



Child Support Profile
Massachusetts Incarcerated and Paroled Parents

Fathers in the Criminal Justice System:
A Collaboration between Child Support Enforcement
and Criminal Justice Agencies in Massachusetts

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May 2002

Prepared under a grant from the federal Office of Child Support Enforcement
(Grant Number 90-FD-0049) to the Child Support Enforcement Division
of the Massachusetts Department of Revenue.



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Introduction

This report provides information about individuals with Massachusetts child support cases who are part of (1) the Massachusetts prison population, (2) the Massachusetts parole population, or (3) the Suffolk County House of Correction population.^{1,2} The report offers a brief overview of how cases are divided among these populations and the number of open and closed child support cases that can be matched to these offender populations. The analysis also offers a more detailed look at the demographic and geographic distribution of open child support cases of each group, order levels, evidence of modifications, arrears owed to custodial parents and the state, interest and penalties assessed against the obligors in each population, and recent payment history. The final section of the report considers arrears accumulated by offenders prior to and during their incarceration. It also estimates what arrears balances would look like for various offender populations with child support orders with the adoption of \$50 order levels upon entry to prison or jail.

Data for the report were generated by an electronic matching of Massachusetts child support data and data systems maintained by the Department of Correction, the Parole Department, and the Suffolk County House of Correction. The data were extracted on September 30, 2001, and the child support information was current through that date. Data on prison entry and projected release dates for offenders with open child support cases were obtained by manually reviewing offender records maintained by the criminal justice agencies that provided the electronic database.

Closed Child Support Cases

A total of 2,191 prisoners from the Department of Correction, 806 parolees, and 354 Suffolk County House of Correction inmates were matched to some type of child support case in Massachusetts.

| | |
|---|---------|
| Prison inmates matched to child support | 2,191 |
| Parolees matched to child support | 806 |
| Suffolk County House of Correction inmates matched to child support | 354 |
| | (3,351) |

¹ There were 44 individuals who appeared in both the prison and parole data. These individuals were removed from the parole file and analyzed with the prison data.

² In Massachusetts, a House of Correction is equivalent to a county jail in other states.



Figure 1 demonstrates that most of these individuals have at least one open child support case. Of the 3,351 individuals in this analysis, 105 (3.1%) have only closed cases. Another 96 individuals (2.9%) have both open and closed child support cases, and 3,150 have only open cases (94.0%). Combining those with only open cases and those with both open and closed cases yields a total of 3,246 prison, Suffolk County House of Correction inmates, and parolees with an open child support case in Massachusetts.

Distribution of Inmates and Parolees Among Open and Closed Child Support Cases

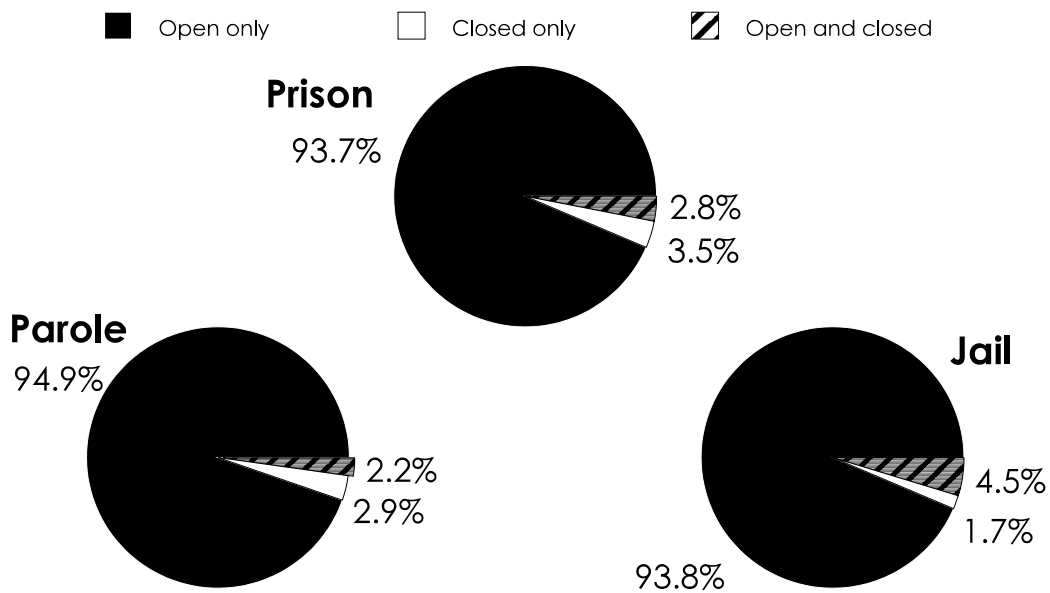


Figure 1

Table 2 shows the breakdown of the 201 individuals with a closed child support case. A total of 22 are Suffolk County House of Correction inmates, 41 are parolees, and 138 are prison inmates.

