

INFORMATION BULLETIN

**DISCIPLINARY REPORTS ISSUED IN THE
MASSACHUSETTS DEPARTMENT OF CORRECTION,
1985**

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**DISCIPLINARY REPORTS ISSUED IN THE
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Introduction

Inmates in the custody of the Department of Correction (DOC) can receive disciplinary reports for a variety of behavioral infractions. A hearing is held on each disciplinary report and a finding is issued. In some cases, sanctions are meted out and inmates can appeal the results of these disciplinary hearings.

The purpose of this bulletin is to present information on disciplinary reports written in the Department of Correction during 1985. The bulletin presents information on the disciplinary reports including: reporting institution, disciplinary offenses, findings, sanctions and appeals. The bulletin also presents information on the offenders receiving disciplinary reports, including characteristics of present offense, criminal history and social background.

The information in this bulletin is derived from disciplinary report rosters submitted to the Research Division by each institution. Additional offense, social background and criminal history information is derived from the computerized inmate data base. The bulletin contains information only on those disciplinary reports received by sentenced inmates in the DOC and excludes any disciplinary reports incurred by women in the Awaiting Trial Unit at Framingham and by Charles Street inmates housed at Concord or Norfolk. Also excluded from the analysis are disciplinary reports that were written and subsequently reduced to incident reports. In addition, 84 disciplinary reports were excluded from the analysis. In 29 cases the disciplinary offense was unknown and in 55 cases the identity of the offender receiving the report could not be positively determined.

Number of Disciplinary Reports

During 1985 there were 19,121 disciplinary reports written in DOC facilities. The number of disciplinary reports ranged from 2 at Hodder House to 8,737 at Cedar Junction. Four institutions, had more than 1,000 reports: Cedar Junction, Norfolk, Framingham and North Central Correctional Institute (NCCI). Four institutions had between 500 and 1,000 reports: Southeastern Correctional Center (SECC), Concord, Boston State Pre-Release Center (PRC), and Shirley. Table 1 shows the number of disciplinary reports for each DOC facility.

Table 1 also shows the number of disciplinary reports written at each facility in 1984. Overall, there was a 25 percent increase in disciplinary reports, from 15,291 in 1984 to 19,121 in 1985. A percentage increase in disciplinary reports between 1984 and 1985 occurred at each institution except for Concord and Park Drive where there was no change and Framingham, Lancaster, Shirley, and

Table 1

Reporting Institution,
1984 and 1985

Reporting Institution	1984		1985		Percent Change
	Number	Percent	Number	Percent	
<u>Maximum</u>					
Cedar Junction	5741	(38)	8737	(46)	(+52)
Lemuel Shattuck	28	(0)	36	(0)	(+28)
Sub-Total	5769	(38)	8773	(46)	(+52)
<u>Medium</u>					
Concord	714	(5)	717	(4)	(+0)
Framingham	1657	(11)	1481	(8)	(-11)
Norfolk	3119	(20)	3136	(16)	(+1)
NCCI	972	(6)	1205	(6)	(+24)
SECC	665	(4)	927	(5)	(+39)
Sub-Total	7127	(47)	7466	(39)	(+5)
<u>Minimum</u>					
Bay State	110	(1)	111	(1)	(+1)
Medfield	26	(0)	43	(0)	(+65)
NCC	95	(1)	193	(1)	(+103)
Sub-Total	231	(2)	347	(2)	(+50)
<u>Minimum/Prelease</u>					
Hodder	0	(0)	2	(0)	N.A.
Lancaster	253	(2)	174	(1)	(-31)
Longwood	0	(0)	53	(0)	N.A.
Plymouth	313	(2)	407	(2)	(+30)
Shirley	568	(4)	507	(3)	(-11)
Warwick	117	(1)	112	(1)	(-4)
Sub-Total	1251	(8)	1255	(6)	(+0)
<u>Pre-Release</u>					
Boston State	300	(2)	532	(3)	(+77)
Norfolk PRC	161	(1)	185	(1)	(+15)
Park Drive	148	(1)	148	(1)	(+0)
South Middlesex	304	(2)	415	(2)	(+36)
Sub-Total	913	(6)	1280	(7)	(+40)
TOTAL	15291	(100)	19121	(100)	(+25)

Warwick where there were decreases in disciplinary reports. The largest percentage increase occurred at Northeastern Correctional Center (NCC).

