

Mass. Department Of Correction Announces Intent To Do Away With Restrictive Housing



Inmates at MCI-Shirley take a walk on the prison grounds on March 22, 2018.

Christopher Burrell / GBH News

By Esteban Bustillos June 30, 2021

The Massachusetts Department of Correction [announced on Tuesday](#) that it intends to end its use of restrictive housing across state-run facilities over a multi-year process.

Although it's a milestone, activists are reserving judgment until there's more detail about how the state will carry out the process of doing away with the practice.

The state's announcement comes after an [independent report](#) from Falcon Inc., which recommended that the DOC eliminate restrictive housing as currently defined, along with several other suggestions on how the Department can improve.

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“This is an extraordinary step forward, and sets an example for other states also considering this important change in corrections,” Elizabeth Falcon, CEO and Founder of Falcon Inc, said in a statement. “Our colleagues in the Massachusetts DOC are working to significantly improve the lives and well-being of the people within its facilities, as well as the staff and professionals who provide services. We look forward to partnering in the implementation of these recommendations in the coming weeks and months.”

Elizabeth Matos, the executive director of Prisoners' Legal Services of Massachusetts, was more reserved about the announcement, saying there aren't a lot of details yet.

“Even the proclamation by the DOC that it intends to end solitary is progress in and of itself, but of course the devil is in the details and we'll have to see how things move forward from here,” she said.

In announcing that it plans to implement the Falcon Report's recommendations, the Department commits to ending solitary confinement — one form of restrictive housing — in the Department Disciplinary Unit (DDU). The DDU allows for up to 10 years of solitary confinement. It would be dissolved altogether over the next three years in order to match the report's recommendations. The timeline over which restrictive housing practices will be wholly, if at all, eliminated — defined as spending 22 hours per day, on average, confined in a cell — is not immediately apparent.

Matos said that she and others have been working on reducing and ending the use of solitary confinement for decades in what she describes as a “major battle.”

Massachusetts is in the minority of states, she said, that allows people to be placed in solitary for up to 10 years for disciplinary infractions. She added that there's plenty of evidence showing that restrictive housing, especially long-term solitary confinement, causes permanent psychological damage.

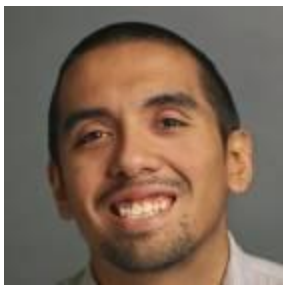
“Especially for people who already have some kind of mental health issue,” Matos said. “And we know that upwards of 80% of the incarcerated population, of people who find themselves in prisons and jails, are suffering from a mental health issue or a substance use disorder.”

Matos hopes the DOC will be open to input from the outside on how to carry out the process and said the announcement is something to be cautiously optimistic about.

“What we really need is a shift away from, again, this focus on punishment and control and really towards a major focus on treatment, rehabilitation and programming,” she said. “So that people are better equipped to succeed upon reentry, and not recidivate and not go back to prison. And, of course, be connected with more resources in the community so that we could really realize that goal.”

In a joint statement, State Reps. Brandy Fluker Oakley and Liz Miranda responded to the Falcon report, writing, “we cannot afford to wait another second longer when we are aware of the ongoing atrocities that have been going on for years. It is now time to act on the call to action.”

“The DOC should implement these changes in their entirety, effective immediately,” the statement read. “To address the atrocious findings in the Falcon Report, the department needs to both change their policies for the long-term and embrace reform through a culture shift and evidence-based best practices throughout the department.”

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Esteban is a reporter for GBH News. Born and raised in Texas, he interned at the *San Antonio Express-News*, NPR's "All Things Considered," and *The Dallas Morning News* before coming to Boston. He's a graduate of the University of Texas at Dallas, where he was the Editor-in-Chief of the student newspaper, *The Mercury*, and was a DJ for Radio UTD.