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| ***Massachusetts Department of Correction***  Mandatory Minimum Sentences, Active Population January 2, 2017 |
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As depicted in Table 1, below, on January 2, 2017, there were 8,634 criminally sentenced offenders in the Massachusetts Department of Correction (MA DOC). Offenders serving a mandatory minimum sentence accounted for 40% of the criminally sentenced population. More than 20% of the total criminally sentenced population was offenders serving a governing mandatory minimum sentence for a person offense. The offense categories of Drug and ‘Other’[[1]](#footnote-1) have a higher number of offenders serving a governing mandatory than non-mandatory.

**Table 1:**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **MA DOC Criminally Sentenced Population on January 2, 2017 by Offense Category** | | | | | | |
|  | **Serving a Mandatory Minimum Governing Sentence by Offense Category** | | **Not Serving a Mandatory Minimum Governing Sentence by Offense Category** | | **Total** | |
| Offense Category | Number of Inmates | Percent of Criminally Sentenced Population | Number of Inmates | Percent of Criminally Sentenced Population | Number of Inmates | Percent of Criminally Sentenced Population |
| Person | 1,937 | 22% | 2,774 | 32% | 4,711 | 55% |
| Sex | 106 | 1% | 1,157 | 13% | 1,263 | 15% |
| Drug | 868 | 10% | 379 | 4% | 1,247 | 14% |
| Other Crimes | 520 | 6% | 195 | 2% | 715 | 8% |
| Property | 3 | 0% | 695 | 8% | 698 | 8% |
| Total | **3,434** | **40%** | **5,200** | **60%** | **8,634** | **100%** |

The majority of offenders serving a mandatory minimum sentence were person offenders, accounting for 56% of the mandatory minimum offenders. The second largest offense category was drug (25%).

**Table 2:**

|  |  |  |
| --- | --- | --- |
| **MA DOC Criminally Sentenced Population on January 2, 2017 Serving a Governing Mandatory Minimum Sentence by Offense Category** | | |
| **Offense Category** | **Number of Inmates** | **Percent** |
| Person | 1,937 | 56% |
| Drug | 868 | 25% |
| Other Crimes | 520 | 15% |
| Sex | 106 | 3% |
| Property | 3 | 0% |
| **Total** | **3,434** | **100%** |

The percentage of White, Black, and Hispanic offenders serving a mandatory minimum as a percent of the total criminally sentenced population is similar, with only 3 percentage points between these groups. In contrast, 28% of White offenders are serving a non-mandatory sentence, compared to only 15% of Black and Hispanic offenders.

**Table3:**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **MA DOC Criminally Sentenced Population on January 2, 2017 by Race/Ethnicity[[2]](#footnote-2)** | | | | | | |
|  | **Serving a Mandatory Minimum Governing Sentence** | | **Not Serving a Mandatory Minimum Governing Sentence** | | **Total** | |
|  | Number of Inmates | Percent of Total Criminally Sentenced Population | Number of Inmates | Percent of Total Criminally Sentenced Population | Number of Inmates | Percent of Total Criminally Sentenced Population |
| White | 1,222 | 14% | 2,430 | 28% | 3,652 | 42% |
| Black | 1,108 | 13% | 1,334 | 15% | 2,442 | 28% |
| Hispanic | 984 | 11% | 1,307 | 15% | 2,291 | 27% |
| Asian | 69 | 1% | 56 | 1% | 125 | 1% |
| Native American | 22 | 0% | 26 | 0% | 48 | 1% |
| Other | 29 | 0% | 47 | 1% | 76 | 1% |
| **Total** | **3,434** | **40%** | **5,200** | **60%** | **8,634** | **100%** |

Table 4 displays the race/ethnicity of offenders sentenced for a mandatory minimum drug offense. Of the 868 offenders currently serving a governing mandatory minimum drug sentence, 420 (48%) are Hispanic, 420 (27%) are Black, and 198 (23%) are White.

**Table 4:**

The number of day difference between minimum and maximum term is shown in Table 5. Of those offenders serving a mandatory minimum who were not serving a life sentence (n = 1,591), 43% (n = 677) had a one day difference between their minimum and their maximum sentence.

More than half of the offenders serving a governing mandatory minimum term were serving a life sentence[[3]](#footnote-3) (n = 1,843).

**Table 5:**

The following Table shows the county of the sentencing court for governing mandatory minimum offenders. As shown, 22% of the offenders were from a Suffolk County Court, followed by Middlesex County (15%), Hampden County (14%), and Essex and Bristol both with 10%.

**Table 6:**

|  |  |  |
| --- | --- | --- |
| **County of Sentencing Court for Mandatory Minimum Sentences** | | |
| **County** | **Number** | **Percent** |
| BARNSTABLE | 100 | 3% |
| BERKSHIRE | 78 | 2% |
| BRISTOL | 334 | 10% |
| DUKES | 2 | 0% |
| ESSEX | 358 | 10% |
| FRANKLIN | 34 | 1% |
| HAMPDEN | 477 | 14% |
| HAMPSHIRE | 34 | 1% |
| MIDDLESEX | 520 | 15% |
| NANTUCKET | 5 | 0% |
| NORFOLK | 142 | 4% |
| PLYMOUTH | 322 | 9% |
| SUFFOLK | 758 | 22% |
| WORCESTER | 270 | 8% |
| **Total** | **3,434** | **100%** |

1. The ‘Other’ offense category includes weapons offenses, motor vehicle offenses, deriving support from prostitution, and habitual offender offenses. [↑](#footnote-ref-1)
2. Offenders with a self-reported ethnicity of Hispanic are counted as Hispanic in the race/ethnicity category. [↑](#footnote-ref-2)
3. Includes first and second degree lifers. [↑](#footnote-ref-3)