

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF CORRECTION  
103 DOC 104  
INTERNAL REGULATIONS/POLICIES**

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<b>MASSACHUSETTS DEPARTMENT OF CORRECTION</b>	<b>POLICY DEVELOPMENT AND COMPLIANCE UNIT</b>
<b>INTERNAL REGULATIONS/POLICIES</b>	<b>103 DOC 104</b>

**PURPOSE:** The purpose of this policy is:

1. to establish and maintain policies for the Department of Correction ("Department");
2. to establish and maintain operational procedures for each correctional institution/Department unit;
3. to provide a process with which to implement new policy;
4. to provide a process for annual review of Department policies; and
5. to provide a process for annual review of institution procedures.

**REFERENCES:** M.G.L., Chapter 30A §§ 1-8, and Chapter 124, § 1(q).

**APPLICABILITY:** Staff

**PUBLIC ACCESS:** Yes

**LOCATION:** Department Central Policy File  
Superintendents'/Unit Directors' Policies Files  
Inmate Library

**RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY:**

- Director of the Policy Development and Compliance Unit
- Superintendents

**EFFECTIVE DATE:** 10/29/2015

**CANCELLATION:** 103 DOC 104.00 cancels all previous Department policy statements, bulletins, directives, orders, notices, rules or regulations regarding Internal Regulations/Policies which are inconsistent with this document.

**SEVERABILITY CLAUSE:** If any part of 103 DOC 104.00 is for any reason, held to be in excess of the authority of the Commissioner, such decision shall not affect any other part of this policy.

104.01      Department of Correction Policy Statements

The Commissioner, Deputy Commissioner of the Prison Division, Deputy Commissioner Administrative for Services Division, Deputy Commissioner of the Classification, Programs and Reentry Division, General Counsel, Assistant Deputy Commissioner of the Northern Sector, and Assistant Deputy Commissioner of the Southern Sector, Executive Director of Strategic Planning and Research, Director of Policy Development and Compliance Unit shall establish for the Department policy statements that include at a minimum, the following items:

1. The philosophy, goals and objectives of the Department;
2. Regulations, policies, procedures, rules and practices for the Department's operation, including instructions to correctional institutions and Department units for the development of their own procedures and manuals, in accordance with Department policy.
3. Statements describing the programs and services offered by the Department.

104.02      Approving Authority

The Commissioner and/or the appointed designees are the approving authorities for the Department's policies.

104.03      Department Reviewing Authorities: Duties

In order to ensure that all Department policies and institutional procedures are consistent and reflect existing Department practices, there shall be Department Reviewing Authorities. The duties and responsibilities of such Reviewing Authorities or designees shall include, but not be limited to:

1. Development of policies/regulations for all operations within their area of responsibility. Development of policies/regulations may include:
  - A. A review and comment by the Legal Division.

- B. A review and documented feedback from those individuals whose area of responsibility is affected and/or those who have expertise in specific areas of concern. Such individuals may include Department employees and/or employees from another public or private agency as is appropriate;
- C. A determination as to the need to include definitions within the policy. When it is appropriate to do so, the Reviewing Authority may include definitions of the terms used within the policy. To ensure consistency, the definitions found in the Department's definition glossary should be used within the individual policy.
- D. Submission of the policy in final draft form through the review process discussed below and making any necessary revisions prior to presenting the policy for the Commissioner's review.
- E. Prior to submission to the Director of the Policy Development and Compliance Unit ("PDCU"), the Reviewing Authority shall ensure that each Department policy notes in the lower right corner of each page the policy number and page number.
- F. Submission of a policy impact statement shall be completed and submitted with each new or revised policy (Attachment #4). This form is designed to provide the Commissioner with a summary of any additional costs and/or training requirements that a new or revised policy may generate.
- G. The Director of the PDCU shall ensure that upon receiving the signed policy back from the Commissioner's office, the month and year the policy was signed is added to the lower left corner of each page.
- H. Since Code of Massachusetts Regulations become effective upon date of publication in the Massachusetts Register, that date shall be substituted in the lower left corner.

2. An annual review of all policies as indicated on the schedule outlined in Attachment #2.
3. Periodically requiring that audits be performed at institutions/departmental units to ensure that all policies, procedures and operating manuals are current, operationally sound, and reflect existing Department policy.
4. Reviewing any waivers for any portion of a policy that falls under their authority. Following this review, a recommendation is given to the Commissioner for approval. The requirements set forth in CMRs can not be waived unless the CMR explicitly excludes a Department institution or security level within its applicability clause, or the CMR contains an emergency suspension clause. Suspension's lasting for more than forty-eight (48) hours must be approved by the Commissioner.
5. An annual review of the impact the regulation may have on individuals or groups of a protected class. In conducting this analysis, the Reviewing Authority shall utilize the Civil Rights Impact Analysis ("CRIA") form (Attachment #11).

104.04      Institutional Staff Participation in the Annual Review Process of Department Policies and Regulations

A.

1. To maximize input from institutional staff in the policy/regulation review process, Superintendents shall refer to Attachment #6. The Superintendent's Policy Review Chart designates which policy/regulation the facility is responsible for reviewing in a given month. The designated policies/regulations shall be rotated between the various facilities from year to year.
2. At the beginning of the designated month, each Superintendent or designee shall download the designated policy/regulation to be reviewed from the intranet and make it available to the staff involved in the review process. The designated policy/regulation shall be discussed during the

required monthly meetings held between all managers, supervisors, and line staff. The policy/regulation should be reviewed from beginning to end with consideration given to typographical and grammatical errors as well as substantive content, i.e., are all requirements realistic and achievable.

3. The designated policy/regulation and all recommendations for revisions shall then be discussed at the Superintendent's monthly meeting with the senior management/department heads.
4. Those recommendations that the Superintendent supports shall be transmitted electronically using Attachment #7, Superintendent's Policy/Regulation Change Sheet form, to the Director of the Policy Development and Compliance Unit with a copy being sent to the respective Assistant Deputy Commissioner no later than the last business day of the designated month shown on the Superintendent's Policy/Regulation Review Chart.
5. The Director of the PDCU shall then forward the recommendations electronically to the policy/regulation's Reviewing Authority for consideration.

- B. When committees are established to assess policies and practices, or policy revisions are proposed as a result of any meetings or discussions, the committee chairperson or other responsible person shall ensure that the policy/regulation revision proposals are submitted to the designated Reviewing Authority using Attachment #10.

104.05      Annual          Review          Process          of          Department  
Policies/Regulations

1. All Department policies and regulations shall be reviewed annually by the appropriate Reviewing Authority consistent with the policy/regulation annual review schedule outlined in Attachment #2. In order to ensure sufficient time for the review process to occur as described below, the Reviewing Authority shall begin the review process ninety (90) days in advance of the month

it is due to be presented for the Commissioner's signature. Reviewing Authorities shall duly consider all recommendations for policy revisions made by the institutional staff through the process described in 104.04 (A). If a standard operating procedure is part of a Department regulation, it shall also be reviewed during this process. The results of this review (i.e., additions and/or deletions, etc.) shall be included in the cover memo. Upon initiation of the review process, the Reviewing Authority shall attach Attachment #5, the Policy/Regulation Review Tracking Form, to the policy/regulation. As each stage of the process is completed, the person completing the review shall fill in the required information and forward the policy/regulation along to the next stage. Upon receipt, the Director of the PDCU shall review the Policy Review Tracking Form to ensure its completeness and file it in the Central Policy File.