Individual offenders can also receive multiple disciplinary reports. The 19,121 disciplinary reports written in 1985 involved 4,304 different individuals. Individuals involved in the disciplinary process during 1985 received from one to one hundred and three disciplinary reports. The median number of disciplinary reports received, for individuals who received any reports, was two. There were 1,569 individuals (36 percent of all individuals receiving any reports) who received only one report during the year. There were 163 individuals who received twenty or more disciplinary reports during the year. Table 2 shows the number of disciplinary reports received by each of the 4,304 offenders involved in the disciplinary process during the year.

Table 2

**Number of Disciplinary Reports
Received by Individual**

Number of Disciplinary Reports Received	Number	Percent
One	1569	(36)
Two	812	(19)
Three	504	(12)
Four	313	(7)
Five to Nine	652	(15)
Ten to Fourteen	197	(5)
Fifteen to Nineteen	94	(2)
Twenty or More	163	(4)
TOTAL	4304	(100)

Not all offenders in the DOC received disciplinary reports during 1985. An estimate of the proportion of the population involved in the disciplinary process can be derived by calculating the "base population" for the particular facility or the DOC as a whole, and comparing the "base population" with the number of individuals who received disciplinary reports. The "base population" is the population at the beginning of the period plus any new admissions during the period and represents the total number of offenders served during the period.

Table 3 shows the results of this analysis. For example, Cedar Junction had 690 offenders at the beginning of the year and 2,160 offenders admitted during the year for a total of 2,850 offenders. There were 1,190 individuals involved in the disciplinary process at Cedar Junction during the year. Thus, it can be estimated that 42 percent of the population at Cedar Junction received one or more disciplinary reports during the year.

Overall, an estimated 54 percent of the offenders in the DOC during 1985 received one or more disciplinary reports during the year and 46 percent received no disciplinary reports during the same period. For individual facilities, the proportion of the population involved in the disciplinary process ranged from 5 percent at Lemuel Shattuck to 66 percent at Boston State Pre-Release Center. Because offenders are generally placed at more than one facility during the year, the proportion involved in the disciplinary process at each facility is generally lower than the proportion involved in the DOC as a whole.

Table 3

Number of Individuals
Receiving Disciplinary Reports
by Institution

Institution	Beginning Population	Admissions	Total	Individuals Receiving D-Report*	Percent of Population
Cedar Junction	690	2160	2850	1190	(42)
Lemuel Shattuck	22	472	494	27	(5)
Concord	607	3672	4279	493	(12)
Framingham	241	978	1219	373	(30)
Norfolk	1130	1584	2714	1114	(41)
NCCI	610	1164	1774	585	(33)
SECC	338	786	1124	374	(33)
Bay State	141	190	331	80	(24)
Medfield	24	61	85	32	(38)
N.C.C.	132	437	569	129	(23)
Longwood	0	223	223	34	(15)
Lancaster	112	190	302	97	(32)
Hodder House	0	12	12	2	(17)
Plymouth	135	566	701	254	(36)
Shirley	292	678	970	331	(34)
Warwick	66	170	236	87	(37)
Boston State	53	205	258	171	(66)
Norfolk PRC	53	95	148	77	(52)
Park Drive	50	121	171	79	(46)
South Middlesex	77	195	272	151	(56)
TOTAL	4773	3124	7897	4304	(54)

* Individuals can receive disciplinary reports at more than one institution. Thus, the sum of this column is greater than the total number of individuals receiving disciplinary reports.

The number of disciplinary reports issued in any month ranged from 1,263 in April to 2,054 in September. Table 4 presents the month in which disciplinary reports were issued. There seems to be little seasonal variation in the issuance of disciplinary reports.

Table 4

Month In Which Disciplinary Report Was Issued

Number of Disciplinary Reports Received	Number	Percent
January	1338	(7)
February	1409	(7)
March	1363	(7)
April	1263	(7)
May	1383	(7)
June	1465	(8)
July	1528	(8)
August	1792	(9)
September	2054	(10)
October	1891	(10)
November	1818	(10)
December	1817	(10)
TOTAL	19121	(100)

Characteristics of Disciplinary Reports

In this section several characteristics of disciplinary reports are discussed including: type of disciplinary report, disciplinary offense, finding, sanctions, administrative action taken on sanctions, isolation days, recommendations for loss of good conduct time, and disciplinary appeals.

