

*Massachusetts Department of Correction*  
Luis S. Spencer, Commissioner

# STATE COMPARISON OF LIFE SENTENCED INMATES

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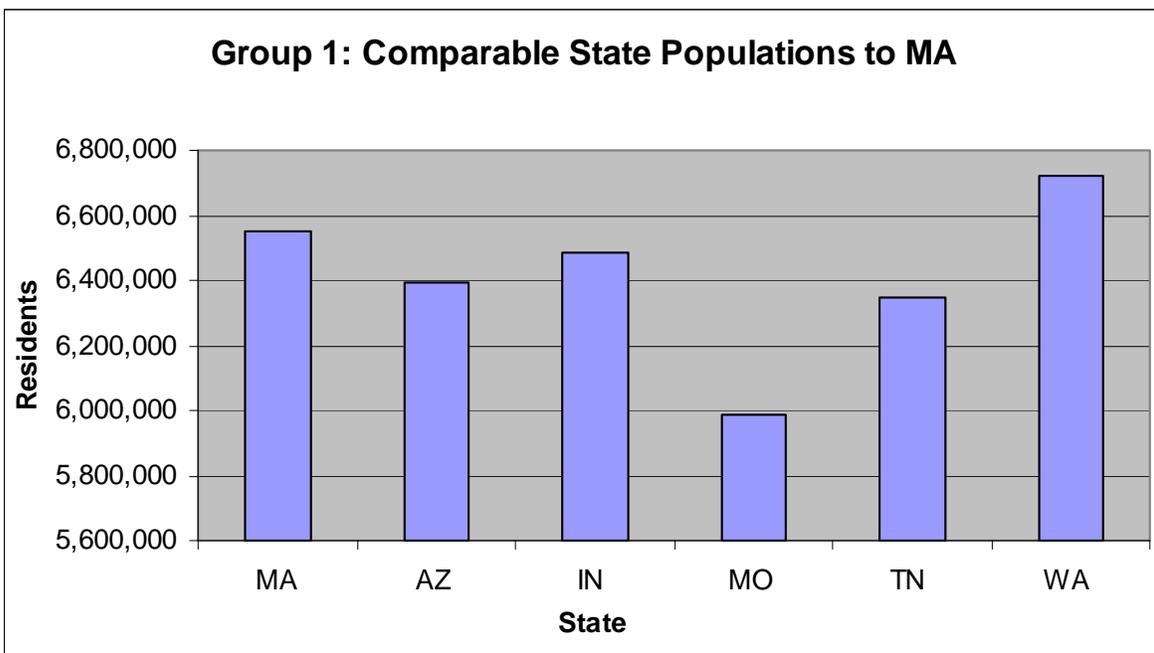
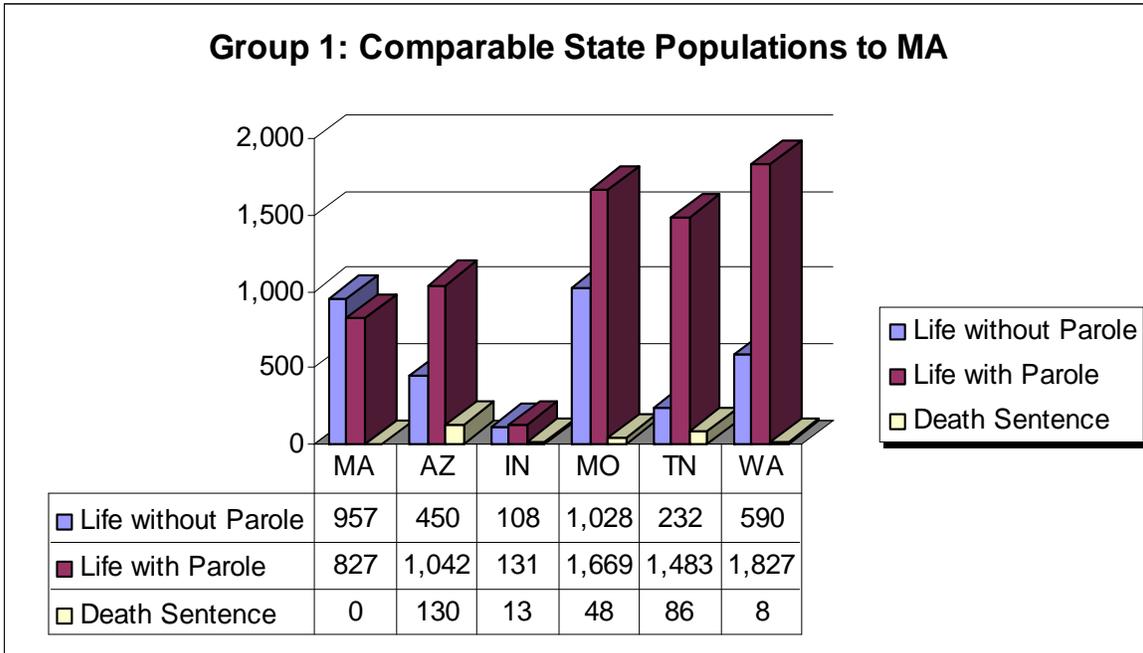
## **Introduction**

