



Legislation Summary:

An Act establishing a correctional inspector general office

Initial Bill Number: [S.1548](#)

Bill Sponsor: Senator Liz Miranda

What the bill does, why LWVMA supports or opposes it, and the League position relative to this bill.

This bill establishes an office of the corrections inspector general (OIG) to protect the welfare of incarcerated people and all who work in corrections within the Department of Correction (DOC) and each county. **The corrections inspector general would be empowered to inspect, assess or examine any aspect of a correctional facility's operations or conditions.** Examples include:

- Incidents of assault, battery or sexual misconduct;
- Medical or mental health care and substance use disorder treatment;
- Conditions of confinement;
- Incarcerated persons grievance processes;
- Educational, vocational and other programming, and rehabilitation and re-entry practices; and
- Family visitation and visitation practices.

The Corrections OIG would be charged with monitoring DOC and county compliance with applicable federal, state, and local laws, rules, regulations and policies related to the health, safety, welfare and rehabilitation of incarcerated people. **The OIG would have the authority to gather public input, receive complaints, initiate investigations, recommend possible solutions to systemic problems and report findings** to the public, the governor and appropriate committees of the legislature.

Over the past several years, **DOC has been under fire for harmful practices and for failure to comply with Massachusetts' 2018 criminal justice reform act:**

- In 2020, the U.S. Department of Justice found that DOC violated the constitutional rights of incarcerated individuals in mental health crisis, leading to a settlement agreement in 2022.
- In February of 2020, a Superior Court judge ruled in favor of attorneys representing certain individuals incarcerated at Souza-Baranowski Correctional Center in a lawsuit against DOC. The lawyers had alleged that restrictions on attorney visits and phone calls during a facility lockdown was unconstitutional and violated their clients' civil rights.
- In September of 2021, two men incarcerated at Souza-Baranowski Correctional Center filed a lawsuit against correction officials alleging that, after the January 2020 assault on a correction officer, they were restrained by members of a tactical force who then, "proceeded to terrorize, beat, taser, and kick them, pull out their hair, and slam them into concrete walls and a metal doorway while hurling racial, ethnic, and sexual slurs."

- In 2022, a class action lawsuit was filed by Prisoners' Legal Services accusing officials of attacking and beating more than 100 men incarcerated at Souza-Baranowski in the weeks following a January 2020 assault on a correction officer.
- In July of 2022 several Massachusetts attorneys and their clients filed a lawsuit in Suffolk Superior Court, claiming they had been falsely accused of sending drugs through the mail. In December of 2022, a Superior Court issued a preliminary injunction, ruling that DOC's practice of placing inmates in solitary confinement and restricting access to their lawyers before the tests were verified by outside labs "constitutes an arbitrary and unlawful interference with Plaintiffs' right to counsel, as well as their right to due process."
- A 2022 report by Prisoners' Legal Services focusing on sexual misconduct and harassment of women, noted "the harm that both cisgender and transgender women face at the hands of correctional staff is in contravention of law, and yet continually occurs with impunity."
- DOC has largely replaced the widely criticized Restrictive Housing Units (solitary confinement) with Behavior Adjustment Units. However, the newer units are characterized by many of the harsh restrictions and harmful conditions that prevailed in the older units.

Clearly there is an urgent need for more transparency and for comprehensive and continuous oversight of our correctional system. Other states that have established an inspector general specifically for their corrections departments include: Arizona, Colorado, Florida, Nebraska, Nevada, Oklahoma, Oregon, and Texas.

League of Women Voters Positions that Support this Bill:

The League has taken positions on a number of correctional policies and practices that the OIG would be empowered to oversee, including these:

As documented in [Where We Stand](#), p. 36, LWVMA supports:

- A sound corrections system which provides opportunities for the rehabilitation of the adults and juveniles;
- Measures that provide sufficient prison space to ensure humane living conditions for people who are incarcerated;
- Measures to protect the civil and individual rights of those involved in the justice system;
- Vocational training and educational opportunities, meaningful and useful prison industries, and drug and alcohol abuse prevention programs, in conjunction with humane living conditions.

As documented in [Impact on Issues](#), pp. 120-22, LWVUS supports laws that would:

- Ensure that all correctional systems provide humane, dignified, non-discriminatory treatment of incarcerated people and personnel, including appropriate health care. . . .;
- Encourage family and community visitations and ways to maintain contact;
- Adapt case management services to match education, behavior, job training, work, and mental health programs with the needs of incarcerated individuals; and
- Rely on evidence-based research in decision-making about criminal justice programs and policies.