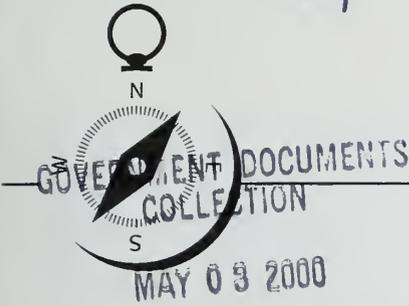


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The COURT COMPASS

NEWSLETTER OF THE MASSACHUSETTS JUDICIAL BRANCH



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1999 Employee of the Year Joanne Hoey, Head Administrative Assistant in the Suffolk Probate and Family Court Probation Office

Joanne Hoey Named 1999 Trial Court Employee of the Year

When twenty-one of her co-workers nominated her for the 1999 Trial Court Employee of the Year Award, Joanne Hoey, Head Administrative Assistant in the Suffolk Probate and Family Court Probation Office, had no idea that she was being considered for the honor. In a ceremony on June 2, Chief Justice for Administration and Management Barbara A. Dortch-Okara recognized Ms. Hoey with the Trial Court's highest award for her professionalism, dedication, and hard work.

Ms. Hoey supervises six people and oversees the daily operation of the Probation Office. She has been

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Community Corrections Handles Varied Demands of Intermediate Sanctions

Office of Community Corrections Director Stephen V. Price can recall a day several years ago when, as a Probation Officer, he listened to a judge sentence a man whose offenses had not warranted incarceration. The judge wanted to make clear, however, that probation would provide a deterring experience.

"The judge made a statement to the court that 'just because this guy is getting probation, don't think he's getting off easy. He's going to have to do community service work.'" Mr. Price says. "And I was sitting in court thinking, 'Where? Where can we send him to do meaningful community service work?'"

The problem, Mr. Price notes, was that there was no well-organized system in place for matching offenders with an appropriate community service situation, getting the offenders to the work site, supervising them, and making sure the work was finished.

By extension, the incident also illustrates the importance of having a well-administered system for effecting all intermediate sanctions, of which community service is just one part. Intermediate sanctions provide a sentencing option that can place upon offenders a range of obligations less severe than incarceration but more rigorous than standard probation, while also compelling offenders to take part in programs that can help them become law-abiding citizens.

The entity in charge of making sure that intermediate sanctions present a viable sentencing alternative is the Office of Community Corrections. Established

Community Corrections Centers represent 'one-stop shopping' in the criminal justice system's efforts to apply any of a whole range of measures to individual offenders.

Community Corrections

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Community Corrections

by statute in 1996, the OCC is a department of the Administrative Office of the Trial Court, which reports to the Chief Justice for Administration and Management.

The office helps open and operate Community Corrections Centers, with the goal of having thirty centers across the state by December of 2000; administers community service programs based at the centers and serving the surrounding courts; and coordinates other programs administered by private, non-profit community groups that provide counseling and training at the centers and on a referral basis.

By the end of May, nine centers were offering the full complement of intermediate sanctions' strictures and services, with two centers in Boston and one each in Barnstable, Fitchburg, Lawrence, Northampton, Quincy, Springfield, and Worcester. The centers manage drug testing, day reporting, electronic monitoring, and community service programs, and offer such services as drug and alcohol treatment, GED and job- and life-skills training, AIDS prevention education,

'The key to keeping people abstaining from substance abuse is coupling drug testing with treatment. One without the other just doesn't work.'

— Kevin Kearney,
OCC Regional Program Manager
for Hampden County

and referrals to other agencies for additional treatments.

A visit to a center quickly reveals an essential quality that allows them to perform such a comprehensive array of duties: The centers depend on close collaboration by many public and private criminal justice agencies.

"One of the real successes of community corrections is the partnerships that we've forged with sheriffs, the Department of Corrections, probation, parole, the Department of Public Health, and the Department of Mental Health," says Mr. Price. "Really the credit goes to all those agencies for their reception of us, a new agency, and they have shown a willingness to work with us. It's been

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one of the most positive aspects of this whole experience."