On December 31, 2010, the Massachusetts Department of Correction (MA DOC) had 1,784 inmates in state custody serving first and second degree life sentences. At that time there were 9,982 criminally sentenced inmates in MA DOC custody; with 17.9% of the population serving a life sentence. This brief report provides an analysis of this special population within the Massachusetts correctional system, as compared to other states. For the purposes of this report, the term 'lifer' refers to an inmate who has been sentenced to life without the possibility of parole (first degree), to life with the possibility of parole (second degree), or to a death sentence. Massachusetts, life sentenced inmates with the possibility of parole must serve 15 years before they become eligible for review by the parole board.

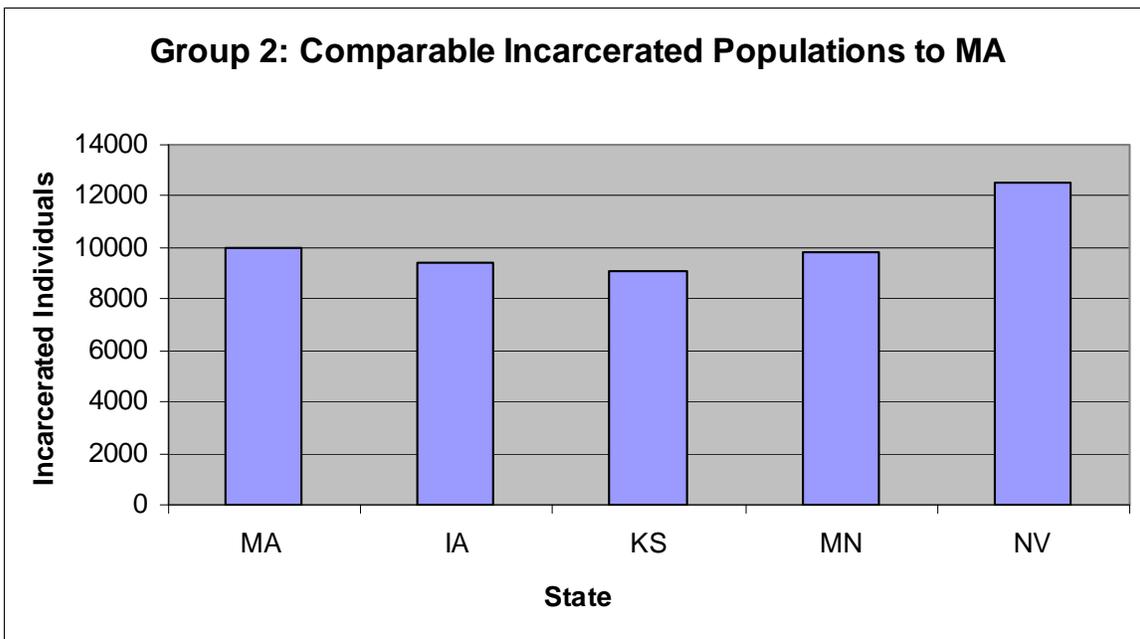
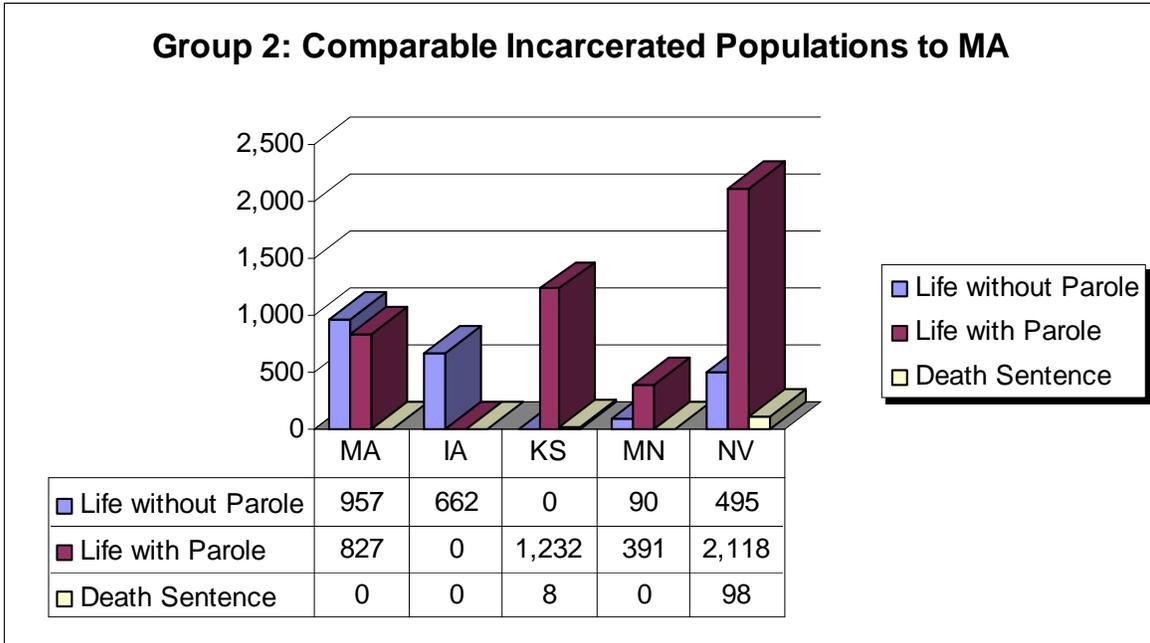
The data for this report was collected from 15 states in order to compare the ratio of lifer inmates in the MA DOC to the lifer populations in other states. States were selected for comparison by meeting one of the following three criteria: a state population similar to Massachusetts, an inmate population similar to Massachusetts, and an incarceration rate similar to Massachusetts. For each of the states in the 3 categories, data was collected from the Association of State Correctional Administrators (ASCA). Those states that did not report lifer information to ASCA were contacted and asked to fill out a short survey with the following three questions:

- The total number of inmates in state custody on December 31, 2010 who are serving sentences of life without the possibility of parole.
- The total number of inmates in state custody on December 31, 2010 who are serving sentences of life with the possibility of parole.
- The total number of inmates in state custody on December 31, 2010 who have been sentenced to death.