Type of Disciplinary Report

Disciplinary reports are classified into three types: major, minor and referred to District Attorney (D.A.). Overall, 68 percent of the reports were classified as major, 31 percent were classified as minor, and one percent were initially referred to the D.A. Table 5 shows the type of disciplinary report issued for each reporting institution. The type of disciplinary report varied widely by institution. For example, 98 percent of the reports written at Norfolk were classified as major while only 33 percent of the reports written at Boston State were classified as major.

Table 5

Type of Disciplinary Report
By Reporting Institution

Reporting Institution	<u>Major</u>		<u>Minor</u>		<u>D.A.</u>		<u>Total</u>	
	N	%	N	%	N	%	N	%
Maximum								
Cedar Junction	5359	(61)	3378	(39)	0	(0)	8737	(100)
Lemuel Shattuck	33	(92)	3	(8)	0	(0)	36	(100)
Sub-Total	5392	(61)	3381	(39)	0	(0)	8773	(100)
Medium								
Concord	671	(94)	46	(6)	0	(0)	717	(100)
Framingham	916	(62)	553	(37)	12	(1)	1481	(100)
Norfolk	3089	(98)	19	(1)	28	(1)	3136	(100)
NCCI	802	(67)	403	(33)	0	(0)	1205	(100)
SECC	551	(59)	376	(41)	0	(0)	927	(100)
Sub-Total	6029	(80)	1397	(19)	40	(1)	7466	(100)
Minimum								
Bay State	49	(44)	53	(48)	9	(8)	111	(100)
Medfield	42	(98)	1	(2)	0	(0)	43	(100)
N.C.C.	147	(76)	33	(17)	13	(7)	193	(100)
Sub-Total	238	(69)	87	(25)	22	(6)	347	(100)
Minimum/Pre-Release								
Longwood	29	(55)	24	(45)	0	(0)	53	(100)
Lancaster	100	(57)	74	(43)	0	(0)	174	(100)
Hodder House	2	(100)	0	(0)	0	(0)	2	(100)
Plymouth	200	(49)	202	(50)	5	(1)	407	(100)
Shirley	230	(45)	267	(53)	10	(2)	507	(100)
Warwick	101	(90)	11	(10)	0	(0)	112	(100)
Sub-Total	662	(53)	578	(46)	15	(1)	1255	(100)
Pre-Release								
Boston State	174	(33)	358	(67)	0	(0)	532	(100)
Norfolk PRC	139	(75)	43	(23)	3	(2)	185	(100)
Park Drive	121	(82)	27	(18)	0	(0)	148	(100)
South Middlesex	304	(73)	92	(22)	19	(5)	415	(100)
Sub-Total	738	(58)	520	(40)	22	(2)	1280	(100)
TOTAL	13059	(68)	5963	(31)	99	(1)	19121	(100)

Disciplinary Offense

There are thirty-one different offenses for which offenders can receive disciplinary reports. These offenses are shown in Appendix A. In any single disciplinary report an offender can be cited for more than one offense so that the number of offenses committed is greater than the number of disciplinary reports issued. The present analysis incorporates up to five offenses per disciplinary report. Of the 19,121 disciplinary reports, 7,868 (42 percent) involved one offense, 6,156 (32 percent) involved two offenses, 3,515 (18 percent) involved three offenses, 1,143 (6 percent) involved four offenses, and 439 (2 percent) involved five offenses. In total, the 19,121 disciplinary reports involved 37,492 separate disciplinary offenses.

Table 6 presents the offenses for which offenders received disciplinary reports in 1985. The first column represents the number of disciplinary reports in which the particular offense was involved and the second column represents the percentage of reports in which this offense was involved. For example, offense number 19, abusive language, was cited in 2,166 (11 percent) of the reports as one of the first five offenses. Because disciplinary reports often involve more than one offense the columns sum to more than the number of reports and to more than 100 percent.

The most common disciplinary offenses were: number 2, violating rules (47 percent); number 1, disobeying, lying or insolence (31 percent); and number 8, disrupting order (30 percent).