Essex County Community Corrections Center Director Dennis Daly, an employee of the Essex County Sheriff's Department, agrees. "Everything here is done with a team concept," he says, adding that the collaboration among agencies is echoed by the centers' ability to integrate a range of treatments for offenders.

"We're developing our own culture here," Mr. Daly says. "In the past we had therapeutic operations and we had correctional operations, but here we're able to integrate them." In the words of Sam Bellistri, OCC Regional Program Manager for Essex and Norfolk counties, the centers represent "one-stop shopping" in the criminal justice system's efforts to apply any of a whole range of measures to individual offenders.

Operation of the Centers

Upon entry into a center's care, each offender is assessed by a team of personnel appropriate for that particular case. Members of assessment teams

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promoted rapidly through the ranks, having been hired in 1986 as an entry-level secretary and rising to her current position in 1994.

In addition to her regular duties this year, Ms. Hoey also managed her office's move from the Suffolk County Courthouse to the New Chardon Street Courthouse. Her supervisor, Chief Probation Officer Mary F. Prior, credits her with coordinating the entire task.

"She's the one who moved this whole department, did all the packing, did all the organizing, at the same time maintaining the counter for the public and the needs of the court.

Then here at the new courthouse she unpacked everything and got this whole department set up. She worked late nights, Saturdays, and Sundays, coming in on her own without any prompting," Ms. Prior said.

At the June 2 ceremony, Chief Justice Dortch-Okara also honored the nine recipients of Trial Court Employee Excellence Awards: Melvin A. Arroyo, Probation Officer at the Palmer District Court; Gloria M. Arruda, Account Clerk I at the Bristol Probate and Family Court; Marlene M. Ayash, Administrative Attorney for the Land Court; Stephen J. Hanna,

First Assistant Register at the Bristol Probate and Family Court; Paula M. Houghton, Head Administrative Assistant at the Norfolk Juvenile Court; Kristen L. Hurst, Probation Officer at the Hampden Juvenile Court; Patricia B. Lloyd, Probation Officer at the Brockton District Court; Guadalupe Manganiello, Clerk Stenographer at the Essex Superior Court; and Maria I. Nannini, Assistant Register at the Middlesex Probate and Family Court.

"These ten employees are recognized for their outstanding service to the Trial Court and the public," Chief Justice Dortch-Okara said. ■



SJC Holds Sitting In Bristol County

The seven Justices of the Supreme Judicial Court heard oral arguments in the Bristol County Superior Courthouse in Fall River on May 3. The hearing was attended by hundreds of students from area schools and other members of the public. In the photo above, the Justices wait for SJC Clerk for the Commonwealth Jean M. Kennett to call the first case as SJC Chief Court Officer Philip Lavelle looks on.

Following oral arguments, the Justices toured the nearby Fall River Trial Court and met with the judges and court employees there. Visiting a courtroom in the former Durfee High School building are (from left) Clerk Kennett, SJC Justice Roderick L. Ireland, SJC Justice Margaret H. Marshall, SJC Justice John M. Greaney, District Court Judge Joseph I. Macy, SJC Justice Neil L. Lynch, Bristol Juvenile Court Judge James M. Cronin, Fall River District Court First Justice Antone S. Aguiar, Jr., and SJC Chief Justice Herbert P. Wilkins.

Community Corrections

may be from the OCC, Probation Department, Parole Department, a sheriff's department, or a therapeutic agency, but together they determine which services should become a part of the offender's schedule.

Most people handled by a corrections center are assigned there for a day reporting program, largely overseen by probation officers. Day reporting programs are conducted on 12-week cycles and divided into four levels of stringency that match the four levels of intermediate sanctions.

Each center will have the capacity to handle 25 offenders per cycle, or 100 per year. Mr. Daly notes, however, that he expects his center to exceed capacity by September and eventually handle 50 people per cycle.

A week in the life of an offender in Level IV, for example, revolves around the Community Corrections Center.

