Correctional Consolidation and Collaboration*. This letter clarifies aspects of our January 12, 2026 testimony about findings from our MA Department of Correction (DOC) classification study and responds to recent testimonies submitted to the *Special Commission* by the Women & Incarceration Project and Mental Health Legal Advisors Committee. Their letters were well-stated, and we admire their dedication to this important issue. That said, they also made us aware of several points that warrant clarification to ensure our data are not misinterpreted. This is particularly important as the *Special Commission* moves toward its final report and recommendations this fall.

As a refresher, our research is part of an ongoing partnership with MA DOC to examine the predictive accuracy, racial neutrality, and feasibility of its prison classification system. We developed this project in response to the *2022 Special Legislative Commission on Structural Racism in Correctional Facilities in the Commonwealth*. It evaluates how accurately the classification system identifies risk for institutional misconduct and whether the accuracy is similar across racial and ethnic groups. Of note, the findings are based on the prior version of MA DOC's Objective Point Base Classification System. At the outset of our partnership in January 2024, MA DOC had already initiated a separate revalidation process consistent with national standards, which led to revisions implemented on May 19, 2025. Our analyses do not assess this updated system, which is the focus of our current work.

In this letter, we elucidate and respond to the concerns raised in response to our testimony, sticking only to the concerns that can be addressed by data. The following terms are used throughout:

- **Scored Custody Level** - A preliminary custody level set by the classification instrument, before any overrides are applied.
- **Override-Informed Custody Level** - The final custody level assigned after applying any applicable discretionary or non-discretionary override(s) to the preliminary scored custody level.

- **Discretionary Override** - A departure (higher *or* lower) from a scored custody level based on professional judgment of classification staff.
- **Non-Discretionary Override** - A departure (higher) from a scored custody level based on MA DOC policy that restricts or limits the custody level of incarcerated individuals. These cannot be disregarded.

Clarification 1: "**DOC significantly overclassifies people to medium security and under classifies them to minimum security**" & "**Widespread over-classification is the clear finding presented by the UMass team**" (*prior statements from Mental Health Legal Advisors Committee and Women & Incarceration Project, respectively*). Concerns about overclassification are clearly important. Yet, claims of "overclassification" require greater specificity. Our findings do not support a broad conclusion that MA DOC's prior Objective Point Base Classification System was arbitrarily overclassifying incarcerated individuals. MA DOC classification is not a single system. In fact, there are four distinct classification systems, and our findings were not the same across each. It is important to distinguish whether the concern relates to initial classification at intake or to reclassification over time, and whether it applies to male or female populations. These systems have distinct processes with different purposes and practices. As we presented to the *Special Commission*, our analyses show that both the MA DOC's initial classification and reclassification **instruments**, which generate preliminary custody levels, perform well across male and female custody populations. They meaningfully differentiate individuals at higher versus lower risk of institutional misconduct and do so similarly across racial and ethnic groups. In short, the underlying instruments themselves are accurate in how they assess misconduct risk.

It is true that a notable proportion of individuals were moved to higher custody levels (e.g., from minimum to medium or from medium to maximum) after preliminary scoring. For example, 48% of males and 55% of females at initial classification were assigned to a higher custody level than set by the instrument. On the surface, this pattern could create the perception of overclassification. However, the field of risk screening and assessment does not support characterizing these results as overclassification without considering the outcome the instrument is designed to predict. In this context, any assessment of overclassification should be tied to misconduct outcomes. For both male and female **initial** classification, we found that the scored and override-informed custody levels had strong accuracy, and the accuracy was similar across racial and ethnic groups. In short, incarcerated individuals at initial classification were placed in custody levels (whether by the instrument or via overrides) that appropriately aligned with their assessed risk of institutional misconduct. In contrast, **reclassification** is where we found more nuanced findings as it relates to overclassification, particularly regarding the impact of certain non-discretionary overrides on final classification decisions.

Of note, our multidisciplinary project team, which included a national expert in prison classification, observed that MA DOC's instruments assign comparatively lower preliminary custody levels than classification systems used in other states. They have considerably more individuals scoring into minimum security than other states because the instrument scoring is, on average, less restrictive. At the same time, we urge caution in making direct comparisons across jurisdictions, as classification systems vary widely in their design, policy constraints, and available placement options. These comparisons can be more akin to comparing different systems than drawing like-

for-like conclusions. In the MA DOC context, upward changes in custody levels may reflect expected adjustment rather than systemic inflation.