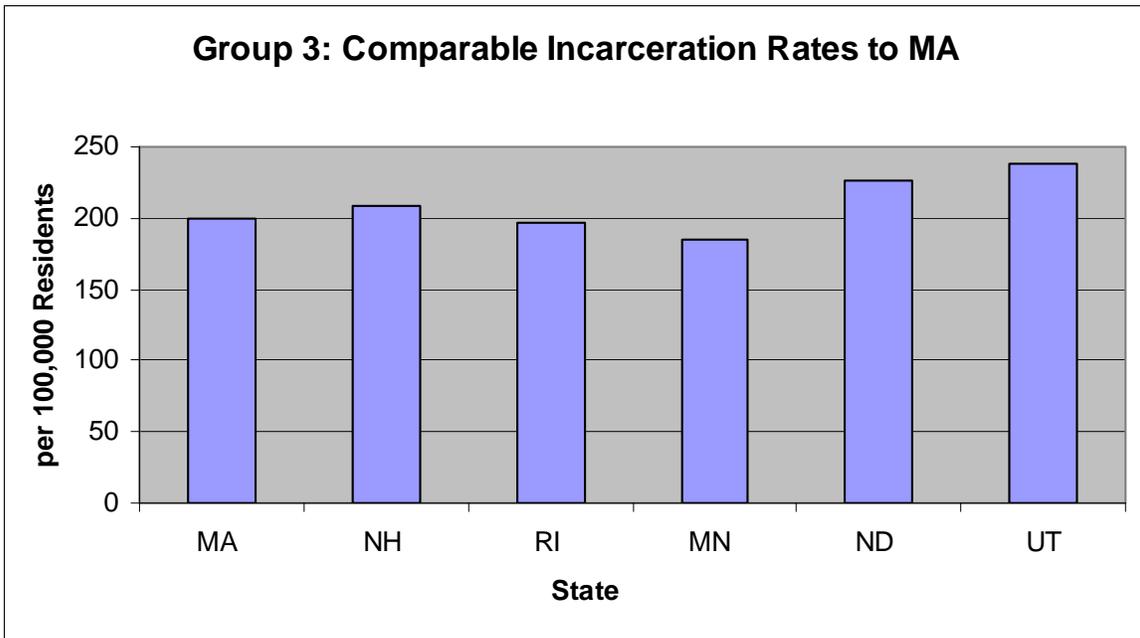
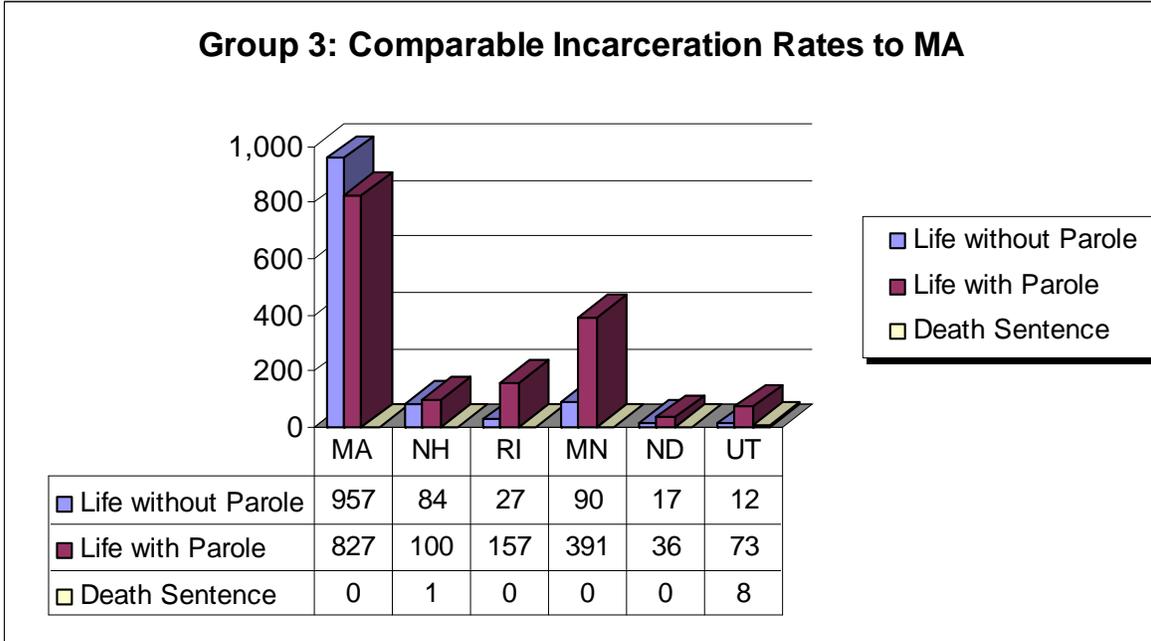
Of the 15 states surveyed for this report, 14 responded; of these, 8 of the 14 currently have the death sentence in place with active inmates in their custody sentenced to death. Group 1 includes the 5 states with most similar state populations to Massachusetts according to 2010 United States census data. This group included Arizona, Indiana, Missouri, Tennessee, and Washington.



