Women and Massachusetts County Jails: An Introduction

April 2024
Number of Women in MA County Jails and State Prison, May 2023

Jails incarcerate individuals sentenced to less than 2.5 years as well as people loosely classified as “pretrial”. Average length of stay for sentenced women approx. 4 - 6 months. Pre-trial can be very short: a few days or weeks, occasionally longer.

Data Source: https://www.mass.gov/info-details/cross-tracking-state-county-correctional-populations
Jails are funded by the state but there is very little state oversight. County jails are under the authority of county sheriffs who are elected to 6 year terms. Sheriffs have a great deal of autonomy – there are no county governments that oversee the sheriffs. Sheriffs have the authority to release many of the people under their supervision on day reporting, GPS monitoring, work release programs, etc.
Most women in county jails are designated as “pre-trial”

The pre-trial designation includes:

- People awaiting arraignment
- People waiting for their case to be resolved by a plea bargain, sentencing hearing, or - more rarely - a trial.
- People who cannot afford bail or because it takes time for them to raise the money needed for bail.
- People incarcerated for violating a condition of their probation.*
- People who are being held without bail because a judge deemed they pose a danger to the community if they are allowed to leave.
- People who have an outstanding charge in another county and are jailed until the sheriff takes them to court for a hearing with a judge in that county.

Pre-trial individuals typically do not have a release date which makes post-release planning difficult or impossible.

Pre-trial individuals often are not eligible for programs in the jails.

Data Source: June 2023 [https://www.mass.gov/info-details/cross-tracking-state-county-correctional-populations](https://www.mass.gov/info-details/cross-tracking-state-county-correctional-populations)
**Portrait of women in county jails**

**Women in Poor Health**
- High rates of chronic and acute health problems
- Very high rates of substance use and of PTSD in the wake of abuse and assaults.
- Massachusetts does not compile data on this issue.

**Younger Women**
- Majority aged 39 or younger; i.e., childbearing age.
- Massachusetts does not compile data on the numbers of women in jails who are pregnant or mothers of minor children.

**Women of Color**
- Majority white women, reflecting white majority in the state.
- In comparison to total populations in Massachusetts, Black women are overrepresented in jails.

**Economically marginalized women**
- High rates of poverty and homelessness both before and after incarceration.
- Poverty can limit a woman’s ability to pay bail or afford suitable housing
- Massachusetts does not collect data re: economic circumstances of women before or after incarceration
Even a short stay in jail can have **long-term adverse consequences for** women and their families

- Loss of jobs
- Loss of housing
- Loss of custody of their children
- Disruptions in medication and relationships with healthcare providers
- Health emergencies that can’t be properly addressed in jail

*Children’s lives are disrupted when their mothers are removed from the home*
Steps to Reduce the Number of Women in Massachusetts Jails

- In the Community
- Pre-Trial
- Sentenced
Expand Community Programs Instead of Jail

Ascertain the gaps that exist in housing, legal assistance, transportation, childcare and other services for women.

Determine to what extent these shortages result in jails serving as default placements.

Ensure adequate support for community-based health and housing services.

Increase funding for reentry community programs demonstrated to reduce arrests and reincarceration.

*Research makes it clear that treatment inside of jails and prisons is far less effective and far more costly than treatment in the community.*

*Jails should not function as back-up solutions for unhoused and ill people.*
Women Classified as Pre-trial

• Ascertain how many women are in each of the pretrial categories, and their demographic background.
• Ensure that women in jail pretrial can coordinate with their attorneys and the courts to obtain release.
• Make greater (consistent) use of video conferencing to resolve cases in multiple jurisdictions.
• In line with the Brangan decision, ensure that low-income and poor women are not incarcerated due to inability to pay bail.
• Implement policies aimed at reducing / eliminating incarceration of women solely on probation violations.
• Ensure sufficient DPH resources to reduce / eliminate the number of women waiting for treatment beds or programs.

The revolving door of pre-trial incarceration disrupts all aspects of women’s lives.
Sentenced Women: Classification, Work Release and Needs for Data and Reporting

Require reporting on:
- criteria Sheriffs (and DOC) use for determining qualification for work release, early release, GPS and other community-based programs.
- number of individuals eligible for various early release and work release programs.
- number of individuals participating in such programs in each county.
- reasons for any discrepancies between eligibility numbers and actual numbers.

Ensure that all women eligible for work or early release programs are offered that option.
For more information on these and related issues see our report:

**Women in Massachusetts County Jails: An Introduction**

bit.ly/WomenMAJails