2. During the annual review, each Reviewing Authority shall review each policy/regulation to ensure that:
  - A. It is consistent with American Correctional Association ("ACA") standards;
  - B. It is consistent with any jurisdictional authority's regulations;
  - C. It is practicable for implementation;
  - D. It is current, operationally sound and consistent with the philosophy and goals of the Department.
  - E. Appropriate definitions, as are found in the Department Definition Glossary, are included to facilitate the understanding of terms used.
  - F. The need for facility procedures is explicitly noted within the policy/regulation in relation to which sections require procedures and the content to be so addressed.

G. With either new or revised policies/regulations, an assessment of the costs and training involved shall be included on Attachment #4.

H. A realistic effective date shall be set, which allows time for distribution, development of procedures, staff training, informing the inmates, etc.

For policies, the effective date may be indicated as follows:

This policy shall become effective (thirty (30), sixty (60), ninety (90), etc.) days following the date of the Commissioner's signature.

For regulations the effective date may be indicated as follows:

This regulation shall become effective upon the date of publication.

I. The CRIA form (Attachment #11) was completed, analyzing the civil rights impact the regulation may have on individuals or groups of a protected class.

3. Once the Reviewing Authority has completed the review, he/she shall refer to Attachment #2. Policies/Regulations noted by an asterisk shall be sent to the Deputy Commissioner of Classification, Programs and Reentry Division in order to consider female offender concerns. If revisions are needed, the Reviewing Authority shall incorporate the necessary language as recommended by the Deputy Commissioner of Classification, Programs and Reentry Division.

4. The policy/regulation shall be sent to the Assistant Deputy Commissioner of the Northern Sector to consider the applicability to Lemuel Shattuck Hospital during the review. If revisions are needed, the Reviewing Authority shall review, and if agreed upon, incorporate the necessary language as recommended by the

Assistant Deputy Commissioner.

5. The policy/regulation review shall be forwarded to the Deputy Commissioner of the Administrative Services Division and the Director of Training and Staff Development to determine whether the changes being proposed have any impact on the budget, bargaining units or training. This consultation shall be noted on the policy/regulation review tracking form (Attachment #5). If an impact is identified, it shall be noted on the policy impact statement (Attachment #4).
6. If during an annual review of a policy/regulation the Reviewing Authority identifies changes that affect any information technology issues, the Reviewing Authority shall consult with the Deputy Commissioner of the Administrative Services Division to determine if any enhancements are needed. The Deputy Commissioner of the Administrative Services Division shall assist in determining the budgetary impact of the enhancements needed and contact the Reviewing Authority to discuss the issues.
7. The Reviewing Authority shall consult with the Deputy Commissioner of the Administrative Services Division on the available options to implement the policy/regulation revisions using existing systems, if possible.
8. The policy/regulation review shall be sent to the Legal Division for review. The Reviewing Authority shall incorporate any revisions required by the Legal Division and resubmit the policy/regulation for a final review. Once completed the policy/regulation shall be returned to the Reviewing Authority.
9. To ensure that Executive Staff have ample time to consider policy/regulation revisions, the Reviewing Authority shall forward both paper and electronic versions of the cover sheet and an electronic version of the policy/regulation to the Director of the PDCU no later than the third Friday of the month prior to the annual review

month shown on Attachment #2. For regulations with revisions, two (2) cover letters for the Commissioner's signature shall be submitted; one detailing the revisions and one stating that the regulation has undergone an annual review and remains current, although revisions are pending public hearing.

10. The Director of the PDCU, in conjunction with the Commissioner, shall then determine which policies/regulations shall be distributed to the Extended Leadership Team for their review and input. Any input or recommendations shall then be electronically forwarded to the respective Reviewing Authority for consideration.
11. The Reviewing Authority shall present the recommended revisions to the Executive Staff for discussion and approval.
12. At the conclusion of the Executive Staff meeting, the respective Reviewing Authority shall incorporate agreed upon revisions into the final version of the policy/regulation. An original hard copy and an electronic copy of the cover memo, impact statement, tracked and accepted version of the policy/regulation shall be forwarded to the Director of the PDCU prior to the next scheduled Executive Staff meeting. The accepted version shall be carefully reviewed to ensure the table of contents is accurate and page breaks are appropriately placed. In addition, a list of search key words shall be submitted with the final paperwork. The Director of the PDCU shall then forward the policy for the Commissioner's approval and distribution.
13. Policies that have either minor proposed changes and/or grammatical revisions shall be sent through the PDCU to the Commissioner's office for approval. Only Department policies may follow this course.
14. Upon the Commissioner's signing of a Department policy, it shall be distributed by the PDCU.
15. Upon the Commissioner's signing of a regulation, it shall be sent to the Legal Division who shall

coordinate its review by the Executive Offices of Public Safety and Administration and Finance, and shall schedule a public hearing. Refer to Attachment #8 for the procedure to be followed for the public hearing process. A regulation Reviewing Authority designee shall attend the public hearing, which shall be conducted by a representative of the Legal Division. Upon the publication of the revised regulation in the state register, Legal Division staff shall forward the revised regulation to the PDCU. If necessary, the PDCU shall forward the revised regulation to the appropriate policy Reviewing Authority to ensure that an updated cover letter and electronic copy of the revised regulation shall be made available for distribution by the PDCU.

A. All annual policy/regulation reviews, shall be documented by submitting a letter for the Commissioner's signature with one of the following options:

I. Annual review with no changes: A cover letter explaining that the policy/regulation has undergone a review and that no changes were made.

II. Annual review with changes: A cover letter explaining the changes noted with additions in bold print and deletions in strikethrough font along with a signature page.

III. Policy/Regulations reviews that are being delayed: A letter stating that the policy remains in effect, but that substantive changes, etc., are being currently considered and projecting (if possible) a time-frame for distribution of the new policy. Note: Such "extension" to an annual review date shall not change the policy's annual review date listed in Attachment # 2.

B. The Reviewing Authorities shall ensure that they submit to the Director of the PDCU, a hard copy of the cover letter indicating the

outcome of the review, i.e., detailing the revisions, etc., and impact form. An electronic version of the cover letter, policy/regulation, impact form, and tracking form shall be submitted via Groupwise to the PDCU. The Reviewing Authorities shall also review and revise, if necessary, any audit tools that relate to the reviewed policy. The audit tool shall then be returned with the policy to the PDCU.

16. Upon approval by the Commissioner or publication in the Massachusetts Register, the Director of the PDCU shall distribute via the intranet the reviewed policy/regulation to all institutional or divisional policy coordinators.
17. The respective institutional and divisional policy coordinators are responsible for distributing policies/regulations, as appropriate, to staff, inmates and volunteers within their institution or unit.
18. If a policy/regulation is revised prior to the annual review date, the same review process shall be followed as for annual reviews of a policy/regulation. A policy/regulation amendment memorandum shall be written by the Reviewing Authority outlining the revisions and shall be distributed.
19. Interested parties are encouraged to submit timely recommendations regarding policy/regulation modifications to Reviewing Authorities.
20. The Reviewing Authorities shall each maintain a permanent file of the Department Policies/Regulations for which they are responsible.

The Director of the PDCU shall maintain a permanent file of all Department Policies/Regulations for a minimum of twelve (12) years.

For storage reasons, as well as ease of access, these files may be retained electronically, via uploading the file to the Intranet.