Table 6

Disciplinary
Offenses

Disciplinary Offense	Number	Percent
1. Disobeying/Lying or Insolence	6007	(31)
2. Violating Rules	8919	(47)
3. Failure to Keep Quarters	1202	(6)
4. Out of Place	3273	(17)
5. Failure to Perform Assignment	1053	(6)
6. Counterfeiting/Forgery	48	(0)
7. Tampering with Exit	251	(1)
8. Disrupting Order	5788	(30)
9. Escape	230	(1)
10. Alcohol/Other Drug	1870	(10)
11. Misuse Medication	68	(0)
12. Refusing Drug Test	113	(1)
13. Gambling	165	(1)
14. Rioting	373	(2)
15. Possession of Weapon	375	(2)
16. Killing	20	(0)
17. Self Mutilation	88	(0)
18. Fighting/Assaulting/Threatening	1727	(9)
19. Abusive Language	2166	(11)
20. Engaging in Sexual Acts	116	(1)
21. Setting a Fire	128	(1)
22. Destroying Property	694	(4)
23. Poss. of Others Property	271	(1)
24. Poss. of Unauthorized Items	974	(5)
25. Exchanging Money	166	(1)
26. Stealing	425	(2)
27. Bribing Staff	11	(0)
28. Bribing Staff with Services	8	(0)
29. Extortion	14	(0)
30. Violating Mass. Laws	313	(2)
31. Att. to Commit Infraction	636	(3)

Disciplinary Report Findings

The disciplinary report board that hears the case will issue a finding. Table 7 presents the findings of all 1985 disciplinary reports. In 65 percent of the reports the finding was guilty; in 15 percent the report resulted in a warning; in 10 percent the report was dismissed or the offender was found not guilty; in 4 percent the report was filed; in 4 percent the report was pending or the offender was unavailable (on escape status or released before hearing); and in 2 percent the report was consolidated with other reports and a single finding was issued for all reports.

Table 7

Disciplinary Report Findings

<u>Finding</u>	<u>Number</u>	<u>Percent</u>
Guilty	12380	(65)
Warning	2949	(15)
Dismissed	1486	(8)
Filed	781	(4)
Pending	638	(3)
Not Guilty	448	(2)
Consolidated	286	(2)
Released Before Hearing	132	(1)
Escape Status	20	(0)
Refer to DA	1	(0)
TOTAL	19121	(100)

Sanctions

If an offender is found guilty of a disciplinary report, the board can impose sanctions upon the offender. The present analysis incorporates up to four sanctions per disciplinary report. Of the 19,121 disciplinary reports, 6,720 (35 percent) resulted in no sanction, 9,975 (52 percent) resulted in one sanction, 2,177 (11 percent) resulted in two sanctions, 244 (1 percent) resulted in three sanctions, and 5 (less than 1 percent) resulted in four sanctions. In total, the 19,121 disciplinary reports resulted in 15,081 sanctions.

Table 8 presents the sanctions that resulted from disciplinary reports issued in 1985. The first column represents the number of disciplinary reports in which the particular sanction was involved and the second column represents the percentage of reports in which this offense was involved. For example, extra work was cited in 1,870 reports (10 percent) as one of the first four sanctions. Because disciplinary reports often involve more than one sanction, the columns sum to more than the number of reports and to more than 100 percent.

The most common sanctions were isolation time (which was given in 41 percent of the reports), extra work (10 percent), loss of privileges (8 percent), and reclassification (7 percent).

Table 8

Disciplinary Report Sanctions

Sanction	Number	Percent
Reprimand	80	(0)
Loss of Privileges	1526	(8)
Room Restriction	1175	(6)
Restitution	174	(1)
Extra Work	1870	(10)
Isolation	7802	(41)
Loss of GCD	381	(2)
Consolidate	141	(1)
Reclassification	1317	(7)
Time Served	611	(3)
Probation	4	(0)
None	6720	(35)

Administrative Action. Sanctions for disciplinary reports can be invoked or suspended by the disciplinary board. Table 9 presents the administrative actions taken on each sanction. Overall, fifteen percent of all sanctions were suspended, and 85 percent were invoked.