The offenders in that most closely supervised level are electronically monitored twenty-four hours a day and must report to the center for four to six hours a day, six days a week. These are the hours in which they participate in sessions on such topics as substance abuse, AIDS prevention, anger management, GED instruction, parenting skills, English as a Second Language, and life- and job-skills training.

Many sessions are designed to address the specific needs of women. Centers hold sessions on healing from abuse, mothering skills, and self-esteem, as well as for women's recovery groups. In Suffolk County, the demand for these programs, as well as the frequent need to keep men and women separated, will be addressed by a Community Corrections Center for women opening this year in Dorchester.

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Drug Testing and Treatment

Kevin Kearney, OCC Regional Program Manager for Hampden County, points out that Community Corrections Centers' ability to apply a broad range of services to each case can be particularly effective in dealing with substance abuse. "The key to keeping people abstaining from substance abuse is coupling drug testing with treatment. One without the other just doesn't work," he says.

On the testing side, the centers are implementing a system in which offenders are assigned a color according to whether they are at a high, moderate, or low risk of taking drugs again. Every day except Sunday, all offenders must call a toll-free number to learn the color of the day, then report to the center for a test if their color is

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Community Corrections

announced. People in the high-risk category are tested one to three times a week, while those in the low-risk category are tested once or twice a month. By the end of April, the Essex County center tested 216 people since its drug testing operation began on March 1, and the Hampden County center tested 975 people since September.

On the treatment side, the centers also hold Alcoholics Anonymous and Narcotics Anonymous meetings, and conduct relapse prevention sessions. Mr. Kearney notes that past programs tended to fail because they didn't help strengthen resistance to real-life temptations. "In earlier programs, the offenders have been incarcerated, so they don't have access to drugs. With community corrections, the access is there through simulating the environment they'll be in once sanctions are over."

Community Service

In many cities and towns, however, the most visible operation of the corrections centers is the community service component. Level III and IV offenders must do eight hours of service a week if they are unemployed, or four hours if employed.

By the end of April, the Hampden County Community Corrections Center had overseen 1,253 hours of community service, as offenders have picked up trash for the Massachusetts Highway Department, sorted clothes and done repair work for the Salvation Army, and helped move offices in the Springfield Hall of Justice, among other projects.

In Essex County, workers in community service performed 444 hours between the beginning of November and the end of April. Workers have helped groom ball fields, renovate the Club America building in Lynn, loaded trailers for the non-profit group Project HOPES in Lawrence, painted over graffiti, and cleaned vacant lots.

'The staff members in the Community Service Program will tell you they're the happiest people in the business because they get instant gratification that very few people in criminal justice get. When you go into that vacant lot, it's going to get cleaned by the time you leave.'

—OCC Director Stephen V. Price



OCC Director Stephen V. Price (center) is backed up by Statewide Program Coordinator Phyllis Buccio-Notaro (left) and Deputy Director Jonathan Randall.

"The community has given us a great response," says John Gibbons, Assistant Coordinator of Community Service. He and his Essex County colleagues, Coordinator Joel Bishop and Assistant Coordinator Bill Manix, say they expect their program to grow rapidly, as there is no end to the amount of work that could be done and as the number of people placed in the program increases.

Moreover, the response by the workers themselves is often quite positive. "I've seen workers get from lazy to

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very enthusiastic," says Mr. Bishop. "Some even want to come back and work more after their program is over."

Mr. Price says that "when you take people out with the opportunity to do a job - a directed, defined job - they'll do it and do a pretty good job, too. That's been the wonderful thing through all of this. The staff members in the Community Service Program will tell you they're the happiest people in the business because they get instant gratification that very few people in criminal justice get. When you go into that vacant lot, it's going to get cleaned by the time you leave."

Cost Savings

Community corrections also offers substantial savings to the taxpayer, in addition to the benefits provided for members of the criminal justice system, communities, and the offenders themselves.