Most of these cases were closed prior to a child support order being established. Less than 5 percent of the closed cases are arrears-only cases, and, of course, none involves a current support order.

The geographic distribution of the closed cases varies among the three groups. Most of the closed cases of the Suffolk County House of Correction inmates are in the Metro Office. The closed cases of parolees are more widely distributed, although the majority are in either the Central or South Office. Among prison inmates, the closed cases are fairly evenly distributed across the Offices, with a somewhat disproportionate concentration in the Central, South, and West Offices.



Table 2. Profile of Closed Cases

| | Prison Inmates | Parolees | Suffolk County House of Correction |
|---|----------------|----------|------------------------------------|
| All closed cases are pre-obligation | 99.3% | 97.6% | 95.5% |
| At least one arrears-only closed case | 0.7% | 2.4% | 4.5% |
| Family Violence Indicator | 63.0% | 65.9% | 77.3% |
| Location of the closed child support cases | | | |
| Central Office | 23.2% | 36.6% | 0.0% |
| Metro Office | 13.0% | 14.6% | 68.2% |
| North Office | 14.5% | 17.1% | 13.6% |
| South Office | 23.2% | 24.4% | 18.2% |
| West Office | 26.8% | 9.8% | 0.0% |
| | (138) | (41) | (22) |

Demographic and Geographic Profile of Open Cases

A total of 2,115 individuals in a Massachusetts prison, 783 parolees, and 348 Suffolk County House of Correction inmates have at least one open Massachusetts child support case. As Table 3 indicates, the vast majority of these individuals are male, and most are over the age of 30.

Table 3. Age and Gender of Inmates and Parolees with at Least One Open Child Support Case

| | Prison Population | Parolees | Suffolk County House of Correction |
|-----------------------|-------------------|---------------|------------------------------------|
| Gender | | | |
| Male | 96.9% | 93.8% | 95.5% |
| Female | 3.1% | 6.2% | 4.5% |
| | (2,076) | (773) | (334) |
| Age | | | |
| Average | 35.5 years | 36.4 years | 33.0 years |
| Median | 35 years | 36 years | 33 years |
| Range | 20 - 68 years | 19 - 60 years | 19 - 60 years |
| Percent 21 or younger | 0.9% | 1.8% | 3.7% |
| Percent age 22-30 | 29.0% | 26.8% | 35.1% |
| Percent 31-40 | 45.2% | 47.8% | 48.6% |
| Percent 41 or older | 24.9% | 23.6% | 12.6% |
| | (2,114) | (783) | (348) |



The prison inmates and parolees in Massachusetts with an open child support case have, on average, 1.3 open cases. Among Suffolk County House of Correction inmates with open child support orders, the average is very similar — 1.4 cases. These averages translate into a total of 2,774 open Massachusetts child support cases for prison inmates, 996 cases among parolees, and 488 cases among Suffolk County House of Correction inmates.

Table 4. Number of Open Child Support Cases

| | Prison Population | Parolees | Suffolk County House of Correction |
|---|-------------------|----------|------------------------------------|
| Total number of individuals with an open case | 2,115 | 783 | 348 |
| Average number of open cases per person | 1.3 | 1.3 | 1.4 |
| Total number of open cases | 2,774 | 996 | 488 |
| | (2,115) | (783) | (348) |

Table 5 shows the geographic location of the open cases in general, as well as showing the location of pre- and post-obligation cases separately. Because some individuals have both pre- and post-obligation cases, the number of individuals in the pre- and post-obligation columns (in this and all subsequent tables) slightly exceeds the total columns.

Prison and parole cases are fairly evenly divided across the regional offices, with slightly smaller percentages in the Central Office. Open cases for inmates of the Suffolk County House of Correction are typically in the Metro Office.

