

Justice Reinvestment in Massachusetts

Overview



JANUARY 2016

Background

During the summer of 2015, Massachusetts state leaders requested support from the U.S. Department of Justice's Bureau of Justice Assistance (BJA) and The Pew Charitable Trusts (Pew) to use a "justice reinvestment" approach to develop a data-driven policy framework to reduce corrections spending and reinvest savings in strategies that can reduce recidivism and improve public safety. As public-private partners in the Justice Reinvestment Initiative (JRI), BJA and Pew approved the state's request and asked The Council of State Governments (CSG) Justice Center to provide intensive technical assistance to help collect and analyze data and develop appropriate policy options for the state.

State leaders established the CSG Justice Center-Massachusetts Criminal Justice Review, a project led by a bipartisan, interbranch steering committee and working group to support the justice reinvestment approach. The five-member steering committee is composed of Governor Charlie Baker, Lieutenant Governor Karyn Polito, Chief Justice Ralph Gants, Senate President Stan Rosenberg, and House Speaker Robert DeLeo. The 25-member working group includes designees from all three branches of government and state and local criminal justice stakeholders. The steering committee and working group will work with the CSG Justice Center and provide leadership and guidance throughout this project.

Over the course of the project, CSG Justice Center staff will conduct a comprehensive analysis of extensive data sets collected from various state agencies and departments within the branches of government to build a broad picture of statewide criminal justice trends. CSG Justice Center staff will also facilitate focus groups and interviews with people working on the front lines of the Massachusetts criminal justice system. The steering committee has established that the initial scope of the project will include investigating the drivers of incarceration, identifying recidivism trends across the system, and assessing the effectiveness of community supervision. The steering committee and working group will develop policy options for the legislature's consideration based on the findings from the quantitative and qualitative analyses of these areas.

STEERING COMMITTEE

Charlie Baker, Governor, the Commonwealth of Massachusetts
Robert DeLeo, House Speaker, Massachusetts House of Representatives
Ralph Gants, Chief Justice, Supreme Judicial Court
Karyn Polito, Lieutenant Governor, the Commonwealth of Massachusetts
Stan Rosenberg, Senate President, Massachusetts Senate

WORKING GROUP

Co-Chairs

William Brownsberger, State Senator, Second Suffolk and Middlesex District
Paula Carey, Chief Justice, Massachusetts Trial Court
John Fernandes, State Representative, Tenth Worcester District
Lon Povich, Chief Legal Counsel, Office of the Governor

Members

James G. Hicks, Chief, Natick Police
Anthony Benedetti, Chief Counsel, Committee for Public Counsel Services
Daniel Bennett, Secretary, Executive Office of Public Safety and Security (EOPSS)
Frank Cousins, Sheriff, Essex County Sheriff's Department
Cynthia Creem, State Senator, First Middlesex and Norfolk District
Paul Dawley, District Court Chief Justice, Massachusetts District Court
Edward Dolan, Commissioner, the Office of the Commissioner of Probation
Judith Fabricant, Superior Court Chief Justice, Massachusetts Superior Court
Randy Hunt, State Representative, Fifth Barnstable District
Peter Koutoujian, Sheriff, Middlesex County Sheriff's Department
Christopher Markey, State Representative, Ninth Bristol District
John E. McDonald Jr., First Justice, East Boston, Boston Municipal Court
Joseph McDonald Jr., Sheriff, Plymouth County Sheriff's Department
Carol Mici, Assistant Deputy Commissioner, Classification, Programs & Reentry, Department of Corrections
Michael O'Keefe, District Attorney, Cape and Islands
Colin Owyang, Deputy Attorney General, Office of the Attorney General
Debra Pinals, Associate Commissioner, Forensic Mental Health Services, Department of Mental Health
Jennifer Queally, Undersecretary, Law Enforcement, EOPSS
Daniel Racine, Chief, Fall River Police Department
Paul Treseler, Chairman, Massachusetts Parole Board
Leslie Walker, Executive Director, Prisoners' Legal Services

The Justice Reinvestment Approach

Step 1: Analyze data and develop policy options

Under the direction of the steering committee and working group, CSG Justice Center staff will conduct a comprehensive analysis of crime, arrest, diversion, pretrial, conviction, sentencing, probation, community corrections, prison, parole, behavioral health, and recidivism data, using hundreds of thousands of individual data records.

To incorporate perspectives and recommendations from across the state, the CSG Justice Center will collect input from criminal justice system stakeholders, including district attorneys, defense attorneys, judges, law enforcement executives, supervision officers, behavioral health service providers, victims and their advocates, local officials, and others.

CSG Justice Center staff will work with the steering committee and working group to review the analyses and develop data-driven policy options focused on reducing recidivism, improving supervision, and increasing public safety. Policy options will be available for the legislature's consideration by 2017.

Step 2: Adopt new policies and put reinvestment strategies into place

If the policy options are enacted as legislation, the CSG Justice Center will work with Massachusetts policymakers for a period of 24 to 36 months to translate the new policies into practice. This assistance will help ensure that related programs and system investments are implemented using the latest research-based, data-driven strategies and achieve projected outcomes. CSG Justice Center staff will develop implementation plans with state and local officials, provide policymakers with frequent progress reports, and deliver testimony to relevant legislative committees. Massachusetts will also have the opportunity to apply for federal grant funding to meet important one-time implementation needs, such as information technology upgrades and ongoing quality assurance outcomes.

Step 3: Measure performance

Finally, the CSG Justice Center will continue to assist Massachusetts officials to identify metrics to assess the impact of enacted policies on crime, incarceration, and recidivism rates, and to develop the strategies to monitor these outcomes. Typically, this includes a “dashboard” of multiple indicators that make it easy for policymakers to track the changes occurring in various components of the criminal justice system.



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The Council of State Governments (CSG) Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. The CSG Justice Center's work in justice reinvestment is done in partnership with The Pew Charitable Trusts and the U.S. Department of Justice's Bureau of Justice Assistance. These efforts have provided data-driven analyses and policy options to policymakers in 22 states. For additional information about Justice Reinvestment, please visit csgjusticecenter.org/jr/.



Research and analysis described in this report has been funded in part by the public safety performance project of The Pew Charitable Trusts. Launched in 2006, Pew's public safety performance project seeks to help states advance fiscally sound, data-driven policies and practices in sentencing and corrections that protect public safety, hold offenders accountable, and control corrections costs. To learn more about the project, please visit pewtrusts.org/publicsafety.

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