Incarceration costs the state about \$30,000 per prisoner per year, while intermediate sanctions cost only \$6,600. The OCC has the goal of being able to handle 5,000 cases a year by January 2002, with an interim goal of handling at least 2,856 cases in fiscal year 2000. Thus, depending on how many of the offenders would otherwise go to prison, OCC statistics indicate that intermediate sanctions by next fiscal year could save the state as much as \$66.7 million per year.

Community corrections also may be reducing overcrowding at jails. OCC Deputy Director Jonathan Randall says that, based on preliminary figures, three sheriffs are reporting that the number of prisoners in excess of their jails' capacities seems to be declining. "They believe that has something to do with our work," Randall says. "To us, that is a very encouraging indication of the positive role community corrections can play." ■

Brockton, Chelsea Courthouses Near Completion

The work of building and renovating courthouses is taking shape in cities and towns across the state. In addition to the planning of new courthouses funded through the 1998 Court Facilities Improvement Act, work on earlier projects also is continuing. Following is the status of four projects, as of the end of May:

Brockton Trial Court

The \$35 million Brockton Trial Court, which will house the Brockton District Court, the Plymouth Probate and Family Court, the Southeastern Housing Court, and the Plymouth Juvenile Court, is in its final stages of construction. The Administrative Office of the Trial Court's Court Capital Projects Unit expects the courthouse to be open by the beginning of next year.

The four-story, brick courthouse on Brockton's Main Street features thirteen modern courtrooms, rooms for jury pools and deliberations, and separate elevators for the public, staff, and detainees. There also is a Trial Court Child Care Center where parents and guardians will be able to leave their children while attending court business.

The courthouse is the Trial Court's first to be built using the design/build method, in which Boston's Elkus/Manfredi Architects, Ltd., and Beacon/Skanska Construction Company, are collaborating closely for the duration of the project to speed its completion.

Chelsea Trial Court

Construction of the \$14.3 million courthouse on Broadway Street in Chelsea is at a more advanced stage, as furnishings and equipment are scheduled to be in place by early autumn. The Chelsea District Court and the Juvenile Court will probably begin moving in by late October, before an opening date of no later



The new Brockton Trial Court, as shown in an artist's rendering, will be a prominent fixture on Brockton's Main Street when construction is finished.

than Thanksgiving, according to AOTC.

The three-story brick building, designed by Schwartz/Silver Architects, Inc., of Boston, includes five courtrooms, jury accommodations, state-of-the-art security systems, and a drop-off Child Care Center for people with court business.

The new Chelsea Trial Court has large windows on the south side of the building, which provide the main lobby and adjacent office space with bright, airy light. The modern offices are designed to accommodate computer equipment and readily accessible storage space to increase working efficiency and service to the public.

John W. McCormack Post Office and Courthouse

Renovation of the former Federal Courthouse at Post Office Square in Boston also is nearly complete, as many Superior Court offices and Suffolk County trial sessions have been operating in their new quarters there since April.

Already relocated are the Admini-

strative Office of the Superior Court Department, the Suffolk Superior Court Clerk's Office for Criminal Business and all criminal sessions, several civil sessions, and the Suffolk Superior Court Probation Office, as well as the Appeals Court Mediation Project, the Massachusetts Sentencing Commission, and the Suffolk County Community Corrections Center.

The Suffolk Superior Court Clerk's Office for Civil Business and the remaining civil trial sessions will move from the courthouses at Pemberton Square in several weeks, placing all Superior Court offices and sessions in Suffolk County under one roof.

Taunton Trial Court

The new courthouse in downtown Taunton will house the Taunton District Court and the Bristol Probate and Family Court. The site has been selected, but a full Environmental Impact Report must be filed before the design and construction phases can begin. Work on the building's design is scheduled to start during the next fiscal year, beginning on July 1, 1999.

Videoconference Networks Extend Their Reach

One afternoon in May, Superior Court Judge Margaret R. Hinkle conducted hearings with four prisoners, two from maximum security prisons. Among the court personnel and attorneys accompanying Judge Hinkle at the hearings, held in an Administrative Office of the Trial Court conference room in Boston, was one court officer.