Table 5. Location of Open Child Support Cases

| At least one open case located in . . . | Prison Population | | | Parolees | | | Suffolk County House of Correction | | |
|---|-------------------|-----------------|----------|----------------|-----------------|----------|------------------------------------|-----------------|----------|
| | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open |
| Central Office | 11.5% | 13.2% | 12.7% | 8.1% | 15.5% | 12.5% | 2.6% | 1.0% | 2.0% |
| Metro Office | 24.1% | 17.8% | 21.3% | 22.1% | 19.5% | 20.6% | 74.1% | 67.1% | 72.4% |
| North Office | 25.8% | 22.0% | 24.3% | 25.0% | 20.6% | 23.2% | 9.3% | 19.3% | 16.7% |
| South Office | 24.1% | 28.9% | 27.5% | 29.2% | 27.6% | 28.0% | 15.5% | 20.3% | 20.1% |
| West Office | 18.5% | 21.5% | 20.0% | 17.9% | 20.0% | 19.8% | 2.6% | 1.4% | 2.0% |
| | (1,091) | (1,257) | (2,115) | (308) | (446) | (783) | (193) | (207) | (348) |



Table 6 further breaks down post-obligation cases according to the court issuing the order. The percentages exceed 100 because one individual may have orders from two or more different courts. Not surprisingly, most of the orders for open Suffolk County child support cases were entered by the Suffolk Probate Court. The prison and parolee cases show a wider distribution. About a quarter of the orders for the prison population were entered at the district court level, and another quarter were divided between the Suffolk and Hampden Probate Courts. Among the parole population, about 20 percent of the orders were from the district court, and the Suffolk, Worcester and Hampden Probate Courts account for another 40 percent.

Table 6. Court Issuing Orders for Post-Obligation Cases

| | Prison Population | Parolees | Suffolk County House of Correction |
|--------------------|-------------------|----------|------------------------------------|
| District Court | 24.3% | 19.7% | 15.0% |
| Foreign Court | 1.3% | 0.8% | 1.0% |
| Barnstable Probate | 4.4% | 3.5% | 1.4% |
| Bristol Probate | 7.0% | 5.7% | 1.0% |
| Essex Probate | 8.0% | 7.4% | 7.2% |
| Middlesex Probate | 7.2% | 9.7% | 10.6% |
| Norfolk Probate | 4.7% | 5.3% | 11.6% |
| Plymouth Probate | 6.6% | 8.8% | 3.9% |
| Suffolk Probate | 12.2% | 13.6% | 55.1% |
| Worcester Probate | 11.2% | 14.0% | 0.0% |
| Hampden Probate | 12.3% | 12.7% | 0.5% |
| Berkshire Probate | 2.4% | 2.5% | 0.0% |
| Dukes Probate | 0.1% | 0.4% | 0.0% |
| Franklin Probate | 0.6% | 1.4% | 0.0% |
| Hampshire Probate | 1.3% | 1.0% | 0.0% |
| | (1,257) | (513) | (207) |



Children Covered by the Open Child Support Cases

Table 7 presents information on the number of children who are named on the open child support cases. As the table indicates, both pre- and post-obligation orders cover, on average, slightly less than two children. Almost half of the cases involve only a single child. The patterns are very comparable for the prison, parole, and Suffolk County House of Correction populations.

The total number of children named on child support orders of DOC prison inmates is 3,848. The number for the parole population is 756, and for Suffolk County House of Correction, the figure is 348.

Table 7. Number of Children Named on Child Support Cases Pre- and Post-Obligation

| | Prison Population | | | Parolees | | | Suffolk County House of Correction | | |
|-------------------------------|-------------------|-----------------|------------------|----------------|-----------------|----------|------------------------------------|-----------------|------------------|
| | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open |
| Average number | 1.6 | 1.8 | 1.9 ^w | 1.6 | 1.8 | 1.8 | 1.5 | 1.8 | 1.9 ⁱ |
| One child | 61.3% | 52.5% | 48.3% | 63.3% | 54.2% | 52.2% | 66.7% | 52.9% | 49.6% |
| Two children | 26.3% | 27.3% | 30.3% | 24.1% | 28.7% | 27.8% | 21.5% | 31.9% | 28.7% |
| Three children | 8.2% | 12.4% | 13.0% | 7.8% | 9.5% | 11.2% | 7.0% | 9.3% | 12.9% |
| Four or five children | 3.5% | 6.7% | 6.7% | 4.1% | 5.6% | 7.0% | 3.2% | 4.4% | 6.5% |
| Six through fourteen children | 0.7% | 1.1% | 1.5% | 0.6% | 2.0% | 1.7% | 1.6% | 1.5% | 2.4% |
| | (1,033) | (1,225) | (2,035) | (294) | (515) | (756) | (186) | (204) | (348) |

