

**HOUSE . . . . . No. 1518**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael S. Day and David M. Rogers***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to clarity and consistency for the Justice Reinvestment Oversight Board.

PETITION OF:

| NAME:                      | DISTRICT/ADDRESS:     | DATE ADDED:      |
|----------------------------|-----------------------|------------------|
| <i>Michael S. Day</i>      | <i>31st Middlesex</i> | <i>2/4/2021</i>  |
| <i>David M. Rogers</i>     | <i>24th Middlesex</i> | <i>2/25/2021</i> |
| <i>James J. O'Day</i>      | <i>14th Worcester</i> | <i>2/25/2021</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i>  | <i>2/26/2021</i> |
| <i>Elizabeth A. Malia</i>  | <i>11th Suffolk</i>   | <i>3/18/2021</i> |

**HOUSE . . . . . No. 1518**

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By Messrs. Day of Stoneham and Rogers of Cambridge, a petition (accompanied by bill, House, No. 1518) of Michael S. Day, David M. Rogers and others relative to the Justice Reinvestment Oversight Board. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3564 OF 2019-2020.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act relative to clarity and consistency for the Justice Reinvestment Oversight Board.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 18¾ of chapter 6A of the General Laws, as amended by chapter 69  
2 of the acts of 2018, is hereby amended by striking out clauses (12) through (14) and inserting in  
3 place thereof the following:-

4 (12)(i) to establish data collection and reporting standards for criminal justice agencies  
5 and the trial court, including the probation service, the parole board, the executive office of  
6 public safety and security, the department of correction, houses of correction, county jails, and  
7 the several district attorneys to capture and report information on their populations, including  
8 recording all applicable charges and convictions. The secretary shall promulgate regulations  
9 regarding: (i) the format for the submission of the data and (ii) the categories and types of data  
10 required to be submitted, including, but not limited to: (A) a unique statewide identification

11 number assigned to each person who enters the criminal justice system, including but not limited  
12 to the fingerprint-based state identification number and the probation central file number; (B) the  
13 offense for which the person has been incarcerated; (C) the date and time of the offense, (D) the  
14 location of the offense; (E) the race, ethnicity, gender age of the person, whether the person is a  
15 primary caretaker of a child and the status of the person's reproductive health needs; (F) risk and  
16 needs assessment scores; (G) participation and completion of evidence-based programs; and (H)  
17 dates entering and exiting the jail or the date entering the department or house of correction  
18 custody, wrap-up release date and actual release date.

19 (ii) the data collected pursuant to clause (i) shall be in the form of a cross-tracking  
20 system for data collection and reporting standards for criminal justice agencies and the trial  
21 court, including the probation service, the parole board, the executive office of public safety and  
22 security, the department of correction, houses of correction, county jails, and the several district  
23 attorneys. The cross-tracking system shall require all these agencies to use a unique state  
24 identification number assigned to each person who enters the criminal justice system and to  
25 incorporate the unique state identification number into their data systems upon a person's initial  
26 transfer to their jurisdiction. Anonymized cross-agency data shall be made available to the  
27 public for analysis through an application programming interface which allows access to all  
28 electronically available records.

29 (13) to establish data collection and reporting standards for criminal justice agencies and  
30 the trial court, including the probation service, the parole board, the executive office of public  
31 safety and security, the department of correction, houses of correction, county jails, and the  
32 several district attorneys relative to recidivism rates for rearraignment, reconviction and  
33 reincarceration. Recidivism rates, determined by the data collected, shall be reported annually to

34 the secretary. The data shall be submitted by each agency to the secretary who shall  
35 subsequently publish the information quarterly on the executive office of public safety and  
36 security website. Reported data shall be tracked over 1, 2 and 3 year periods and include  
37 categorizations by race, ethnicity, gender and age.

38 (14) to establish data collection and reporting standards for criminal justice agencies and  
39 the trial court, including the probation service, the parole board, the executive office of public  
40 safety and security, the department of correction, houses of correction, county jails, and the  
41 several district attorneys to standardize methods of reporting of race and ethnicity data to  
42 facilitate assessment of the racial and ethnic composition of the criminal justice population of the  
43 commonwealth. These agencies shall coordinate to ensure that racial and ethnic data related to  
44 populations, trends and outcomes is reported accurately to the secretary of the executive office of  
45 public safety and security and the public.

46 SECTION 2. Section 11 of chapter 7D of the General Laws, as amended by chapter 69 of  
47 the acts of 2018, is hereby amended by striking out the second paragraph and inserting in place  
48 thereof the following:-

49 The board shall meet quarterly to review the compliance of criminal justice agencies and  
50 the trial court, including the probation service, the parole board, the executive office of public  
51 safety and security, the department of correction, houses of correction and, county jails and the  
52 several district attorneys in: (1) collecting and submitting data required by paragraphs (12), (13)  
53 and (14) of section 18<sup>3</sup>/<sub>4</sub> of chapter 6A; (2) making said data available to the public as required  
54 by said paragraphs 12, 13 and 14 of said section 18<sup>3</sup>/<sub>4</sub> through the development of data portals to  
55 make data without personally identifiable information so available; and (3) maintaining policies

56 ensuring accurate data collection across racial, ethnic and gender classifications; provided, that  
57 compliance shall include a review of whether the methods of data collection are appropriately  
58 screening for gender-specific risk or needs that may be addressed by evidence-based programs.  
59 A report on the collection of data and the compliance with justice reinvestment policies shall be  
60 submitted annually to the clerks of the house of representatives and the senate on or before July  
61 1.