104.06      Institutional Policy and Procedures Manual

1. Each correctional institution and Department unit shall develop and maintain a Procedure and Operations Manual, which may be in paper or electronic form that includes at a minimum, the following items:
  - A. The mission, philosophy, goals and objectives of the institution/unit;
  - B. All current policy statements promulgated by the Department's Central Administration; and
  - C. All procedures, rules and regulations, practices and post orders appropriate to the function of the institution/unit. These manuals shall be available to all employees, and an orientation shall be conducted to familiarize employees with the documents that concern their respective jobs.
  - D. The definition listing.
2. Each institution/department unit shall review each Department policy/regulation statement and, in accordance with Attachment #1, shall:
  - A. Write a corresponding procedure (utilizing the Department's policy as a guide) or;
  - B. Adopt the policy/regulation as written or;
  - C. Waive the policy. (The requirements set forth in regulations can not be waived unless the regulation explicitly excludes a Department institution or security level within its applicability clause, or the regulation contains an emergency suspension clause. Suspensions lasting for more than forty-eight (48) hours must be approved by the Commissioner.)

3. If a superintendent/division head cannot implement any portion of a policy (excluding regulations) because of physical constraints of his/her facility or other specific limitations, he/she may apply for a waiver for that portion of the policy. The waiver shall be submitted in writing and delineate the portion of the policy and the specific reason(s) for the inability to comply. The waiver shall be submitted through the appropriate Assistant Deputy Commissioner for review. Upon review, if the Assistant Deputy Commissioner disapproves the waiver request, the waiver request shall be returned to the facility and no further action is necessary. If the Assistant Deputy Commissioner recommends that the waiver request be approved, the document shall be forwarded to the Reviewing Authority and then to the Commissioner for final approval (Attachment #9). Unless specified otherwise, approved waivers shall remain in effect for one year and must be resubmitted for renewal on an annual basis. Regulations cannot normally be waived unless there is a provision providing for this in the regulation, or in the event of an emergency.
4. All statements contained in the Institution/Department Unit Policy and Procedure Manual shall comply with Department policy/regulation, applicable state law, jurisdictional authority regulations, ACA standards, and shall conform to the Department's policy statement organization.
5. The Superintendent/Director shall review all institutional procedures. Whenever a procedure is written from a Department policy/regulation, the institutional/unit procedure shall be required to be reviewed by the appropriate Reviewing Authority.

104.07 Annual Review Process of Institutional/Unit Procedures

1. All institutional procedures shall receive an annual review by the Superintendent/Unit Director and/or designee. Such a review shall, at a minimum, consist of the following:

- A. A review to ensure that the procedure is current, operationally sound, and consistent with Department policy.
  - B. A review that the procedure is consistent with ACA standards and jurisdictional authority's regulations.
2. The approval process shall consist of the following:
- A. In cases where institutions or units are directed to adopt or waive Department Policy (See Attachment #1), it shall be presumed that they have done so. Therefore, no written acknowledgment to the Reviewing Authority is necessary. However, when an institution or unit seeks to vary from the direction provided in Attachment #1, a memorandum requesting the same shall be sent to the Reviewing Authority.
  - B. Whenever procedures are required according to Attachment #1, the institution/unit shall submit the procedures to the Reviewing Authority for approval. If, during an annual review, the institution/division procedure did not change in any way, the institution/division is not required to resubmit the procedure for approval, although a copy shall be sent to the Reviewing Authority for tracking purposes. If the procedure did change during the annual review, the revisions shall be noted on the cover page and submitted to the Reviewing Authority for approval; additions in bold print and deletions in strikethrough font for ease of review. Each Reviewing Authority shall maintain a tracking process to monitor the submission of required procedures and shall take appropriate action respecting overdue or inadequate procedural submissions.

All institution procedures specific to a policy/regulation shall be comprehensively reviewed to ensure compliance with the respective policy regulation by the

respective reviewing authority. It is understood that at times, although a procedure is not called for in policy/regulation and the Superintendent deems the procedure is necessary, these procedures shall also require Reviewing Authority approval. The justification for the need of a site-specific procedure shall be clearly stated in the procedural cover memo to the Reviewing Authority.

C. If a Department policy/regulation has been changed, appropriate action shall be taken, i.e., the new policy/regulation shall be adopted, waived, or appropriate procedures developed within the time line established by the effective date.

D. Institutions and units may develop policy/regulation and procedure in areas not covered by Department policy/regulation. In such cases the institution shall submit the policy/regulation or procedure to the respective Assistant Deputy Commissioner, and the units shall submit the policy to the respective executive staff member who shall ensure its compliance with applicable law, Department policies/regulations, ACA standards, etc.

3. Interested parties are encouraged to submit timely recommendations regarding procedural modifications to Superintendents/Unit Directors.

4. Each Superintendent shall maintain a permanent file of all institutional procedures. For storage reasons, as well as ease of access, these files may be retained electronically, via uploading the file to the Intranet.

104.08      Dissemination of Policies/Regulations and Procedures

Expeditious dissemination of approved, new, or revised policies/regulations and procedures to designated staff, volunteers, and when appropriate, to inmates prior to their effective date, shall be required at all levels of the system.

Prior to being publicly accessible, and sent to the inmate library, institution procedures shall be thoroughly reviewed to ensure there is no sensitive information that could jeopardize the secure running of an institution.

The superintendent/division head or designee may create a policy study guide on a read-only CD to assist employees in preparing for promotional civil service examinations. To ensure accountability for the CD, a sign in/out process shall be put into place. Staff shall be reminded that some policies within the study guide may be private and are not to be copied and/or publicized.

104.09      Public Access

1. In accordance with M.G.L., Chapter 66, Section 10, the Fair Information Practices Act (F.I.P.A.), the public shall be allowed to read and/or copy Department policy statements and institutional/unit procedure, except those classified confidential or otherwise excludable under F.I.P.A. See Attachment #1 for direction as to whether a policy and procedure is restricted or accessible by the public.

a. The PDCU shall be responsible for maintaining the Department's Web Page with a listing of policies/regulations that have been annually reviewed and/or amended on a monthly basis.

b. Upon the monthly policy/regulation review, the PDCU shall be responsible for checking policies for public accessibility in accordance with 103 DOC 104, Attachment #1.

Once a list of publicly accessible policies has been compiled, the PDCU shall update the Department's Web Page, policy listing section, to reflect the most current policies/regulations that appear on the Department's intranet.

2. Inmates are considered to be members of the public for accessibility purposes. Current copies of all policies that are publicly

accessible, as well as all regulations, shall be routinely maintained in inmate library areas.

- a. Prior to being placed in the inmate library, institution procedures shall be thoroughly reviewed to ensure that there is no sensitive information (i.e. procedures relating to security responses, location of security equipment, etc.) that could jeopardize the secure running of an institution. This provision shall also apply to institution procedures that are requested by the general public.
3. Members of the public may direct requests to review policies and procedures to institutional staff or to the Public Affairs office. Each superintendent or division head shall designate staff to handle such requests expeditiously.
4. Designated staff shall allow or deny access according to Attachment #1.
5. Upon denial of requested access, the designated staff person shall inform the person requesting access of his/her right to appeal, in writing, to the respective Policy and Procedure Reviewing Authority, whose decision shall be final. Prior to rendering a final denial, the Reviewing Authority shall consult with the Department's Legal Division.
6. Should access be allowed, the person requesting such access shall be allowed an opportunity to review the policy and procedure at no cost. However, a charge of \$.20 per page may be assessed should a request for a copy be made.