^w The total number of children listed on an open child support case for the prison population is 3,848.

The total number of children listed on an open child support case for the parole population is 1,380.

ⁱ The total number of children listed on an open child support case for the jail population is 643.

The ages of the children on the open child support orders of prison, parole, and Suffolk County House of Correction inmates vary from less than a year to well over 18 years of age. As Table 8 indicates, in all three groups, the children on pre-obligation orders tend to be younger than those on post-obligation orders. In addition, the children on the orders of the Suffolk County House of Correction inmates tend to be younger than the children on the prison or parole orders.



Table 8. Ages of Children Named on Child Support Cases Pre- and Post-Obligation

| At least one child age: | Prison Population | | | Parolees | | | Suffolk County House of Correction | | |
|--------------------------------------|-------------------|-----------------|----------|----------------|-----------------|----------|------------------------------------|-----------------|----------|
| | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open |
| 5 or younger | 34.4% | 12.5% | 23.8% | 46.6% | 17.9% | 29.3% | 45.7% | 18.3% | 34.5% |
| 6 - 10 years | 44.9% | 41.6% | 45.6% | 41.2% | 36.1% | 39.9% | 36.6% | 47.0% | 44.8% |
| 11 - 15 years | 28.3% | 41.6% | 37.7% | 21.4% | 46.4% | 39.3% | 19.4% | 30.2% | 27.7% |
| 16 - 18 years | 10.7% | 17.9% | 15.7% | 7.5% | 17.9% | 14.7% | 6.5% | 9.9% | 9.4% |
| At least one child over age 18 years | 10.6% | 23.3% | 19.1% | 7.5% | 18.7% | 15.5% | 4.8% | 10.9% | 8.8% |
| Only children age 16 or older | 16.2% | 32.3% | 26.8% | 10.9% | 27.1% | 22.1% | 8.6% | 17.3% | 14.7% |
| | (1,033) | (1,225) | (2,035) | (294) | (513) | (754) | (186) | (202) | (339) |

Characteristics of the Open Child Support Cases

A relatively large percentage of prison inmates, parolees, and Suffolk County House of Correction inmates (between 32.3 and 40.6 percent in each group) have *only* pre-obligation cases open. These are cases in which a support obligation has not been entered. Another 7 to 15 percent in each group have both pre- and post-obligation cases, and between 44.5 to 60.6 percent have only post-obligation cases. A fairly small number of cases are only open because of the arrears that are owed.

Table 9. Status of the Child Support Cases of Open Cases

| | Prison Population | Parolees | Suffolk County House of Correction |
|--|-------------------|----------|------------------------------------|
| Percent with only pre-obligation cases | 40.6% | 32.3% | 40.5% |
| Percent with both pre- and post-obligation cases | 11.0% | 7.0% | 14.9% |
| Percent with only post-obligation cases | 48.4% | 60.6% | 44.5% |
| At least one case with current monthly support due | 46.0% | 57.0% | 54.3% |
| Percent with strictly arrears-only cases | 11.5% | 10.7% | 4.0% |
| | (2,115) | (783) | (348) |



Most of the cases, both pre- and post-obligation, have a Family Violence Indicator flag. The percentage of cases with this flag is highest among the Suffolk County House of Correction population, where it exceeds 75 percent. Among the prison and parole populations, the percentage with a Family Violence Indicator is closer to 55 to 60 percent.