Clarification 2: **"The distinction between discretionary and non-discretionary overrides is somewhat artificial"** (*prior statement from the Women & Incarceration Project).* Much of the discussion in recent testimonies appears to conflate the scored custody level produced by the classification instrument with the final custody level assigned after applicable discretionary and non-discretionary overrides are applied. This distinction is critical. The classification process is intentionally multi-layered. The scored level from the instrument provides a preliminary assessment of misconduct risk. Discretionary and non-discretionary overrides are then applied, which are widely recognized—including by the National Institute of Corrections—as an essential component of classification systems. These overrides allow agencies to adjust placement through professional judgment (discretionary) or policy restrictions (non-discretionary). Importantly, discretionary overrides can result in movement to either higher or lower custody levels.

Our study examined how different types of overrides function in practice. As mentioned, the override-informed custody level at initial classification remained accurate and met scientific standards. This was true for both male and female populations. The concerns about overrides are limited to reclassification:

⇒ For males, a few policy-related restrictions (i.e., non-discretionary overrides) reduced the predictive accuracy of reclassification decisions for medium custody and disproportionally restricted low-risk White males from being placed into Minimum security facilities.

⇒ For females, while the final custody levels during reclassification showed reduced predictive accuracy in the prediction of misconduct overall, there was no evidence that the custody levels decided by MA DOC through discretionary and non-discretionary overrides were biased across race or ethnicity.

When examining the reclassification samples overall, the most frequently applied minimum custody restrictions are concentrated among a small number (*full definitions of these restrictions are provided at the end of this letter*):

- Males: Code C – possible civil commitment, sex offenses & offenses with sex intent pursuant to MGL c.123A (18%); Code E – life without parole (10%).
- Females: Code H – loss of life crime, excluding those who committed their crime before the age of twenty one (14%); Code E – life without parole (9%).

The Women & Incarceration Project expressed concern that **"Code C – civil commitment – is applied to 18% of the total DOC male population and accounts for most of the degradation in accuracy of the risk predictions",** arguing that this **"raises concerns about discrimination against people with mental health and substance use disorder conditions."** Code C (Civil Commitment) is unique to the Massachusetts context and is driven by MGL c.123A, which governs the care and management of individuals designated as sexually dangerous persons. Among the incarcerated males subject to Code C in the reclassification sample (18%; 1,393 out of 7,611), 72% had a sex offense as their governing offense, while only 5% had an open mental health case. Code C is not a mental health or substance use issue. It includes individuals with sex offenses and those who have been identified as having an offense with sex intent. Code C was the primary factor reducing predictive accuracy of final custody

level decisions in the male reclassification sample, largely because it prevented otherwise eligible individuals—disproportionately White males with a sex offense or an offense with sex intent—from being assigned minimum custody. Consequently, these individuals with a Code C restriction remained in Medium security facilities. When males affected by this restriction were removed from our analyses, the predictive accuracy of final custody level decisions substantively improved and met scientific standards, and the differences in predictive accuracy across racial and ethnic groups disappeared.

Although we have heard concerns that subjective decision making leads to adverse classification outcomes, our findings do not support this. The reduced predictive accuracy was not driven by discretionary overrides. These overrides occurred infrequently. Among females, discretionary overrides to higher custody occurred in approximately 6% of reclassification cases and to lower custody in less than 1%. Among males, discretionary overrides occurred in about 8% of reclassification cases to higher custody and about 8% to lower custody. We emphasize this distinction because discretionary and non-discretionary overrides are often conflated. As discussed above, the observed effects are driven by a small number of policy-based (non-discretionary) restrictions, not by subjective or case-by-case decision making by MA DOC personnel.

