

**COMMONWEALTH OF MASSACHUSETTS
SUPREME JUDICIAL COURT**

SUFFOLK, ss.

SJC-12926

COMMITTEE FOR PUBLIC COUNSEL SERVICES AND
MASSACHUSETTS ASSOCIATION OF CRIMINAL DEFENSE LAWYERS,
Petitioners,

v.

CHIEF JUSTICE OF THE TRIAL COURT, ET AL.,
Respondents

SPECIAL MASTER'S WEEKLY REPORT

Pursuant to the Supreme Judicial Court's April 3, 2020 Opinion and Order in this matter, as amended on April 10, 2020 (the "Order"), the attached Appendix contains the Special Master's weekly report for the period ending April 12, 2020.

The Appendix contains charts reflecting the following information for the correctional facilities administered by the Department of Correction and each of the county Sheriffs' offices: (i) overall inmate population; (ii) the number of COVID-19 tests administered by the correctional facilities for all inmates, correctional officers, or other staff members, including contractors; (iii) the number of confirmed positive COVID-19 cases for all inmates, correctional officers, or other staff members, including contractors; and (iv) the number of inmates released pursuant to the procedures or guidance set forth in the Order since April 3, 2020. To date, 367 inmates have been released from state and county correctional facilities.

Dated: April 13, 2020

/s/ Brien T. O'Connor
Special Master Brien T. O'Connor,
Ropes & Gray LLP

Appendix

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Weekly Report for County Jails

Reporting Date	Aggregate of County Jail Reporting							
	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers*	Other Staff*	Inmates	Correctional Officers	Other Staff
5-Apr	6,104	18	21	47	14	1	4	8
6-Apr	6,420	2	25	34	12	6	9	2
7-Apr	7,173	8	10	7	5	6	2	0
8-Apr	7,096	43	6	10	3	6	7	1
9-Apr	7,006	52	8	12	4	2	6	2
10-Apr	6,874	78	24	23	1	14	10	0
13-Apr	6,717	83	30	17	11	14	5	1
Totals		296	127	161	50	54	48	14

*Because correctional officers and staff generally receive testing and treatment from their personal physicians or some other outside healthcare provider, the confirmed positive cases consist of those correctional officers or staff that have reported that information to the county jails.

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Weekly Report for County Jails

Reporting Date	Barnstable County							
	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	204	1	0	13	3	0	1	1
6-Apr	202	0	0	0	0	0	0	0
7-Apr	201	2	0	0	0	0	0	0
8-Apr	201	0	0	0	0	0	0	0
9-Apr	200	1	0	0	0	0	0	0
10-Apr	195	2	0	0	0	0	0	0
13-Apr	191	3	0	0	0	0	0	0
Totals		9	0	13	3	0	1	1

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Weekly Report for County Jails

Berkshire County								
Reporting Date	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	169	n/a	n/a	n/a	n/a	n/a	n/a	n/a
6-Apr	167	0	0	0	0	0	0	0
7-Apr	166	0	0	0	0	0	0	0
8-Apr	163	3	1	1	0	0	0	0
9-Apr	157	3	0	2	1	0	0	0
10-Apr	156	0	0	1	0	0	0	0
13-Apr	156	1	2	2	0	0	0	0
Totals		7	3	6	1	0	0	0

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Weekly Report for County Jails

Reporting Date	Bristol County							
	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	695	0	0	0	0	0	0	0
6-Apr	690	1	0	0	0	0	0	0
7-Apr	688	0	0	0	0	0	0	0
8-Apr	684	0	0	0	0	0	0	0
9-Apr	678	3	0	0	0	0	0	0
10-Apr	656	1	0	0	0	0	0	0
13-Apr	631	0	0	0	0	0	0	0
Totals		5	0	0	0	0	0	0

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Weekly Report for County Jails

Dukes County								
Reporting Date	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	11	0	0	0	0	0	0	0
6-Apr	11	0	0	0	0	0	0	0
7-Apr	11	0	0	0	0	0	0	0
8-Apr	12	0	0	0	0	0	0	0
9-Apr	11	1	0	0	0	0	0	0
10-Apr	11	1	0	0	0	0	0	0
13-Apr	11	1	0	0	0	0	0	0
Totals		3	0	0	0	0	0	0

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Weekly Report for County Jails

Reporting Date	Essex County							
	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	1,162	0	8	24	6	1	2	1
6-Apr	1,170	0	10	24	6	6	2	1
7-Apr	1,161	0	7	2	1	2	0	0
8-Apr	1,149	0	2	2	1	5	1	0
9-Apr	1,136	8	2	4	0	1	2	0
10-Apr	1,126	15	19	4	0	14	1	0
13-Apr	1,107	9	15	6	0	6	0	0
Totals		32	63	66	14	35	8	2

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Weekly Report for County Jails

Reporting Date	Franklin County							
	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	141	0	0	0	0	0	0	0
6-Apr	141	0	0	0	0	0	0	0
7-Apr	139	1	0	0	0	0	0	0
8-Apr	136	3	0	1	0	0	0	0
9-Apr	133	3	0	3	0	0	1	0
10-Apr	131	3	0	0	0	0	0	0
13-Apr	131	1	0	7	4	0	1	0
Totals		11	0	11	4	0	2	0