Table 10. Family Violence Indicator of Child Support Cases Pre- and Post-Obligation

| | Prison Population | | | Parolees | | | Suffolk County House of Correction | | |
|--|-------------------|-----------------|----------|----------------|-----------------|----------|------------------------------------|-----------------|----------|
| | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open |
| At least one case has Family Violence Indicator Flag | 57.4% | 60.5% | 59.1% | 58.8% | 56.3% | 55.6% | 70.5% | 78.3% | 75.3% |
| | (1,091) | (1,257) | (2,115) | (308) | (530) | (783) | (193) | (207) | (348) |

The marital status of those with open cases is shown in Table 11. Close to a third of the prison inmates and parolees were married to the parent of a child named on a least one child support case. The percentage is smaller, 18.8 percent, among the Suffolk County House of Correction population. The percentages of cases with never-married parents are somewhat higher among post-obligation cases.

Table 11. Marital Status of Child Support Cases Pre- and Post-Obligation

| | Prison Population | | | Parolees | | | Suffolk County House of Correction | | |
|---------------------------------------|-------------------|-----------------|----------|----------------|-----------------|----------|------------------------------------|-----------------|----------|
| | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open |
| At least one case where parents . . . | | | | | | | | | |
| Were married | 29.6% | 27.6% | 30.2% | 33.9% | 29.3% | 31.7% | 21.4% | 15.2% | 18.8% |
| Were not married | 72.2% | 75.0% | 73.7% | 69.4% | 75.0% | 73.4% | 79.5% | 86.0% | 82.3% |
| | (601) | (1,066) | (1,545) | (183) | (468) | (625) | (112) | (178) | (266) |

Approximately half of the inmates and parolees with pre-obligation cases have at least one case that still needs to have paternity established. This translates into 343 prison cases, 99 parole cases, and 74 Suffolk County House of Correction cases that need paternity established.



Table 12. Paternity Status of Pre-Obligation Child Support Cases

| | Prison Population | Parolees | Suffolk County House of Correction |
|--|--------------------|----------|------------------------------------|
| Pre-obligation cases with paternity established on at least one case | 46.1% | 49.7% | 38.4% |
| Pre-obligation cases with paternity not established on at least one case | 57.1% ^W | 54.1% | 66.1% ⁱ |
| | (601) | (183) | (112) |

^W The total number of prison cases needing paternity establishment = 343.

The total number of parole cases needing paternity establishment = 99.

ⁱ The total number of Suffolk County House of Correction cases needing paternity establishment = 74.

Between 35 and 45 percent of the child support cases of incarcerated or paroled parents involve current public assistance to the custodial parent and children. Another 66 percent have previously received public assistance. Only 8 to 13 percent of the cases across each group have never received public assistance.

Table 13. Public Assistance Status of Child Support Cases Pre- and Post-Obligation

| At least one case. . . | Prison Population | | | Parolees | | | Suffolk County House of Correction | | |
|---------------------------------------|-------------------|-----------------|----------|----------------|-----------------|----------|------------------------------------|-----------------|----------|
| | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open | Pre-obligation | Post-obligation | All open |
| Currently receiving public assistance | 47.3% | 28.8% | 40.0% | 45.8% | 27.2% | 34.7% | 49.7% | 33.3% | 44.8% |
| Previously received public assistance | 56.7% | 70.1% | 66.4% | 59.4% | 68.1% | 66.5% | 54.4% | 69.6% | 65.8% |
| Never received public assistance | 3.3% | 10.9% | 8.1% | 3.9% | 13.4% | 12.8% | 7.8% | 10.6% | 10.6% |
| | (1,090) | (1,257) | (2,115) | (308) | (530) | (783) | (193) | (207) | (348) |

Dollars Owed in Post-Obligation Child Support Cases

Table 14 provides a summary of the number and level of current child support orders among the prison, Suffolk County House of Correction, and parole populations. Those individuals with a current monthly support order owe on an average of 1.2 different orders. Per order, the average amount due varies between approximately \$200 and \$265 per month. However, when all the active orders are combined, the average increases to \$227



to \$313 per month. About 13 to 24 percent of the inmates and parolees owe more than \$400 per month in current support obligations.