Clarification 3: **"The UMass team suggested that 'only' 15% of people received discretionary overrides indicates that there is no racism"** (*prior statement from the Women & Incarceration Project*). Our project's conclusion on discretionary overrides was that a) discretionary overrides were rarely applied, and b) discretionary overrides did not degrade the predictive accuracy of classification decisions or lead to differences in accuracy by race. This is different than concluding "there is no racism." Our study was not designed to assess or draw conclusions about systemic racism, implicit bias, or discrimination. Interpreting our findings in that way goes beyond the scope of the data and can be misleading. Established research standards caution against making claims that extend beyond what the data can support (American Educational Research Association et al., 2014). Additionally, our analyses operate at the group level, meaning we can describe patterns in outcomes among individuals with similar classification decisions. Our study design cannot capture individual experiences, and our findings should not be interpreted as diminishing the lived experiences of those who have experienced bias or discrimination during prison classification.

Clarification 4: "**We review some of the studies in our report, and they indicate rather different findings than mentioned by the UMass team. The research shows that people who are released from lower level security have lower recidivism rates"** (*prior statement from the Women & Incarceration Project*). Our statement was that 'there is no compelling evidence individuals released from medium security have worse outcomes than individuals released from minimum security after accounting for an individual's risk level (from a risk assessment tool). As noted by the Women & Incarceration Project to the *Special Commission*, Gaes and Camp (2009) did find that incarcerated individuals randomly assigned to high security had significantly higher rates of returning to prison than those randomly assigned to low security level. This study compared maximum and minimum risk levels. We are not disputing that release from maximum security has poorer outcomes—meaning, evidence suggests it results in higher recidivism rates. Chen and Shapiro (2007) also examined the impact of security level on recidivism after accounting for individuals' scores on a classification tool. The applicability of this study is also limited. They

compared individuals in minimum security to everyone else. They found that scores on classification tools clearly predicted higher rearrest (*p.* 9). When attempting to tease apart whether rearrest was driven more by security level or risk score, they stated "…inconsistent statistical significance means we cannot be definitive about this conclusion" (*p.* 10), and "The absence of consistently statistically significant point estimates prevents us from definitively concluding that harsher confinement conditions increase the likelihood of recidivism, but these estimates give us reasonable power to reject strong negative effects of the cutoffs on recidivism" (*p.* 13) – which means they can be confident that higher levels of security do NOT lead to lower recidivism, but they cannot be confident that the reverse is true. More importantly, recent evidence suggests that variation in recidivism is more strongly associated with individuals' risk profiles than with the security level to which they are assigned:

- van Ginneken & Palmen (2023) found that after controlling for individual-level risk factors, the associations between the level of security from which one was released and recidivism disappeared.

- Yu and colleagues (2022) also found that after controlling for individuals' risk factors – differences in recidivism rates accounted for by the type of prison from which individuals were released diminished. They concluded that "The study highlights the importance of research designs that more fully adjust for individual-level confounding factors **to avoid over-interpretation of the variability in comparisons across prisons**".

In summary, existing evidence does not provide a compelling basis for concluding that release from medium security leads to better or worse recidivism outcomes than release from minimum security. **Risk scores, however, do predict recidivism**.

We hope these clarifications help ensure that our findings are interpreted within the scope of our project's data and inform the *Special Commission*'s deliberations as it develops its final recommendations. As noted, our study has not yet evaluated the revised Objective Point Base Classification System implemented by MA DOC in May 2025, and we would be pleased to provide additional information or discuss our work further if helpful.

Thank you for your attention to this matter and all you do for the Commonwealth.



Spencer G. Lawson, Ph.D.

cc: Gina. M. Vincent, Ph.D., Professor & Co-Director, Law & Psychiatry Program, UMass Chan

Definitions of Minimum Custody Restrictions Discussed in This Letter

Code C: Possible civil commitment - Incarcerated individuals who are subject to civil commitment post release are not to be considered for minimum or below.

Code E: Incarcerated Individual Serving Life Without Parole - Incarcerated individuals Serving Life Without Parole are not to be considered for minimum or below.

Code H: Incarcerated Individuals Currently Convicted of a Crime that Resulted in Loss of Life, excluding those who committed their crime before the age of twenty one (21), are not to be considered for minimum security unless either (1) the Parole Board approved a release plan and granted a positive parole vote which may include conditions which must be fulfilled before an incarcerated individual can be released, such as program completion or a specified amount of time to be served in lower security; or (2) are within three years of a defined release date.

Note. This letter includes definitions only for the restrictions discussed above. For a complete list of discretionary and non-discretionary overrides, please visit the Massachusetts Department of Correction's classification website.

References

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