Yet the level of security was higher than could be provided in any courtroom in the state, thanks to the technology of videoconferencing. The inmates physically remained in their prisons but could make eye contact and conduct normal conversation with the judge and attorneys via a system that appears in the courtroom to be little more than a television set with a video camera on top.

"I'm very enthusiastic about the use of videoconferencing," Judge Hinkle says. "It has been a terrific device for us."

Cable Networks

The courts' use of videoconferencing varies, as does the technology that links sites around the state. Two older networks use dedicated cables that connect cameras and monitors at specific sites, such as courtrooms and prisons. Equipment at the newest sites is simply plugged into telecommunications lines as any computer or telephone would be, and can theoretically be used elsewhere. This system now includes equipment at the AOTC offices in Boston, the Middlesex County Courthouse in Cambridge, and the Wrentham District Court, and soon will expand to the Norfolk Superior Court.

The oldest system comprises a cable connecting a Superior Court



At Wrentham District Court, Judge Joseph I. Macy (left) and Administrative Assistant Aixa Torres prepare for a videoconference hearing with an MCI Cedar Junction inmate, visible on the television monitor in the background. The lower, right corner of the screen shows the image being taken by the camera on top of the monitor and being transmitted to the prison.

courtroom at the Suffolk County Courthouse with the Nashua Street Jail in Boston, and is used for bail review hearings. It was inaugurated on July 19, 1993, after a ceremony recognizing it as a ground-breaking technological advance by the courts. The link since then has more than lived up to the opening fanfare, as the Suffolk Superior Court has used it to conduct as many as 25 hearings a day involving prisoners at the jail.

Indeed, its value became particularly apparent when its operation was suspended for several weeks during the Superior Court's move from the Suffolk County Courthouse to the John W. McCormack Post Office and Courthouse at Post Office Square. As Cablevision of Boston, which owns the

cable and donates its use to the state, extends the cable to the new location, a Superior Court judge, clerk, court reporter, court officer, probation officer, and attorneys relocate to the jail for each afternoon of hearings.

A month after the Suffolk Superior Court began conducting bail review hearings by videoconference, the Hampden County Sheriff's Department began its own pilot project, which quickly proved so popular that the department decided to install a fiber-optic cable system.

The network is centered at the Hampden County Correctional Center in Ludlow and connects to the main court and four magistrate hearing rooms at the Holyoke District



Norfolk Superior Court Hosts Students from School in Milton

In the historic courtroom of the Norfolk Superior Courthouse in Dedham, Superior Court Judge Elizabeth Butler on May 27 addresses a group of elementary students and teachers from the Thacher Montessori School in Milton. During their day-long visit, the students also learned about the court system from Assistant Clerk James M. McDermott, Chief Probation Officer Edward F. Siudut, Norfolk County Assistant District Attorneys, and representatives of the Norfolk County Sheriff's Department. In addition to their visit to the courtroom (pictured), where the Sacco-Vanzetti trial took place in 1921, students also watched civil and criminal proceedings.

Videoconferencing

Court, the Palmer District Court, the Springfield District Court, the Hampden Superior Court, and the Westfield District Court. By August, it will be expanded to the Chicopee District Court. At each location is a room for confidential conferences between attorneys and clients. Equipment also is being installed to allow the system to connect, via telephone lines, with any outside videoconference site.

The network already handles more than 500 cases a year, and its use is growing rapidly. Hampden County Sheriff's Department Manager of Legal Resources Paula Audette-Leven, who heads the project, says videoconferencing is used for "just about any matter by agreement of the parties involved," including warrant recalls, fine resolutions, pre-trial hearings, and attorney/client discussions.

The Hampden County fiber-optic videoconference network already handles more than 500 cases a year, and its use is growing rapidly.

Over three weeks in April and May, the system was used in the disposition of fifty-nine outstanding criminal and civil cases involving inmates.