DEPARTMENT POLICY/REGULATION ASSIGNMENTS

Attachment #1

POLICY #	POLICY TITLE	Div/Units	Max	Med	Min	Pre-Release	PUBLIC ACCESS
100	DEPARTMENT MISSION, VISION AND QUARTERLY/ANNUAL REPORTS	0	0	0	0	0	Yes
101	CORRECTIONAL INSTITUTIONS/SECURITY LEVELS	0	0	0	0	0	Yes
102	ORGANIZATIONAL FUNCTIONS/STAFF MEETINGS	X	X	X	X	X	Yes
103	DELEGATION OF AUTHORITY	X	X	X	X	X	Yes
104	INTERNAL REGULATIONS	0	0	0	0	0	Yes
105	DEPARTMENT DUTY STATION	X/+	X	X	X	X	Yes
108	PROGRAM/FACILITY ACCESS FOR HANDICAPPED PERSONS	0	0	0	0	0	Yes
112	INSTITUTION ASSESSMENT/INSPECTION	X/+	X	X	X	X	Yes
119	SECURITY RADIO NETWORK	0/+	0	0	0	0	No
122	VEHICLE USAGE AND CONTROL	X/+	X	X	X	X	Yes
131 CMR	NEWS MEDIA RELATIONS	0	0	0	0	0	Yes
132	INTERAGENCY & FEDERAL AGENCY RELATIONS	0	0	0	0	0	Yes
133	PUBLIC RELATIONS	0	0	0	0	0	Yes
139	PRIVATE ORGANIZATIONS	0	0	0	0	0	Yes
153	CORI REGULATIONS	0	0	0	0	0	Yes
154	CENTRAL OFFICE RECORDS	X/+	+	+	+	+	Yes
155 CMR	INMATE CASE RECORDS	0	X	X	X	X	Yes
156	DESTRUCTION OF INMATE RECORDS	X/+	0	0	0	0	Yes
157 CMR	EVALUATIVE INFORMATION	0	0	0	0	0	Yes
158	DISPOSAL OF OUTDATED DOCUMENTS	0	0	0	0	0	Yes
172	COMMUNITY RELATIONS BOARD	W	X	X	X	X	Yes
175	MASSACHUSETTS DEPARTMENT OF CORRECTION DEPARTMENT STRATEGIC PLANNING, MANAGEMENT, ACCOUNTABILITY AND PERFORMANCE PROCESS	0	0	0	0	0	Yes
180 CMR	REGULATIONS GOVERNING RESEARCH & EVALUATION	0	0	0	0	0	Yes
181	REGULATIONS GOVERNING STATISTICAL REPORTING	0	0	0	0	0	Yes
201	SELECTION & HIRING	0	0	0	0	0	Yes
202	CIVIL SERVICE & THE MA HUMAN RESOURCES DIVISION	0	0	0	0	0	Yes
203	EMPLOYEE SMOKING	0	0	0	0	0	Yes
204	PERSONNEL RECORDS	0	0	0	0	0	Yes
205	POSITION CLASSIFICATION	0	0	0	0	0	Yes
206	ADA EMPLOYEE REASONABLE ACCOMODATIONS AND SELF-IDENTIFICATION OF DISABILITY	0	0	0	0	0	Yes
207	SPECIAL ACCOMODATIONS FOR INMATES	X	X	X	X	X	Yes
208	PERSONNEL ORIENTATION	0	0	0	0	0	Yes
209	SICK LEAVE	0	0	0	0	0	Yes
210	PAY ADMINISTRATION	X	X	X	X	X	Yes
210A	CODING OF OVERTIME	0	0	0	0	0	Yes

**CODES:** x= Need to adopt policy and write institutional procedure

o= Adopt DOC policy

+ = Not Applicable

Div/Units: For policies/CMRs that don't apply, no action is necessary.

POLICY #	POLICY TITLE	Div/ Units	Max	Med	Min	Pre- Release	PUBLIC ACCESS
211	EMPLOYEE BENEFITS	0	0	0	0	0	Yes
213	ALTERNATIVE WORK OPTIONS	0	0	0	0	0	Yes
214	EMPLOYEE MEALS	0	0	0	0	0	Yes
215	CONFLICT OF INTEREST A.C.A.	0	0	0	0	0	Yes
216	TRAINING	X	X	X	X	X	Yes
220	EMPLOYEE RULES & REGULATIONS	0	0	0	0	0	Yes
221	TEMPORARY MODIFIED WORK PROGRAM	0	0	0	0	0	Yes
222	PERFORMANCE EVALUATIONS	0	0	0	0	0	Yes
223	SEPARATIONS	0	0	0	0	0	Yes
224	UNIFORMS	0	0	0	0	0	Yes
225	PROFESSIONAL BOUNDARIES POLICY	0	0	0	0	0	Yes
226	INTERNSHIP PROGRAM POLICY	0	0	0	0	0	Yes
229	AWARD PROGRAM	0	0	0	0	0	Yes
230	DISCIPLINE AND TERMINATION	0	0	0	0	0	Yes
237	PREVENTION & ELIMINATION OF VIOLENCE IN THE WORKPL	0	0	0	0	0	Yes
238	POLICY FOR THE PROHIBITION OF SEXUAL ASSAULT, DOMESTIC VIOLENCE AND HARASSMENT	0	0	0	0	0	Yes
239	PREVENTION & ELIMINATION OF DISCRIMINATION & RETAL	0	0	0	0	0	Yes
240	EMPLOYEE DRUG TESTING/SCREENING	0	0	0	0	0	Yes
250	LABOR RELATIONS, GENERAL	0	0	0	0	0	Yes
270	LABOR RELATIONS, GRIEVANCE PROCEDURE	0	0	0	0	0	Yes
300	ANNUAL BUDGET PROCEDURES	0	0	0	0	0	Yes
339	MATERIALS SUPPLIES INVENTORY & CONTROL	0	0	0	0	0	Yes
340	PURCHASING PROCEDURES	0	0	0	0	0	Yes
341	RECYCLING	X	X	X	X	X	Yes
342	LEASES AND RENTALS	0	0	0	0	0	Yes
343	FIXED ASSETS INVENTORY & CONTROL	0	0	0	0	0	Yes
344	INSURANCE COVERAGE	0	0	0	0	0	Yes
345	DEPARTMENT PAYMENT PROCEDURES	0	0	0	0	0	Yes
346	DEPARTMENT INTERNAL CONTROL PROCEDURES	0	0	0	0	0	Yes
400	INMATE MANAGEMENT	X	X	X	X	X	Yes
401	INMATE BOOKING AND ADMISSIONS	+	X	X	X	X	Yes
402	INMATE IDENTIFICATION	0/+	X	X	X	X	Yes
403 CMR	INMATE PROPERTY	0/+	X	X	X	X	Yes
404	INMATE RELEASE POLICY	+	0	0	0	0	No
405 CMR	INMATE FUNDS	+	0	0	0	0	Yes
407	VICTIM SERVICE UNIT	+	0	0	0	0	Yes

**CODES:** x= Need to adopt policy and write institutional procedure

o= Adopt DOC policy

+ = Not Applicable

Div/Units: For policies/CMRs that don't apply, no action is necessary.