Table 9

Disciplinary Sanction by
Administrative Action

Disciplinary Sanction	Suspended		Invoked		Total	
	Number	Percent	Number	Percent	Number	Percent
Reprimand	0	(0)	80	(100)	80	(100)
Loss of Privileges	112	(7)	1414	(93)	1526	(100)
Room Restriction	403	(34)	772	(66)	1175	(100)
Restitution	0	(0)	174	(100)	174	(100)
Extra Work	60	(3)	1810	(97)	1870	(100)
Isolation Time	1716	(22)	6086	(78)	7802	(100)
Loss of Good Time	1	(0)	380	(100)	381	(100)
Consolidated	0	(0)	141	(100)	141	(100)
Reclassification	40	(3)	1277	(97)	1317	(100)
Timed Served	0	(0)	611	(100)	611	(100)
Probation	0	(0)	4	(100)	4	(100)
Total	2332	(15)	12749	(85)	15081	(100)

Two types of sanctions were suspended more often than other types: room restriction, suspended in 34 percent of all cases; and isolation time, suspended in 22 percent of all cases.

Isolation Time. One common sanction imposed in response to disciplinary reports at secure facilities is isolation time. Table 10 shows the number of isolation days meted out for disciplinary infractions and shows whether those isolation days were invoked or suspended. Isolation days were given in 7,802 cases. The median number of days was 10.

Table 10

**Number of Isolation Days Imposed
by Administrative Action**

Isolation Days	Suspended	Invoked	Total
1 to 4	426	791	1217
5	498	1182	1680
6 to 9	156	716	872
10	328	1247	1575
11 to 14	14	53	67
15	229	1803	2032
16 or more	65	294	359
Total	1716	6086	7802

Good Conduct Days Lost. Another common sanction is the recommendation of loss of good conduct days. Table 11 shows the number of good conduct days that were recommended to be deducted. In 381 cases there was a recommendation for loss of good conduct days. The recommended number of days lost ranged from 5 to 500, and in 2 cases the recommendation was that all good conduct days be lost. The most frequently occurring recommendation was for the loss of 150 days.

Table 11

Recommended Loss of
Good Conduct Days
by Administrative Action

GCD Loss	Number	Percent
5 to 49	38	(10)
50	84	(22)
51 to 99	48	(12)
100	71	(19)
101 to 149	4	(1)
150	126	(33)
151 or more	10	(3)
Total	381	(100)

Disciplinary Report Appeals

Inmates can appeal the results of their disciplinary report to the Superintendent. In 1985, nine percent of all disciplinary report findings were appealed.

Table 12

Disciplinary Report Appeals

<u>Appeal</u>	<u>Number</u>	<u>Percent</u>
No Appeal	17364	(91)
Appeal Denied	1361	(7)
Appeal Approved	396	(2)
TOTAL	19,121	(100)

Characteristics of Offenders Receiving

Disciplinary Reports

Table 13 presents selected characteristics of offenders receiving disciplinary reports. The first two columns present offender characteristics for each disciplinary report. Thus, offenders receiving multiple disciplinary reports are represented multiple times in these columns. The last two columns present information on individuals who received disciplinary reports. Thus, each individual is represented once, regardless of the number of disciplinary reports received.

Most individuals receiving disciplinary reports were violent offenders (69 percent). Nine percent were lifers and 54 percent were serving other Cedar Junction sentences. Ninety-one percent were male and 9 percent were female. Sixty-one percent were white and 33 percent were black. The median age at disciplinary report was 27 years.

