



**The Commonwealth of Massachusetts
General Court**



January 16, 2024

Tina M. Hurley, Chair
Massachusetts Parole Board
12 Mercer Road
Natick, MA 01760

Daniel Nakamoto, Acting Executive Director
Massachusetts Parole Board
12 Mercer Road
Natick, MA 01760

RE: Future Collaboration Between the Parole Board and the CJRC

Dear Chair Hurley, esteemed Board Members, and Acting Executive Director Nakamoto,

On behalf of the Criminal Justice Reform Caucus (CJRC) and its Co-Chairs, Representative Mary S. Keefe, and Senator Jamie Eldridge, thank you for hosting us during your meeting with Legislators on October 20, 2023. In the 193rd Session, as part of our work to advance legislative, budgetary, and policy goals that would improve the Commonwealth's criminal justice system, we have been building relationships with a number of stakeholders. We are thankful to include the Parole Board - whose work is so vital to the just administration of Massachusetts' criminal laws and policies - as a key stakeholder with whom we are forging a connection. As we look ahead to 2024 and the upcoming Quarterly Meetings between the Parole Board and Legislators, we write to outline several issues that we wish to collaborate on.

1) Working with the County Houses of Correction and the Department of Correction

Our work this year alerted us to some parole-related issues that could be improved with better communication between the Parole Board and both the County Sheriffs who run County Houses of Correction (HOCs) and the Department of Correction (DOC) who run State facilities:

- As discussed in October, 50% of incarcerated people eligible for parole - 55% in HOCs and 37% housed in DOC facilities - waive their right to a hearing. This number needs to go down - can the Parole Board work with the HOCs and DOC to provide monthly data on this issue so we can track any improvements? Part of the high number today is due to many incarcerated people reporting that they do not feel prepared for their hearing once the time arrives. This can be solved with more parole preparation courses - whether run by outside groups or incarcerated peers - being allowed in facilities. We ask that the Parole Board work with facilities to bolster parole preparation courses and help ease any fear associated with the parole process.
- A parole candidate's education/programming record - the transcript of courses they took and completed while they were incarcerated - weighs heavily in any parole decision. However, the education/programming data supplied by the DOC to the Parole Board in advance of a hearing often does not fully reflect a candidate's efforts and experiences. The full scope of education/programming data is needed in order to accurately and appropriately evaluate candidates. This includes currently unreported information specific to a candidate - like whether they were waitlisted for a program they were unable to take and how long they were waitlisted for; as well as general data about the facility the candidate was incarcerated in - like how many people were enrolled in the programs available during the candidate's period of incarceration. We ask that the Parole Board work with the DOC to obtain this information for each candidate.
- Similarly, we would like the Parole Board to communicate and follow up with the DOC regarding any education/program offering that you recommend for a candidate before they return for their next hearing. Often, instead of prioritizing them, we hear of the DOC not accommodating the Parole Board's recommendations. Not giving candidates the opportunity to take a program that the Parole Board finds crucial to their rehabilitation is deeply problematic. Please work with the DOC to fix this issue.
- Additionally, we want to ensure that Parole officers are not being involved in arrests and raids of non-parolees or working with other law enforcement.

2) Revocation Issues

Many parolees report overly burdensome parole conditions and/or practices by their assigned parole officer that make their reentry much tougher than it has to be. Thus, we would like to work with you to address several policies and practices related to parole revocation:

- Currently, 79% of revocations are for technical violations - there were 254 instances of this in 2022, 21 per month. Please provide us with data that better details this issue - how many revocations are being handed out for each of the

eight categories? Generally speaking, we need to find a way to stop re-incarcerating people for violations that do not involve any new crime or violent offense.

- We heard during our meeting that over 90% of conditions related to substance and/or alcohol abuse are placed upon parolees by the Parole Board. Many times, the parolee does not have any related problem that would warrant such a condition. We ask that these conditions be imposed more judiciously.
- Parole Officers conducted 122,963 drug tests in 2022, an average of 10,247 per month. Parolees are often called in to take these drug tests at impersonal or impractical times that interfere with their jobs, living arrangements, or other important pieces of their attempt to rebuild their lives. We ask that drug test policies and schedules be implemented that are more respectful of the parolees.
- During our meeting in October, there was talk about “hot spots”, locations in our State that receive more attention from parole officers than others and thus result in more violations and revocations. Can you provide data on these “hot spots” - where are they, and how many parole officers are assigned to each one?
- Our offices hear from constituents who complain of certain individual parole officers who use particularly stringent and unduly burdensome practices. What is the grievance process when a parolee has a problem with their parole officer? What are the remedies? And how often has each remedy been needed?

3) Legislative Visits and Documentation of Parole Hearings

To further our mission of educating and catalyzing legislators on necessary reforms, we organize various events such as legislative briefings and prison visits. In support of these efforts, we kindly request that all parole hearings be audio taped, ensuring accountability, transparency, and providing essential documentation for future reference.

Moreover, participating in Parole Board hearings would offer us a valuable perspective on the criminal justice system. For example, seeing a classroom space at a carceral facility and then listening to how a parole candidate’s education/programming record plays into their hearing would deepen our understanding of issues and potential solutions. To facilitate this, we plan to organize a visit soon and will be in touch with you to coordinate dates.

Thank you once again for your time and attention to these matters. We appreciate your consideration of the issues outlined above and look forward to our continued collaboration in 2024.

With gratitude for all your work and service,

Sincerely,



The Commonwealth of Massachusetts
General Court

A handwritten signature in blue ink that reads "James B. Eldridge".

James B. Eldridge, Senate Co-Chair
State Senator
Middlesex and Worcester District

A handwritten signature in blue ink that reads "Mary S. Keefe".

Mary S. Keefe, House Co-Chair
State Representative
15th Worcester District