POLICY #	POLICY TITLE	Div/ Units	Max	Med	Min	Pre- Release	PUBLIC ACCESS
410 CMR	SENTENCE COMPUTATIONS	+	0	0	0	0	Yes
411 CMR	DEDUCTION FROM SENTENCE	+	X	X	X	X	Yes
417	CRIMINAL RECORDS PROCESSING	0	0	0	0	0	Yes
418	EARLY PAROLE CONSIDERATION	+	0	0	0	0	Yes
419	FEDERAL/INTERSTATE COMPACT	+	0	0	0	0	Yes
420 CMR	CLASSIFICATION	0/+	0	0	0	0	Yes
421 CMR	DEPARTMENT SEGREGATION UNIT	+	X	+	+	+	Yes
422	DEPARTMENT PROTECTIVE CUSTODY UNITS	+	X/O	X/O	0	0	Yes
423 CMR	SPECIAL MANAGEMENT UNITS	+	0	0	+	+	Yes
424 CMR	PHASE TREATMENT PROGRAM	+	+	+	+	+	Yes
				0 BSH			
426	CONFLICTS	0	0	0	0	0	Yes
430 CMR	DISCIPLINARY PROCEEDINGS	0/+	0	0	0	0	Yes
431 CMR	OBSERVATION OF BEHAVIOR REPORTS	+	+	+	+	+	Yes
				0 MTC			
441	INMATE TRAINING AND EDUCATION	+	0	0	0	0	Yes
444	INMATE SMOKING POLICY	0/+	0	0	0	0	Yes
445	SUBSTANCE ABUSE PROGRAM	+	X	X	X	X	Yes
446	SEX OFFENDER MANAGEMENT	+	0	0	0	0	Yes
447	SEX OFFENDER IDENTIFICATION	0	0	0	0	0	No
450	INSTITUTION WORK ASSIGNMENTS	+	X	X	X	X	Yes
451	INMATE COMMUNITY & FACILITY WORK CREWS	0/+	X	X	X	X	No
453 CMR	SELECTION PROCEDURES FOR CADRE POSITIONS	+	+	+	0	X	Yes
455 CMR	CORRECTIONAL INDUSTRIES	+	X	X	X	+	Yes
459	MTC COMMUNITY ACCESS BOARD	+	+	+	+	+	Yes
				0 MTC			
460 CMR	TRANSFER PROCEDURES FOR MASS TREATMENT CENTER	+	+	+	+	+	Yes
				0 MTC			
461	INMATE TRANSFER	0/+	0	0	0	0	Yes
462 CMR	INTERNATIONAL TRANSFER POLICY	0	0	0	0	0	Yes
463 CMR	FURLOUGHS	0	0	0	0	0	Yes
464 CMR	WORK RELEASE	+	+	+	+	X	Yes
465 CMR	EDUCATION & TRAINING RELEASE	+	+	+	+	X	Yes
466	PROGRAM RELATED ACTIVITY	+	0	0	0	0	Yes
467	INMATE VOTING	+	0	0	0	0	Yes
468	ELECTRONIC MONITORING	+	0	0	0	0	Yes
471 CMR	RELIGIOUS PROGRAMS & SERVICES	+	0	0	0	0	Yes
472	INMATE RECREATION & LEISURE ACTIVITIES	+	0	0	0	+	Yes
473	INMATE SELF-IMPROVEMENT GROUPS	+	0	0	0	0	Yes
476	INMATE CANTEEN/VENDING MACHINES	+	X	X	X	X	Yes
477 CMR	AVOCATION PROGRAMS	+	+X	+X	+X	+X	Yes

**CODES:** x= Need to adopt policy and write institutional procedure

o= Adopt DOC policy

+ = Not Applicable

Div/Units: For policies/CMRs that don't apply, no action is necessary.

## Attachment #1

POLICY #	POLICY TITLE	Div/ Units	Max	Med	Min	Pre- Release	PUBLIC ACCESS
478 CMR	LIBRARY SERVICES	+	X	X	X	X	Yes
481 CMR	INMATE MAIL	+	X	X	X	X	Yes
482 CMR	TELEPHONE ACCESS & USE	+	X	X	X	X	Yes
483 CMR	VISITING PROCEDURES	+	X	X	X	X	Yes
485 CMR	VOLUNTEERS & VOLUNTEER PROGRAMS	+	X	X	X	X	Yes
486 CMR	ATTORNEY ACCESS AT MCIs	+	0	0	0	0	Yes
487	DNA SAMPLE COLLECTION	+	0	0	0	0	Yes
488	TELEPHONIC INTERPRETER SERVICE	+	0	0	0	0	Yes
491 CMR	INMATE GRIEVANCES	0/+	X	X	X	X	Yes
492	INMATE WEDDINGS	+	0	0	0	0	Yes
493	REENTRY POLICY	+	0	0	0	0	Yes
501	INSTITUTION SECURITY PROCEDURES	X	X	X	X	X	No
502	CONTROL OF LOCKS & KEYS	X	X	X	X	X	No
503	FORCED MOVEMENT OF INMATES	0/+	0	0	0	0	No
504	SECURITY INSPECTIONS	X	X	X	X	X	No
505 CMR	USE OF FORCE	0	0	0	0	0	Yes
506	SEARCH POLICY	0/+	X	X	X	X	Yes
507	SECURITY EQUIPMENT	X/+	X	X	X	X	No
508	FIREARMS	X/+	X	X	X/+	+	No
509	CHEMICAL AGENTS/SPECIAL MUNITIONS	0/+	0	0	0	0	No
510	SECURITY STAFFING AND ANALYSIS	X/+	X	X	X	X	No
511	INSTITUTION TOOL CONTROL	X/+	X	X	X	X	No
512	POST ORDERS	X/+	X	X	X	X	No
513	INMATE ACCOUNTABILITY	X/+	X	X	X	X	No
514	SECURITY THREAT GROUP MANAGEMENT	0	0	0	0	0	No
515	SECURITY EMPLOYEES IN SPECIAL MANAGEMENT UNITS	+	0	0	+	+	No
516	SPECIAL STATE POLICE COMMISSIONS	0	0	0	0	0	No
517	DEPARTMENT IDENTIFICATION	0	0	0	0	0	No
518	INNER PERIMETER SECURITY TEAM	0	0	0	0	0	No
519	SEXUALLY ABUSIVE BEHAVIOR PREVENTION AND INTERVENTION	0	0	0	0	0	Yes
521	OUTSIDE HOSPITAL SECURITY	0/+	0	0	0	0	No
522	INTERNAL AFFAIRS UNIT	0	0	0	0	0	Yes
523	CRIMINAL INVESTIGATIONS AND PROSECUTION	0	0	0	0	0	No
525	INMATE SUBSTANCE ABUSE TESTING, SANCTIONING & TREATMENT	+	X	X	X	X	Yes
527	SECURITY RISK INMATES	+	0	0	0	0	No
530	INMATE TRANSPORTATION	X/+	X	X	X	X	No
550	ESCAPE POLICY	X/+	X	X	X	X	No
558	K-9 UNITS	+	0	0	0	0	No
559	SPECIAL OPERATIONS RESPONSE UNITS	0/+	0	0	0	+	No
560	DISORDER MANAGEMENT	X	X	X	X	X	No