Table 13

**Selected Characteristics of
Offenders Receiving
Disciplinary Reports**

Offender Characteristic	Disc. Report		Individual	
	Number	Percent	Number	Percent
<u>Offense</u>				
Person	12376	(65)	2481	(58)
Sex	1832	(10)	479	(11)
Property	3301	(17)	815	(19)
Drug	810	(4)	294	(7)
Other	790	(4)	226	(5)
Unknown	12	(0)	9	(0)
Total	19121	(100)	4304	(100)
<u>Sentence</u>				
First-Degree Lifer	854	(5)	191	(4)
Second-Degree Lifer	1050	(5)	233	(5)
Other Walpole	11055	(58)	2306	(54)
Concord	4551	(24)	1142	(27)
Framingham	1561	(8)	401	(9)
Longwood	50	(0)	31	(1)
Total	19121	(100)	4304	(100)
<u>Sex</u>				
Male	17560	(92)	3903	(91)
Female	1561	(8)	401	(9)
Total	19121	(100)	4304	(100)
<u>Race</u>				
White	11323	(59)	2636	(62)
Black	6972	(37)	1430	(33)
Native American	60	(0)	11	(0)
Hispanic	503	(3)	176	(4)
Asian	17	(0)	6	(0)
Unknown	246	(1)	45	(1)
Total	19121	(100)	4304	(100)
<u>Age at Report</u>				
19 or Younger	1173	(6)	191	(5)
20 to 24	7084	(37)	1246	(29)
25 to 29	5694	(30)	1214	(28)
30 to 34	2721	(14)	806	(19)
35 to 39	1255	(7)	429	(10)
40 to 44	511	(3)	204	(5)
45 to 49	310	(2)	104	(2)
50 to 59	98	(0)	51	(1)
60 and Older	23	(0)	13	(0)
Unknown	252	(1)	46	(1)
Total	19121	(100)	4304	(100)

Summary

During 1985 19,121 disciplinary reports were written. The disciplinary process involved over half of the offenders in the DOC custody during 1985. Two institutions (Cedar Junction and Norfolk) were responsible for 62 percent of all disciplinary reports. Over half of the inmates involved in the disciplinary process received only one or two reports during the year. Sixty-eight percent of all reports were classified as major. The most commonly cited disciplinary offenses were violations of rule number 2 (violating rules), number 1 (disobeying, lying or insolence), or number 8 (disrupting order). The offender was usually found guilty of the offense which resulted in recommendations for isolation time, extra work, loss of privileges, or reclassification. The results of the board were usually not appealed. The typical offender receiving a disciplinary report was 27 years old, white, male and serving a Cedar Junction sentence for a violent offense.

**APPENDIX A
DISCIPLINARY OFFENSES**

<u>NUMERIC CODE</u>	<u>DESCRIPTION</u>
1	Disobeying an order of, lying to, or insolence toward a staff member.
2	Violating any departmental rule or regulation, or any other rule, regulation or condition of an institution or community-based-program.
3	Failure to keep ones person or ones quarters in accordance with institutional rules.
4	Being out of place.
5	Unexcused absence from, willful failure to properly perform or refusal to accept a work or program assignment.
6	Counterfeiting, forging, or unauthorized reproduction of any document, article of identification, money, security, or official paper.
7	Tampering with or blocking any locking device, door, gate or window.
8	Conduct which disrupts or interferes with the security or orderly running of the institution.
9	Escape or possession of escape tools.
10	Manufacture, possession, introduction or use of any unauthorized controlled substance, alcoholic beverage or associated paraphernalia.
11	Misuse of authorized medication, for example the unauthorized accumulation of prescribed medication.
12	Refusal to take a breathalyzer test or to provide a urine specimen.
13	Gambling.
14	Participating in or encouraging a riot, work stoppage, hostage taking, or unauthorized group demonstration.

- 15 Possession, manufacture or introduction of a gun, firearm, explosive, ammunition, weapon, sharpened instrument, knife or tool.
- 16 Killing.
- 17 Self mutilation.
- 18 Fighting with, assaulting or threatening another person with any offense against his person or property.
- 19 Use of obscene, abusive or threatening language action or gesture to any inmate or staff member.
- 20 Engaging in unauthorized sexual acts with others.
- 21 Setting a fire.
- 22 Willfully destroying or damaging state property or the property of another person.
- 23 Unauthorized possession of property belonging to another person.
- 24 Possession of anything, including money or currency, not authorized for retention or receipt by the inmate.
- 25 Giving money or anything of value to or accepting money or anything of value from another inmate, a member of his family or his friend, without authorization.
- 26 Stealing.
- 27 Giving or offering any official or staff member a bribe.
- 28 Giving or offering any official or staff member any item or service of value.
- 29 Extortion, blackmail, protection: demanding or receiving money or anything of value in return for protection against others.
- 30 Violating any law of the Commonwealth of Massachusetts or United States.
- 31 Attempting to commit any of the above offenses, aiding another person to commit any of the above offenses, and making plans to commit any of the above offenses shall be considered the same as commission of the offense itself.