

DOC Expenditures and Staffing – FY 2018 – December 2018

When comparing FY 2016 with FY 2018, the total expenses increased by \$55,060,407 or 9.6%. The number of prisoner housed in Massachusetts prisons as of July 1st of each year, however, decreased by 643 or 6.9%. The resultant cost per prisoners, when comparing FY 2016 and FY 2018, rose by \$10,801.68 or 17.7%.

The average cost each meal per prisoner in FY 2018 was \$1.44. This was an increase of 1 cent from FY 2017. The average cost per meal per prisoner was calculated by the Lifers' Group Inc. by dividing the total food expense for the year by 365, then by 3, and then by the total facility population count as of July 1st of each year. The Total Facility Count decreased by 4% from July 1, 2017 to July 1, 2018, yet the cost per meal rose by one cent, while the total Inmate Food costs decreased by 2.2%.

A ratio the MA DOC has been leading the nation in for decades is the number of FTEs to the number of prisoners. In Fiscal Year 2018, that position was enhanced. In FY 2016, the ratio was: 1 FTE for every 1.92 prisoners held in Massachusetts on July 1st of that year. In FY 2017, that ratio was: 1 FTE for every 2.08 prisoners. In FY 2018, however, the ratio of FTEs to prisoners dropped to 1 FTE for every 1.88 prisoners.

The MA DOC continues to be way ahead or behind, based on how one chooses to interpret the data, compared to state and federal ratios of FTEs to prisoners. Those ratios are five times higher than the MA DOC. In other states and the federal prison system, the ratio of FTEs to prisoners is around 1 FTE for every 10 prisoners.

This difference is even greater when one considers the ratio of Protective Service FTEs to prisoners. In FY 2018 in the MA DOC, that ratio was 1 Protective Service FTE for every 2.59 prisoners, a slight decrease from FY 2017 when the ratio was 1 Protective Service FTE to 2.62 prisoners. For comparison, the average for state prisons is: 1 Protective Service FTE for every 4.9 prisoners and in the federal system the ratio is 1 Protective Service FTE for every 10 prisoners.⁷

Another ratio the Lifers' Group Inc. had calculated in previous years was the ratio of the Education Staff to prisoners. In FY 2017, that ratio was 1:140, up from 1:119 in FY 2016. In FY 2018, however, the Lifers' Group Inc. was not able to calculate this ratio as the specific number of the Education Staff was not broken out. Rather, the number was embedded in the total Professionals category and, therefore, unavailable.

⁷ See *MA DOC Expenditures and Staffing Levels 2017* published by the Lifers' Group Inc.

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6. Conclusion

One indicator of the priorities of an agency like the MA DOC is to examine where it spends its money. The number of FTEs decreased, yet Employee Expenses increased by 1%. In FY 2018, sixty-seven cents of every dollar spent by the MA DOC went to employees. The funds spent on Inmate Programs did increase in FY 2018, but the MA DOC continues to spend less than two cents of every dollar on programs for prisoners.

In FY 2018, the DOC exceeded the \$600 million threshold for the first time, despite a shrinking prisoner population. Given the increasing amount of taxpayers' money spent by the DOC, one would expect that the recidivism rate would decrease significantly. Yet, that is not the case as the recidivism rate continues to hover at 32%.⁸

The recidivism rate is not as clear cut as it may seem, however. Some prisoners are returned after committing new crimes; others because either the Parole Board or the Probation Department returned them due to their contravening certain provisions attached to their parole or probation status, but not for new crimes. These breaches are termed technical violations for such things as alcohol or drug use or possession or associating with known felons. The MA DOC has no input regarding such returnees. The MA DOC's role is to house these prisoners until they are released again.

In 2015, of the 753 returnees, 157 (147 by the Parole Board and 10 by the Probation Department) or 20.9% were for technical violations. Excluding those returned for technical violations, the recidivism rate would have dropped from 32% to 27%.⁹

In 2017, of the 771 returnees, 151 (141 by the Parole Board and 10 by the Probation Department) or 19.6% were returned for technical violations. Once again, excluding those returned for technical violations, the recidivism rate for 2017 would have dropped from 32% to 27%.¹⁰

Returning prisoners for technical violations is an expensive proposition for the MA DOC. For instance, in 2018, at a cost of \$71,191.86 per prisoner for the year,

⁸ See: *Prison Population Trends 2017*. Massachusetts Department of Correction, Research and Planning Division. March 2018. at 46. This report and others published by the MA DOC can be accessed at: www.mass.gov/inmate-and-prison-research-statistics.