Of the 5 states surveyed in Group 2, 4 responded and their information is depicted below. These states had similar incarcerated populations to that of Massachusetts as extracted from the Bureau of Justice Statistics. On December 31, 2010, Massachusetts had a criminally sentenced population of 9,982 inmates under state custody. The most similar states were Iowa (9,388), Kansas (9,051), Minnesota (9,796), Nevada (12,556), and one state that did not respond to the survey.



Group 3 included states with similar incarceration rates per capita to Massachusetts according to the Bureau of Justice Statistics. In Massachusetts, the incarceration rate is 200 per 100,000 United States residents. The 5 states with incarceration rates most similar, per capita to Massachusetts are New Hampshire (209), Rhode Island (197), Minnesota (185), North Dakota (226), and Utah (238).



## Conclusion

Nevada was the only state surveyed that had a higher percentage of lifers incarcerated than Massachusetts: 21.6% as compared to Massachusetts 17.9%. It is also important to note that of the 15 states analyzed, Massachusetts and Iowa are the only states with a greater number of inmates serving a first degree life sentence than a second degree life sentence (Iowa does not have any second degree lifers in their custody). Of the 15 states surveyed, Rhode Island is the only one that does not have local jails, therefore housing their entire inmate population in state prisons.

State	State Incarcerated Population	1 <sup>st</sup> Degree Life	2 <sup>nd</sup> Degree Life	Death Sentence	Total	% Lifers of Prison Population
NV	12556	495	2118	98	2711	21.59
MA	9982	957	827	0	1784	17.87
KS	9051	0	1232	8	1240	13.70
WA	18212	590	1827	8	2425	13.32
MO	30614	1028	1669	48	2745	8.97
RI	2086	27	157	0	184	8.82
IA	9388	662	0	0	662	7.05
NH	2761	84	100	1	185	6.70
TN	27451	232	1483	86	1801	6.56
MN	9796	90	465	0	555	6.04
AZ	38423	450	1042	130	1622	4.22
ND	1487	17	36	0	53	3.56
UT	6795	12	73	8	93	1.37
IN	28012	108	131	13	252	.90

In this report, the population of state prisons is examined but local jail populations are not taken into consideration. Therefore, it is relevant to mention that the states being surveyed are currently housing inmates with sentences of 1 year or less in local jails with the exception of Massachusetts. Unlike other states, Massachusetts allows county sentences with terms as long as 2.5 years. Thus, if the portion of criminally sentenced offenders in the Sheriff's custody serving sentences exceeding one year were factored into the statistics provided in this report, the *proportion* of lifers would be slightly lower. However, this does not fully explain the large disparity between Massachusetts proportions of lifers to sentenced inmates. Lifer population and total inmate population in each state is affected by many unpredictable factors including policy and law changes, current events, sentencing variations and even quality of health care.

Any questions or comments can be answered by email: [research@doc.state.ma.us](mailto:research@doc.state.ma.us). Copies of publications from the Office of Strategic Planning & Research can be found at <http://www.mass.gov/doc>. Special acknowledgement needs to be given to Gail Simms, Systems Analyst