Table 14. Description of the Current Monthly Child Support Obligations

| | Prison Population | Parole Population | Suffolk County House of Correction |
|--|----------------------|----------------------|---|
| Average number of orders per inmate/parolee | 1.2 | 1.2 | 1.2 |
| Range in the number of orders | 1 - 5 | 1 - 4 | 1 - 4 |
| Average current monthly support due per order | \$198 ^W | \$265 | \$239 ⁱ |
| Average current monthly support due across all orders | \$227 | \$302 | \$313 |
| Range in amount of monthly support due across all orders | \$4 - \$2,013 | \$25 - \$2,057 | \$50 - \$1,299 |
| Percent with current monthly support across all orders of: | | | |
| \$25 - \$100 | 29.4% | 18.2% | 12.7% |
| \$101 - \$200 | 15.5% | 14.3% | 18.0% |
| \$201 - \$300 | 27.1% | 25.6% | 33.9% |
| \$301 - \$400 | 14.7% | 18.4% | 14.3% |
| \$401 or more | 13.3% | 23.5% | 21.2% |
| | (973) | (446) | (189) |

^WThe total amount of monthly support owed by all DOC inmates per month is \$220,263.

The total amount of monthly support owed by all parolees per month is \$134,736.

ⁱ The total amount of monthly support owed by all Suffolk County House of Correction inmates per month is \$52,789.

Table 15 shows that only 8 to 11 percent of the Department of Correction and Suffolk County House of Correction inmates have had a modification of a monthly support order. The figure is somewhat higher among parolees, where about 20 percent have had an order modified. When orders are modified for parolees, they typically result in an increased order level. Only a third of the parolees with a modification have had an order level reduced.



Table 15. Evidence of Modification of the Current Monthly Child Support Obligations

| | Prison Population | Parole Population | Suffolk County House of Correction |
|---|----------------------|----------------------|---|
| Evidence there was ever a modification of the monthly order | 11.2% (972) | 20.4% (446) | 7.9% (189) |
| When the modification occurred: | | | |
| While in the institution * | 6.3% | 3.4% | 0% |
| While on probation | — (829) | 8.6% (223) | — (180) |
| Among cases showing evidence of a modification | | | |
| Percent modified upwards | 58.7% | 65.9% | 47.0% |
| Percent modified downwards | 41.3% (109) | 34.1% (91) | 53.0% (15) |
| Of those modified upwards | | | |
| Average increase | \$215.77 | \$217.90 | \$238.57 |
| Average order pre-modification | \$132.05 | \$213.29 | \$160.56 |
| Average order post-modification | \$347.81 | \$431.19 | \$399.16 |
| Percent modified from # \$50 to more than \$50 | 28.1% (64) | 23.3% (60) | 14.3% (7) |
| Of those modified downwards | | | |
| Average decrease | \$205.44 | \$233.58 | \$145.50 |
| Average order pre-modification | \$377.33 | \$532.98 | \$448.70 |
| Average order post-modification | \$171.98 | \$299.38 | \$303.40 |
| Percent modified from \$ \$50 to less than \$50 | 46.7% (45) | 9.7% (31) | 12.5% (8) |

* Based on cases with an open order at incarceration.

Among the prison population, most downward modifications come from the Norfolk Probate Court and, to a lesser extent, the Middlesex and Worcester Probate Courts. Among parolees, downward modifications are ordered by a wider range of courts, including Worcester, Middlesex, Bristol, Essex, and Hampton Probate Courts.



Table 16. Percent of Downward Modifications Granted by Each Court^W

| | Prison Population | Parolees |
|--------------------|-------------------|----------|
| District Court | 5.1% | 0.0% |
| Barnstable Probate | 7.7% | 7.1% |
| Bristol Probate | 5.1% | 14.3% |
| Essex Probate | 7.7% | 14.3% |
| Middlesex Probate | 12.8% | 14.3% |
| Norfolk Probate | 23.1% | 10.7% |
| Plymouth Probate | 7.7% | 0.0% |
| Suffolk Probate | 15.4% | 3.6% |
| Worcester Probate | 12.8% | 17.9% |
| Hampden Probate | 7.7% | 14.3% |
| Berkshire Probate | 2.6% | 0.0% |
| Dukes Probate | 0.0% | 3.6% |
| | (39) | (28) |

^W Suffolk County House of Correction cases are not included because of the small number of downward modifications.

Tables 17 and 18 provide a summary of the arrears owed by inmates and parolees. Table 17 considers the arrears owed to the State and custodial parents, and Table 18 combines the arrears to the state and custodial parents for a grand total.