⁹ See: *Prison Population Trends 2015*. Massachusetts Department of Correction, Research and Planning Division. March 2018. at 48.

¹⁰ See: *Prison Population Trends 2017*, *supra* at 49.

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holding the 151 technical violators for one day cost \$29,451.73, \$206,730.21 for one week, \$895,830.91 for one month, and \$10,749,970.86 for one year.¹¹

It would seem that a much more cost effective means would be for the Parole Board and the Probation Department to establish facilities where technical violators would be required to spend nights and/or weekends to receive treatment. That would not only save funds expended by the MA DOC to house these returnees, but also allow the technical violators to maintain jobs and family relations, both of which are usually irreparably destroyed once a technical violator has been returned to prison.

Prisoners serving life sentences totaled 2,015 or 23.1% of the MA prison population as of July 1, 2018.¹² This was an increase of 24 or 1.2% from July 1, 2017 when lifers comprised 21.9% of the MA prison population.¹³ The significance of the number of lifers housed in the MA prison system manifests itself in several ways.

First, Employee Expenses could be considerably reduced if significantly more lifers, as the Lifers' Group Inc. has advocated for several years, were employed in meaningful positions within the institutions. In the 1980's, lifers and other talented prisoners were employed to teach basic courses in schools, as well as to provide electrical, plumbing, painting, masonry, and carpentry services under the supervision of a professional, licensed, master craftsman. It is time to return to that 1980's concept. This would provide needed services at lower costs without reducing quality. And, prisoners would receive training in employable skills which would assist them in becoming productive citizens upon their release. An ancillary benefit would be that employing and training prisoners willing to work could have a positive impact on reducing the recidivism rate, once those prisoners rejoined society with employable skills.

Another expense category which decreased in funds spent was Inmate Food, a drop of 3.2%. On the other hand, funds spent on Inmate Health costs increased by 17.3%, after an increase of 22.1% in FY 2017.

The concomitant drop in food costs would have been expected, given that the number of prisoners decreased by 4.1%. But, there is a corollary here. One reason for the significantly continued large increase in Inmate Health costs is that there has been a noticeable increase in the serving of non-nutritional, processed foods,

¹¹ The costs were calculated by the Lifers' Group Inc.

¹² See: *MA Institutional Fact Cards – July 2018*.

¹³ See: *MA Institutional Fact Cards – July 2017*.

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loaded with carbohydrates and sodium. The question that remains is: Does the trade-off in lower food costs account in part for the higher medical costs?

A second reason for the 17% increase in Inmate Health costs is the continued lack of action by the MA DOC and the legislature to address the endemic crisis regarding the growth of the elderly population in the MA DOC which has been defined by most researchers as those prisoners age 50 and over. Studies abound which demonstrate that older prisoners incur two to three times the medical related expenses as younger prisoners.¹⁴

The number of prisoners age 50 and over under Massachusetts jurisdiction totaled 2,476 on January 1, 2018.¹⁵ This age grouping comprised 27% of the total prisoner population, an increase from 25% in 2016.¹⁶ As was noted in the 2017 MA DOC Prison Population Trends report, there is a “continued aging of the population, particularly among male inmates.”¹⁷ Crime may be a young man’s game, but prison is increasingly a very expensive old man’s game.

While the legislature in 2018 enacted a medical release bill, the MA DOC has been slow in implementing its provisions. The intent of the legislature was to move disabled and terminally ill prisoners out from behind prison walls and barbed wire to less expensive facilities. That has not occurred. As of December 2018, the Lifers’ Group Inc. is aware of only one prisoner who received a medical release for being terminally ill, after several petitions and having filed a civil action. That prisoner died less than two weeks after his release.

The Lifers’ Group Inc. welcomes all comments, criticisms, and/or questions concerning this report. Please direct all such comments, criticisms, and/or question to: Gordon Haas, Chairman, Lifers’ Group Inc., MCI-Norfolk, P.O. Box 43, Norfolk, MA 02056.

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¹⁴ See: *MASS(incarceration) of the Elderly*. Lifers’ Group Inc., Dirk Greineder, Vice Chairman, April 2016.

¹⁵ See: *Prison Population Trends 2017*, Massachusetts Department of Correction, Research and Planning Division. March 2018. at 19.

¹⁶ See: *Prison Population Trends 2015*, *supra* at 19.

¹⁷ See: *Prison Population Trends 2017*, *supra* at ii.