**CODES: x= Need to adopt policy and write institutional procedure**

**o= Adopt DOC policy**

**+ = Not Applicable**

**Div/Units: For policies/CMRs that don't apply, no action is necessary.**

## Attachment #1

POLICY #	POLICY TITLE	Div/ Units	Max	Med	Min	Pre- Release	PUBLIC ACCESS
561	PLANNED INSTITUTIONAL SEARCHES CONDUCTED BY SORU	0	0	0	0	0	Yes
562	CODE 99 EMERGENCY RESPONSE GUIDELINES	+	x	X	X	X	No
601	DIVISION OF HEALTH SERVICES	+	0	0	0	0	Yes
604	OUTSIDE HOSPITAL RELATIONS	+	X	X	X	X	Yes
607	HEALTH RECORDS	+	X	X	X	X	Yes
610	CONTRACT CLINICAL PERSONNEL & THE ROLE OF DOC HS	+	0	0	0	0	Yes
620	SPECIAL HEALTH CARE PRACTICES	+	X	X	X	X	Yes
621	DO NOT RESUSCITATE (DNR) ORDERS	0	0	0	0	0	Yes
622	DEATH PROCEDURES	X/O	X	X	X	X	Yes, not attachment A
630	MEDICAL SERVICES	+	X	X	X	X	Yes
631	COMMUNICABLE DISEASE	+	0	0	0	0	Yes
640	DENTAL SERVICES	+	X	X	X	X	Yes
650	MENTAL HEALTH SERVICES	+	X	X	X	X	Yes
651	USE OF SECLUSION AND RESTRAINT FOR BRIDGEWATER STATE HOSPITAL	+	<b>BSH ONLY</b>				Yes
652	IDENTIFICATION, TREATMENT AND CORRECTIONAL MANAGEMENT OF INMATES DIAGNOSED WITH GID	+	0	0	0	0	Yes
660	MEDICAL SUPPLIES & EQUIPMENT	X/+	X	X	X	X	Yes
661	PHARMACY & MEDICATION	+	X	X	X	X	Yes
662	CLINICAL TRIALS & MED RESEARCH INV INMATE PARTICIP	+	0	0	0	0	Yes
700	SITE SELECTION CRITERIA	+	+	+	+	+	Yes
703	DESIGN CRITERIA & PLANNING GUIDELINES	0	0	0	0	0	Yes
730	FIRE PREVENTION	X	X	X	X	X	Yes
740	MAINTENANCE SANITATION & STANDARDS	0	X	X	X	X	Yes
750	HYGIENE STANDARDS	0	X	X	X	X	Yes
751	INFORMATION TECHNOLOGY (IT) SECURITY	0	0	0	0	0	No
755	CLOTHING, LINEN & LAUNDRY	+	X	X	X	X	Yes
756	INFORMATION TECHNOLOGY SYSTEMS	0	X	X	X	X	Yes
757	INTERNET, INTRANET, AND VPN PROCEDURES	0	0	0	0	0	Yes
758	EMAIL POLICY	0	0	0	0	0	Yes
759	SECURITY TECHNOLOGY POLICY	0	0	0	0	0	Yes
760	FOOD SERVICES	+	X	X	X	X	Yes
761 CMR	ACCESS TO THERAPEUTIC DIETS AND MEDICAL CARE	+	X	X	X	X	Yes
762	INMATE HAIRCUT FEES	0/+	X	X	X	X	Yes
763	INMATE MEDICAL CO-PAYMENTS	+	X	X	X	X	Yes

**CODES:** x= Need to adopt policy and write institutional procedure

o= Adopt DOC policy

+ = Not Applicable

Div/Units: For policies/CMRs that don't apply, no action is necessary.

**CENTRAL OFFICE POLICY/REGULATION REVIEWS Attachment #2**

(Note: policies denoted by an asterisk indicate those that require review for female offender issues/concerns.)

Reviewing Authority	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Deputy Commissioner, Administrative Services Division	209 230 345 488 760*	201 202 214 223 751 759	340 342	204 210 237 761*	221 339 343 455 476*	205 405 740 756 757	250 270	213 216* 224 240 700	220 344 346 762 758	210A 300 225 239 226 510	108* 203 222 206	208 211 238 522 703*	54
ADC Southern Sector								460	424 459		105 341		5
ADC Northern Sector			525								403*		2
Deputy Commissioner, Classification, Programs and Reentry Division	154 622 652	462* 465* 660*	453 473 604	155* 404* 445* 157 620*	410 407 468 650* 763*	419* 461* 466* 472* 610	420* 477 607 651	411 478 640	418 464* 471* 631* 207*	417 446* 485 630* 621	441 492 467 493* 661 662	463* 601 447	49
Executive Director Strategic Planning/ Research		175					181					180*	3
Commissioner	487	229	172	131	132	102 133		139	101		100* 103	491*	12
Deputy Commissioner, Prison Division	550	426 451* 530*	516 527 561	482	422 430* 507 508	515 509 562	444 518 505 517	421* 423* 431 559 560	122 503 523	514*	119 558	519*	31
Director - Policy, Development and Compliance Unit	400* 401* 730	483*	104 215	501 512 755*	513*	504	402		450* 481	502 506 511 750*	112	521*	20
General Counsel	153	156					486			158			4
<b>Total</b>	14	16	12	14	16	16	12	15	18	17	18	11	181

DOC POLICY/REGULATION FORMAT

I. PROGRAM, FONTS, MARGINS, LINE SPACING, AND JUSTIFICATION

1. All policies/regulations shall be done in Microsoft Word 2003.
2. The following font shall be used: **COURIER NEW 12PT.**
3. Margins shall be 1" all around (top, bottom, left, right). Margins should stay at 1" throughout your policy.
4. Single spacing throughout the policy.
5. Policy justification shall be **FULL.**
6. When typing your policy/regulation be sure to use the indent function and/or the number key function, not the tab key.
7. To facilitate the electronic distribution of policies/regulations, the tracking feature shall be used to modify all policies/regulations. From the toolbar, select "Tools" and "Track Changes". Select "Highlight Changes" and check all three boxes. Select "Options" and ensure that inserted text shall appear in black, bold print and that deleted text shall be indicated in black, strikethrough font. Then revise the copy of the existing policy/regulation by deleting or adding text as necessary and submit it in the tracked form along with an accepted version to the PDCU. An accurate version of the revised policy/regulation shall be available for distribution immediately.

II. TABLE OF CONTENTS

1. The table of contents shall contain only the specific sections of the policy/regulation as follows:
 

<b>175.01 PLANNING STATEMENT.....</b>	<b>2</b>
<b>175.02 DEPARTMENTAL PLANNING MODEL.....</b>	<b>2</b>
<b>175.02 DEPARTMENT PLANNING PROCESS.....</b>	<b>3</b>

2. The table of contents shall not list the sections found on page 1, i.e., Purpose, References, etc. Page

one of every policy/regulation shall always be the same so there is no need to list these sections in the table of contents.

3. All attachments to a policy/regulation shall be listed in the table of contents, even if the attachment is not available on the intranet. If an attachment is not located on the intranet then the table of contents shall read as follows:

Appendix A (not on intranet).

### III. POLICY FOOTERS

1. Policies shall be numbered and dated by footers only. Format your footers on the first page of the policy not on the table of contents page, as follows:

**MARCH 2010**

**112 - 1**

2. The last annual review date of the policy on the bottom left and the number of the policy and the page number on the bottom right.
3. Format your footer on the first page of the policy, i.e., the title page. Your first page of your policy shall be page one, not the table of contents.

### TO CREATE FOR POLICY FOOTER

1. At the end of your table of contents page you shall insert a page break as follows:
  - On the tool bar go into **insert**, then **break**, and then under **section breaks** select **next page** and then choose **ok**.

Go to the first page of your policy, i.e., title page.

From the tool bar select **view**, then **header and footer**, then switch to footer. Before you begin creating your footer deselect the **same as previous** button on the footer tool bar. Deselecting this button shall prevent your footer from being placed on your table of contents page.

3. In the footer window, type in the appropriate month and year on the left side and then type in the policy number on the right side. Once you type in the policy, choose the format page number button. Under

page number select the start at button and type in "1" and choose "ok".

#### IV. ANNUAL REVIEW MEMORANDUMS FOR POLICIES/REGULATIONS

1. All policy/regulation review memorandums shall be sent to the Director of the Policy Development and Compliance, (PDCU) prior to being submitted to the Commissioner's office for approval. Reviewing Authorities shall submit an electronic file via Groupwise containing the entire policy/regulation, including attachments, cover memorandum, and impact form to be reviewed. A paper copy of the impact form and cover memorandum for the Commissioner's signature shall also be submitted.