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Hampden County								
Reporting Date	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	931	n/a	3	1	n/a	pending	0	4
6-Apr	933	0	1	0	1	pending	0	0
7-Apr	920	0	1	3	3	0	0	0
8-Apr	909	1	1	1	0	0	1	0
9-Apr	909	4	1	0	1	0	0	1
10-Apr	902	7	0	0	0	0	0	0
13-Apr	877	10	0	2	1	0	1	1
Totals		22	7	7	6	0	2	6

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Hampshire County								
Reporting Date	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	167	17	0	0	0	0	0	0
6-Apr	157	1	0	0	0	0	0	0
7-Apr	157	2	0	0	0	0	0	0
8-Apr	157	0	0	0	0	0	0	0
9-Apr	157	1	0	0	0	0	0	0
10-Apr	154	1	2	0	1	0	0	0
13-Apr	153	0	4	0	0	2	0	0
Totals		22	6	0	1	2	0	0

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Weekly Report for County Jails

Reporting Date	Middlesex County							
	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	688	0	0	0	0	0	1	0
6-Apr	684	0	4	3	0	0	1	0
7-Apr	678	1	1	0	0	4	1	0
8-Apr	674	5	1	1	1	1	4	1
9-Apr	667	9	5	3	0	1	2	0
10-Apr	659	2	3	13	0	0	8	0
11-Apr	648	12	3	8	0	2	3	0
12-Apr	648	0	0	3	0	3	2	0
13-Apr	646	0	0	0	0	0	3	0
Totals		29	17	31	1	11	25	1

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Norfolk County								
Reporting Date	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	425	0	3	0	1	0	0	1
6-Apr	419	0	0	0	0	0	0	0
7-Apr	415	0	0	0	0	0	0	0
8-Apr	408	2	0	0	0	0	0	0
9-Apr	397	11	0	0	0	0	0	0
10-Apr	388	12	0	0	0	0	0	0
13-Apr	375	9	0	0	0	0	0	0
Totals	34	3	0	1	0	0	0	1

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Weekly Report for County Jails

Plymouth County								
Reporting Date	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	799	0	3	9	4	0	0	1
6-Apr	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
7-Apr	792	2	0	1	1	0	0	0
8-Apr	788	6	1	0	0	0	0	0
9-Apr	779	6	0	0	0	0	0	0
10-Apr	765	5	0	0	0	0	0	0
13-Apr	755	7	0	0	2	0	0	0
Totals		26	4	10	7	0	0	1

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Suffolk County								
Reporting Date	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
6-Apr	1,144	0	10	n/a	n/a	0	6	1
7-Apr	1,139	0	0	0	0	0	0	0
8-Apr	1,124	23	0	0	0	0	0	0
9-Apr	1,103	2	0	0	0	0	1	0
10-Apr	1,072	9	0	0	0	0	1	0
13-Apr	1,044	3	7	0	0	6	0	0
Totals		37	17	0	0	6	8	1

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Weekly Report for County Jails

Worcester County								
Reporting Date	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr	712	0	4	n/a	0	0	0	0
6-Apr	702	0	0	7	5	0	0	0
7-Apr	706	0	1	1	0	0	1	0
8-Apr	691	0	0	4	1	0	1	0
9-Apr	679	0	0	0	2	0	0	1
10-Apr	659	20	0	5	0	0	0	0
13-Apr	640	39	2	0	4	0	0	0
Totals		59	7	17	12	0	2	1

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Weekly Report for Department of Corrections

Reporting Date	DOC/Parole Board						
	Total Inmate Population	Number of COVID-19 Tests Administered by Correctional Facilities			Number of Confirmed COVID-19 Cases		
		Inmates	Correctional Officers*	Other Staff*	Inmates	Correctional Officers	Other Staff
5-Apr	n/a	n/a	n/a	n/a	n/a	n/a	n/a
6-Apr	8,083	129	n/a	n/a	40	17	10
7-Apr	8,038	16	n/a	n/a	16	4	2
8-Apr	8,013	6	n/a	n/a	2	0	1
9-Apr	7,995	4	n/a	n/a	4	7	1
10-Apr	7,972	18	n/a	n/a	15	0	1
12-Apr	7,972	10	n/a	n/a	7	0	0
Totals		183	0	0	84	28	15

DOC/Parole Board				
DOC & Parole Board Release Status				
Sentenced Inmates Released Since SJC Order	Pretrial Detainees Released Since SJC Order	Inmates Released on Parole Since SJC Order	Medical Parole Approved**	
Totals	9	4	58	23

*Because correctional officers and staff generally receive testing and treatment from their personal physicians or some other outside healthcare provider, the confirmed positive cases consist of those correctional officers or staff that have reported that information to the DOC.

**Although these inmates have been approved for medical parole, an inmate will only be approved for release from DOC custody once the Parole Board has approved the inmate's home plan. In addition, the Special Master has been working with DOC, the Parole Board, and CPCS to facilitate the finalization of release plans and the process for considering inmates who may be eligible for medical parole, but for whom a medical petition has not been filed.