

**PUBLIC TESTIMONY ON THE NEED FOR TRANSPARENCY ABOUT SHERIFF'S
FINANCES**

Submitted to: The Special Commission on Department of Correction and Sheriff's Department
Funding

March 4, 2021

Dear Co-Chairs Brownsberger and Day and all Members of the Commission:

We residents of Middlesex County call on you to require the necessary transparency from Sheriffs' Departments about their finances.

The Legislature requires the Massachusetts Sheriffs' Association to report annual costs, fees, revenues, and expenditures for all facilities, yet we had to file and then appeal a public records request to our county Sheriff to get this information.

The utter lack of transparency about Sheriffs' income streams and spending is longstanding. As outlined in more detail in the attached letter, we call on the Commission to recommend that funding be contingent upon clear comprehensible accounting to the Legislature and to the public, and that if the Sheriffs do not comply with such reporting requirements, that their funding be cut or at the least frozen.

Sincerely,

Eliza Kaplan, Cambridge
Jude Glaubman, Cambridge
Aryam Kifle, Newton
Rachel Roth, Arlington
Elizabeth Whalley, Watertown
Sarah Koolsbergen, Belmont
Hannah Long, Arlington
Janet Donovan, Lexington
Betsey Chace, Cambridge
Abigail Husselbee, Winchester

Encl.

Dear members of the Commission,

We are a group of Middlesex constituents concerned that the Massachusetts Sheriffs Association (MSA) is not fulfilling its fundamental mandate to provide coordinated statewide data. The MSA was established specifically for that purpose, and in 2016, the State Auditor found that the MSA was failing in its transparency and reporting requirements.^[i] As you begin the process of crafting the budget for FY2022, we urge you to ensure that the MSA provides the Legislature, and the public, with all data needed to inform your decisions or to consider sanctions.

The Legislature has increased the sheriffs' budgets each year, despite the steadily decreasing number of people in custody. Staff size and staff salaries at prisons and jails has grown. (Middlesex, for example, had 1 full time employee to 1.19 persons in custody in FY19.)

The time is now to take a fresh, critical look at the budgets the Legislature has been allocating. For example, sheriffs are resisting the broadly popular No Cost Calls bill, asserting they need the money for programming.

We formed this volunteer group of Middlesex constituents to garner support for the No Cost Calls bill and to respond to the opposing position taken by the sheriffs. Over 1,300^[ii] residents of Middlesex County signed on to our letter to Sheriff Koutoujian, then president of the MSA. We copied you on that letter of November 12, 2020^[iii] and included a letter of support for the bill from a coalition of over 100 organizations^[iv], citing the dual crises--a global pandemic and subsequent economic disaster--as the reasons for the urgency of this effort to *keep families connected*. Given the over-representation of people of color in jail, staying connected to loved ones is a matter of racial justice.

Our concerns follow from several months of trying to work with the MSA via emails, meetings and public records requests to obtain the financial data on which they claim to base their opposition to the No Cost Calls legislation. Given the information we have collected to date, or lack thereof, we take the position that the Massachusetts Sheriffs' Association is not fulfilling its mandate to provide data on the Sheriffs' revenues and expenditures and is spending our tax dollars on lobbying for increased funding. We have seen no evidence that statewide, coordinated data exists. Further, we have yet to see evidence that the comprehensive, mandated reports have been submitted to you, as required by law.

We urge you to hold the individual sheriffs and their association accountable. We believe the funding that the legislature is providing to the Massachusetts Sheriffs' Association, as well as the budgets for the county sheriffs' operations, should be reconsidered and reallocated in the FY2022 budget. Since the sheriffs' financial argument against No Cost Calls is based on these invisible numbers, this argument must also be rejected.

Increasing connections between incarcerated people and their loved ones by providing No Cost Calls is the most important program to be funded by our state. Sheriffs, however, are fighting to maintain exorbitant telephone fees and the substantial proceeds they reap, claiming they cannot offer programming without them, while, in fact:

1. Much prison and jail programming is planned and delivered by volunteer organizations. Programming is a diminishing priority within an increasing budget. A 2017 study of correctional spending in Massachusetts found that county sheriffs spend less than 2 percent of their budget on programming. From 2011 to 2016, the sheriffs' budgets increased, yet the number of employees assigned programming duties declined 14 percent.^[v]
2. No programming was offered for most of the last year.
3. Meaningful data on how sheriffs are spending their enormous budgets is not available.
4. Sheriff Koutoujian, for example, included in his “programming” category certain essential medical services such as HIV/AIDS treatment.

The exorbitant costs of phone calls from county jails are borne by our most marginalized families. Funding for programming should not come from exploiting the most marginalized families in the Commonwealth. New York City's correctional budget, similar in size to that of Massachusetts, covers no cost phone calls through a communications company with the appropriate equipment to monitor calls (a safety feature which the Massachusetts sheriffs have insisted would be lost if the Legislature enacts No Cost Calls). Further, overtime costs and the ratio of personnel to supervisors could be addressed more immediately if sheriffs had an option to encourage senior supervisors to retire early, replacing those officers with entry-level corrections officers. This would favorably affect the ratio of officers to supervisors, reduce total salaries, and provide additional officers to reduce the need for overtime in sheriffs' offices.

We can provide more details about our attempts to get data from MSA Executive Director Carrie Hill and from the Middlesex County Sheriff's Office, if that is useful to you. **Our conclusion is that Massachusetts sheriffs and the MSA have gone unchecked for too long and are not providing you and your legislative colleagues with the required data that is essential to your deliberations on the FY2022 budget.**

^[i] [Audit Finds Massachusetts Sheriffs' Association Falling Short of Transparency Requirements](#)

^[ii] To date, we have collected **1,764 signatures from supporters** of No Cost Calls in Middlesex County. We want our tax dollars, not the families who can least afford it, to pay for phone calls. We know that phone calls, especially now that visits to prisons and jails have been suspended or are impractical, are crucial to ensuring that families who are separated by incarceration can stay in touch.

^[iii] [Letter to Sheriff Koutoujian signed by 1,413 constituents](#)

[\[iv\] Group Letter to MA re: No Cost Calls Legislation S.2846](#)

[\[v\] Forman, B., & Widmer, M. \(2017\). Getting tough on spending: An examination of correctional expenditure in Massachusetts. Boston, MA](#)