The Third System

The AOTC's Planning and Development Department and Information Technology Department manage the third videoconferencing system, now comprising three sites. When equipment is installed at Norfolk Superior Court, it will be available for use by that

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court and the Dedham District Court, the Norfolk Juvenile Court, and the Norfolk Probate and Family Court.

Although most videoconference sessions so far have been for hearings involving prisoners, expansion of the system will present new opportunities of how it can be used. Planning and Development Director Mary Jane Moreau envisions the day when the technology frequently will be used by personnel at different courts to meet with each other without requiring the time and expense of traveling to a common site. One such application would be to hold training sessions via videoconference, in which the trainer is at one site and the class is spread out across the state.

Videoconference equipment at each site also includes a document

Videoconferencing

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scanner, allowing pages of written material under discussion to be examined by all parties of a conference.

Already, the Middlesex Superior Court is using the videoconference facility at the Middlesex County Courthouse to conduct medical tribunals to evaluate malpractice cases before trial. Previous difficulties in gathering physicians together for the tribunals have eased considerably now that they do not have to go to the court.

Of the hearings involving prisoners, most are with inmates at the four prisons equipped for videoconferencing, at Concord, Norfolk, Shirley, and at Cedar Junction in Walpole. In one afternoon, a judge may conduct hearings with prisoners at all four, separated by a pause of only several minutes as an equipment operator dials the number for the videoconference site at the next prison.

Prisoners at other Department of Correction facilities are simply moved for their hearings to the closest prison that has the appropriate equipment, thus maintaining a higher level of security than can be possible with a move from a prison to a courthouse.

Suffolk County Superior Court civil sessions use videoconferencing for most hearings in which prisoners represent themselves, about seven percent of all filings. Virtually any type of hearing can be conducted by videoconference, including motion hearings, pre-trial conferences, habeas corpus hearings, and petitions for relief.

The Wrentham District Court has been using videoconferencing for more than a year. First Justice Daniel B. Winslow says that although his court regularly sched-

'Videoconference testimony has all the advantages of video depositions and all the advantages of live testimony. It is the best of both worlds.'

— Wrentham District Court
First Justice Daniel B. Winslow

ules two days of videoconference hearings every other week, the court tends to use more than that allotted time. Videoconferencing is used for prisoners' show-cause hearings, pre-trial conferences, motion hearings, and mediation sessions.

The Norfolk Division of the Probate and Family Court also uses the Wrentham facility for cases involving prisoners, including a divorce trial, hearings for name changes, and for restraining orders.

Judge Winslow notes that in addition to the security advantages, videoconferencing also provides scheduling and financial benefits. "There is potentially a tremendous cost savings in time and money," he says. When prisoners appear in person, "we can't control precisely when they arrive, as we just know that they will appear some time that day." Videoconferencing also eliminates the costs of transporting a prisoner.

Judge Winslow adds that, as members of the bar become more comfortable with the technology, its use in Wrentham and elsewhere is sure to expand to hearings other than those involving prisoners. "Videoconference testimony has all the advantages of video depositions and all the advantages of live testimony," he says. "It is the best of both worlds." ■



IT Logo Contest Winners Recognized for Designs

Chief Justice for Administration and Management Barbara A. Dortch-Okara (right) awards the \$500 prize to the winner of the Information Technology Project logo contest, Diane M. Glynn, Head Administrative Assistant of the Suffolk Superior Court Probation Department. Also attending the awards ceremony on May 7 at the Administrative Office of the Trial Court in Boston were the three court employees awarded Honorable Mentions: Cynthia A. Ruszczkyk, Procedures Clerk II at the Franklin/Hampshire Juvenile Court; Robert J. Sadowski, Probation Officer at the Quincy District Court; and Kenneth R. Lanza, Court Officer at the Boston Juvenile Court.

The Court Compass

The Court Compass is a quarterly publication written and produced by the Public Information Office of the Massachusetts Supreme Judicial Court. Please send questions, comments, ideas, or letters to Joan Kenney, Public Information Officer, or to Bruce Brock, Publications Specialist.

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