2. All review memorandums shall be addressed as follows:

TO: Commissioner

THRU: , Director, PDCU

FROM: (Reviewing Authority)

RE: (Annual Review or Amendment of Policy/Regulation)

DATE: (Date)

Pursuant to 103 DOC 104, Internal Regulations, I have conducted an annual review of 103 DOC....

In the annual review or amendment memorandum, specifically list the proposed changes to the policy/regulation. State which section shall be deleted and which section shall be added using bold print for additions and the strikethrough font for deletions. For example:

5. The Superintendent/Director shall review all institutional procedures. Whenever a procedure is written from a Department policy/regulation, the institutional/unit procedure shall be required to be reviewed by the appropriate Reviewing Authority.

APPROVED:

Commissioner

Date

(A signature block shall be located at the end of all policy/regulation review memorandums).

3. The purpose for the above is to ensure that all policies/regulations are routed through the Director of the PDCU so that she/he may initial and forward to the Commissioner's office showing that she/he has reviewed and approved the proposed changes to the policy/regulation.
4. Policies/Regulations shall not be accepted by the Commissioner's office without prior approval of the director of the PDCU.
5. Upon approval by the Commissioner, all policies/regulations shall then be sent back to the Director of the PDCU, policies shall be updated on the computer system, and then distributed department-wide via the intranet. Regulations shall be sent to the Department's Legal Division so that they may be processed in accordance with the regulation promulgation process.

**V. POLICY FORMAT**

1. A table shall be used for the heading of page one on all policies as follows:

<b>MASSACHUSETTS DEPARTMENT OF CORRECTION</b>	<b>DIVISION: Executive Director of Strategic Planning and Research</b>
<b>TITLE: DEPARTMENT PLANNING PROCESS</b>	<b>NUMBER: 103 DOC 175</b>

2. To create a table: select table on your tool bar, select insert table, use 2 columns, and 2 rows.
3. Please ensure that the formatting is the same as above, e.g., bold, double outlined, division, title, etc.
4. The remainder of page one is as follows:

**Purpose:** To establish guidelines for the Department of Correction ("Department") planning process.

**(Please state the purpose of the policy only).**

**References:** M.G.L. Ch 124, § 1(c) and (q).

**Applicability :**( Staff) or (Staff/Inmates) **Public Access :(**  
Yes or No)

**Location:** Department Central Policy File  
Each Institution's Policy File  
Executive Director of Strategic Planning and  
Research policy file.

**Responsible Staff for Implementation and Monitoring of Policy:**

- Executive Director of Strategic Planning and Research
- Superintendents

**Effective Date:**

(Reviewing Authorities shall propose an effective date for the revisions, i.e., with respect to Department policies, the Reviewing Authority shall indicate that the revised policy is to take effect thirty (30), sixty (60), or ninety (90) days, etc., from the date of the Commissioner's signature; with respect to regulations, a similar effective date assessment shall be made based upon the promulgation date (date of publication). This determination shall be indicated on the effective date line. Once the policy is returned to the PDCU from the Commissioner's office the appropriate date shall be inserted by the PDCU before distribution.)

**Cancellation:** 103 DOC 175.00 cancels all previous Department policy statements, bulletins, directives, orders, notices, rules and regulations regarding planning which are inconsistent with this policy.

**Severability Clause:** If any article, section, subsection, sentence, clause or phrase of 103 DOC 175.00 is for a reason held to be unconstitutional, contrary to statute, in excess of the authority of the Commissioner, or otherwise inoperative, such decision shall not affect the validity of any other article, section, subsection, sentence, clause or phrase of this policy.

The remainder of the policy shall then be added.

The appropriate way to outline the policies should follow the format below:

513.01

A.

1.

a.

i.

thereafter bullets.

## **VI. POLICY ATTACHMENTS**

1. Reviewing Authorities shall include all attachments electronically as part of the policy at the time the policy is submitted for review. (Attachments are not appropriate for regulations).
2. If a Reviewing Authority is unable to include an attachment with the policy, i.e., attachments from other agencies, then it is incumbent upon the Reviewing Authority to provide all institutions/units with the appropriate attachments. However, every effort shall be made to submit all attachments electronically.
3. In the event that an attachment cannot be submitted electronically with the policy being submitted for review, Reviewing Authorities shall designate a blank page(s) within the policy to show where that attachment would have been placed. The blank page(s) shall read **Attachment A, not on intranet**. The rationale for this requirement is to not only ensure that staff members viewing the policy via the intranet can see that there is an attachment(s) missing, but to ensure that the hard copy and the intranet file coincide with each other.

## **VII. REGULATION FORMATTING REVIEW**

1. Annual review and/or amendment memorandums describing the proposed changes to a regulation shall state which section shall be deleted and which section shall be added, using bold print for additions and the strikethrough font for deletions.
2. In addition, two (2) complete copies of the revised regulation shall be submitted to the Director of the PDCU. One (1) copy shall, by using the tracking feature, contain the bold print for additions and the strikethrough for deletions in the body of the

regulation as shown in the review memorandum. The second copy shall be the final, "accepted" version of regulation to be submitted for publication. Both copies of the regulation shall be submitted electronically to the PDCU via GroupWise.

TO: Commissioner  
 FROM: , Reviewing Authority  
 DATE:  
 RE: **IMPACT STATEMENT**  
**POLICY #:**  
**TITLE:**

As a result of my review of the aforementioned policy/regulation, I am recommending you amend the current policy/regulation. The revisions shall have the following impact on the budget and training requirements if you choose to approve the revised policy/regulation.

	<b>CURRENT</b>	<b>PROPOSED</b>
<b>BUDGET</b>		
Equipment:	No impact	No impact
Supplies:	No impact	No impact
Maintenance:	No impact	No impact
Training:	No impact	No impact
Staffing:	No impact	No impact
Dept. Database (if applicable)	No impact	No impact
Other:	No impact	No impact
<b>TRAINING</b>		
Hours:	No impact	No impact
Who is to be trained:	No impact	No impact
Type of training:	No impact	No impact
<b>COLLECTIVE BARGAINING IMPACT</b>	No impact	No impact
<b>IMS IMPACT</b>	No impact	No impact
<b>TECHNOLOGY IMPACT</b>	No impact	No impact



**Massachusetts Department of Correction  
Policy Review Tracking Form  
Attachment 5  
in accordance with 103 DOC 104 – Internal Regulations**



<b>Section 1:</b>	<b>To be completed by the Reviewing Authority (R/A)</b>		
Reviewing Authority:			
Policy #:		Policy Title:	
Annual Review month: <i>(per Attachment 2)</i>			
Date sent out:		Sent to:	

<b>Section 2: <i>(if applicable)</i></b>	<b><i>If applicable, to be completed by the Deputy Commissioner of Classification, Programs and Re-Entry division (for any female offender concerns)</i></b>		
Date Received:			
Date returned to R/A:			
<b>To be filled out by the Reviewing Authority</b>			
Date received back:		Date sent to the ADC, Northern Sector:	

<b>Section 3:</b>	<b>To be completed by the ADC, Northern Sector <i>(to consider SHCU applicability)</i></b>		
Date Received:			
Date returned to R/A:			
<b>To be filled out by the Reviewing Authority</b>			
Date received back:		Date sent to the Deputy Commissioner of Admin Services:	

<b>Section 4:</b>	<b>To be completed by the Deputy Commissioner of Administrative Services <i>(for budget and information technology related issues)</i></b>		
Date Received:			
Date returned to R/A:			
<b>To be filled out by the Reviewing Authority</b>			
Date received back:		Date sent to the Director of Staff Development:	

<b>Section 5:</b>	<b>To be completed by the Director of Staff Development</b>		
Date Received:			
Date returned to R/A:			
<b>To be filled out by the Reviewing Authority</b>			
Date received back:		Date sent to DOC Legal Division:	

<b>Section 6:</b>	<b>To be completed by the DOC Legal Division</b>		
Date Received:			
Date returned to R/A:			
<b>To be filled out by the Reviewing Authority</b>			
Date received back:		Date sent to the Director, PDCU:	

**Superintendent's Policy/Regulation Review Chart**

**Attachment #6**

<b>FACILITY</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEP</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>
Northeastern Correctional Center		507	102	444	139	122	621	206	463	730	214	340
MCI Framingham	445	343	133		559	631	502	492	180	401	465	172
Pondville Correctional Center	155	132	466	250	216	418	750		238		426	527
MCI Shirley	237	221	405	562	240	101	523	467		345		
MCI Cedar Junction		513	504	505	478	450	506	203	491	622	156	
South Middlesex Correctional Center	131	422	610	402	560	481	511	222		550	223	516
Massachusetts Alcohol and Substance Abuse Center	473	410	740		423	471	514	100	519	487	202	
Souza Baranowski Correctional Center	404	763	473	607	640	424	210A	112	703	400	530	525
Bridgewater State Hospital	761	407	515	518	700	503	630	661		154	483	
MCI Norfolk	620		472	517	411	344	119	105	208	488		453
Old Colony Correctional Center	501	445	509	486	213	464	485	108			751	
MCI Concord	482	508	461	181	431		446	403	601	230	462	342
Bay State Correctional Center		468				762	417	103	211	209	229	104
Shattuck Hospital Correctional Unit	755	430	757	420	421		226	559	522		759	604
MCI Plymouth	157	339	756	270	460	459	158	493			175	215
Massachusetts Treatment Center	512	650		651	758	346	510	662	521	760	201	
North Central Correctional Institution	204	476	419	477	224	220	239	341		652	660	
Boston Pre-Release	210		205			207	300	441	447	153	451	561

Attachment # 7

SUPERINTENDENT'S POLICY/REGULATION CHANGE SHEET

Policy/Regulation #: \_\_\_\_\_

Policy/Regulation Title: \_\_\_\_\_

Facility: \_\_\_\_\_ Submitted by: \_\_\_\_\_  
Superintendent

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When completing this form, please be specific as to which sections you are recommending changes for:

Additions (what and why):

Deletions (what and why):

Additional Comments (impact of revisions, e.g., budgetary, training, etc.):

Submit this form (electronically) to the Policy Development and Compliance Unit by the last business day of the month.

cc: Assistant Deputy Commissioner

**Department of Correction  
Procedural Statement  
On the Conduct of Public Hearings**

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In order to ensure a consistent and fair opportunity for any interested person or group to comment upon Department of Correction proposals to adopt, amend, or repeal any regulation or portion thereof, the Department shall, in addition to following the applicable requirements of M.G.L. c. 30A, the Administrative Procedures Act, 950 CMR 20.00, governing the preparing and filing of regulations, and all applicable Executive Orders, comply with the following procedures.

1) The Legal Division of the Department shall notify in writing any person or group that has filed a written request for notice of the adoption, amendment, or repeal of any regulation pursuant to M.G.L. c. 30A, §2. The notice shall contain the statutory authority under which the action is proposed, the time and place of the public hearing, the express terms or substance of the proposed regulation, and any other additional matter required by law. A copy of the notice shall also be sent to the Director of the Policy Development and Compliance Unit who shall notify the designated Reviewing Authority, the Division of Public Affairs, and any other appropriate division of the Department.

2) A representative of the Legal Division of the Department shall conduct the public hearing. The appropriate Reviewing Authority or a designee shall attend the public hearing.

3) Interested persons or groups at the hearing shall be invited to provide a name, organization, mailing address, and telephone number for future contact [Attachment 1].

4) At the public hearing, all interested parties shall be afforded an opportunity to orally present data, views, or arguments relative to the proposed actions. Written presentations may be made at the hearing or at any time prior to the public hearing date.

5) The Legal Division shall maintain a record of all interested persons or groups that present data, views, or arguments at the hearing and written presentations made at the hearing or at any time prior to the public hearing date.

6) All orally presented data, views, or arguments relative to the proposed actions and any written presentations made at the hearing or at any time prior to the public hearing date shall be reviewed and considered by the Reviewing Authority in consultation with the Legal Division. Based upon the public hearing and written presentations, the Reviewing Authority may submit any appropriate revisions to the proposed regulatory action to the Commissioner for approval within ten (10) business days.

7) Each person or group that orally presented data, views, or arguments relative to the proposed actions or any written presentations and who provided a name, organization, mailing address and telephone number for future contact shall receive a letter from the Reviewing Authority indicating that their data, views, presentations, or arguments relative to the proposed actions were received and considered. The letter may also indicate any action taken regarding the submitted data, views, or arguments.

8) The Legal Division shall incorporate any revisions to the proposed regulatory action approved by the Commissioner and ensure completion of the regulatory process.

Waiver Request Format

To: Commissioner  
Thru: Appropriate Reviewing Authority  
Thru: Appropriate ADC  
From: Superintendent/Division Head  
**RE: Waiver Request: Policy #**

Date:

(Specifically outline the portion of the policy being sought to be waived and the reasons operationally the facility cannot comply.)

**Reviewed By:** \_\_\_\_\_  
**Recommend Approval Y/N** \_\_\_\_\_  
**Assistant Deputy Commissioner**                      **Date**

\_\_\_\_\_  
**Recommend Approval Y/N** \_\_\_\_\_  
**Reviewing Authority**                                      **Date**

\_\_\_\_\_  
**Approved**    **Denied**                                      **Date**

\_\_\_\_\_  
**Commissioner**

**Committee/Meeting Policy/Regulation Change Form**

TO: (Appropriate Policy/Regulation Reviewing Authority)

FROM: (Committee Chair/Staff Person)

DATE:

RE: Proposed Policy/Regulation Revision

As a result of a recent meeting of the (committee/meeting group name), I am proposing that the (103 DOC/CMR number) (policy name) policy be revised as follows:

(When completing this form, please be specific as to which sections you are recommending changes for :)

Additions (what and why):

Deletions (what and why):

Additional Comments (impact of revisions, e.g., budgetary, training, etc.):

cc: Director, PDCU



Creed	_____	_____
Ancestry	_____	_____
National Origin	_____	_____
Disability	_____	_____
Veteran's Status (incl. Vietnam era)	_____	_____

3) If you answered "yes" to any of the classes listed in section 2, what is the impact of the regulation upon those individuals or groups?

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4) Is the impact disparate or adverse?\*

Yes

If yes, explain:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

No

5) If there is a disparate or adverse impact, what strategies or actions could eliminate, alleviate, or otherwise mitigate such adverse impact?\*

Explain:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### **Civil Rights Program**

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\* "Disparate Impact" or "Adverse Impact" means an action emanating from implementation of a regulation, which although adopted absent the intent of discriminating against a member of a protected class, nevertheless adversely affects members of a protected class. No discriminatory intent is necessary.

\* You may contact the Commonwealth of Massachusetts Office of Access and Opportunity for review and guidance.

**Civil Rights Impact Analysis  
Certification**

I, \_\_\_\_\_, as the designee for the Department of Correction's Commissioner of Correction, hereby certify that I have performed the foregoing civil rights impact analysis for 103 CMR \_\_\_\_\_, \_\_\_\_\_ (title). I swear that all of the information verified in this analysis is true and accurate to the best of my knowledge and ability.

\_\_\_\_\_  
Reviewing Authority

\_\_\_\_\_  
Date