Table 17. Arrears Owed to the State and Custodial Parents

| | Prison Population (1,257) | Parole Population (530) | Suffolk County House of Correction (207) |
|---|------------------------------|----------------------------|---|
| Arrears to State | | | |
| No arrears owed to the state on any child support order | 15.2% | 32.1% | 22.2% |
| Average amount of arrears owed across all orders | \$8,248 | \$6,634 | \$7,005 |
| Median amount of arrears owed across all orders | \$3,988 | \$1,739 | \$3,306 |
| Range of arrears owed across all orders | \$0 - \$86,404 | \$0 - \$80,130 | \$0 - \$67,401 |



Table 17. Arrears Owed to the State and Custodial Parents

| | Prison Population (1,257) | Parole Population (530) | Suffolk County House of Correction (207) |
|--|---------------------------------|-------------------------------|--|
| Arrears to State | | | |
| Percent owing arrears to the state of: | | | |
| \$0 - \$500 | 21.2% | 39.8% | 29.0% |
| \$501 - \$1,000 | 5.9% | 4.5% | 3.4% |
| \$1,001 - \$5,000 | 27.2% | 18.7% | 29.0% |
| \$5,001 - \$10,000 | 17.7% | 13.6% | 17.4% |
| \$10,001 - \$20,000 | 14.9% | 13.0% | 12.6% |
| \$20,001 or more | 13.1% | 10.4% | 8.7% |
| Arrears to Custodial Parents | | | |
| No arrears owed to the custodial parent on any order | 24.7% | 27.0% | 18.4 |
| Average amount of arrears owed per order | \$6,520 | \$5,548 | \$5,923 |
| Average amount of arrears across all orders | \$7,685 | \$6,839 | \$6,950 |
| Median amount of arrears owed across all orders | \$2,910 | \$1,383 | \$3,886 |
| Range of arrears owed across all orders | \$0 - \$114,400 | \$0 - \$293,295 | \$0 - \$45,857 |
| Percent owing arrears to the custodial parent of: | | | |
| \$0 - \$500 | 30.5% | 40.8% | 23.2% |
| \$501 - \$1,000 | 3.8% | 6.6% | 2.9% |
| \$1,001 - \$5,000 | 25.6% | 23.4% | 31.9% |
| \$5,001 - \$10,000 | 15.4% | 13.0% | 19.8% |
| \$10,001 - \$20,000 | 14.2% | 7.4% | 14.0% |
| \$20,001 or more | 10.5% | 8.9% | 8.2% |

Of the three groups, parolees are the least likely to owe arrears to the state. A third of this group, compared to 22 percent of the Suffolk County House of Correction and 15 percent of the prison inmates, have no state arrears. The average arrears to the state range from approximately \$6,600 among parolees to over \$8,200 among prison inmates.

The inmates and parolees owe nearly as much in arrears to custodial parents as they do to the state. Arrears to all custodial parents combined range from an average of about \$6,800 to nearly \$7,700. Only about a quarter of the parolees and prison inmates, and 18 percent of the Suffolk County House of Correction population, owe no arrears to the custodial parent.



Combined arrears totals for monies owed to both the state and the custodial parents average \$13,472 for parolees, \$13,955 for the Suffolk County House of Correction population, and \$15,933 for the prison population. Median totals are about \$10,000, with about half of Suffolk County House of Correction and prison inmates owing more than \$10,000 and half owing less. Virtually everyone owes at least some amount of back-due support. The exception to this is the parole population, where almost 5 percent owe no arrears.

Table 18. Arrears Owed (State and Custodial Parent Combined)

| | Prison Population | Parole Population | Suffolk County House of Correction |
|---|-------------------|-------------------|------------------------------------|
| No arrears owed on any order | 0.7% | 4.7% | 0.0% |
| Average amount of arrears owed per order | \$13,336 | \$10,975 | \$7,883 |
| Average amount of arrears across all orders | \$15,933 | \$13,472 | \$13,955 |
| Median amount of arrears owed across all orders | \$10,050 | \$6,125 | \$10,391 |
| Range of arrears owed across all orders | \$0 - \$178,132 | \$0 - \$293,295 | \$1 - \$87,534 |
| Arrears to the state/custodial parent of: | | | |
| \$0 - \$500 | 4.5% | 16.6% | 2.9% |
| \$501 - \$1,000 | 2.3% | 6.6% | 2.9% |
| \$1,001 - \$5,000 | 23.5% | 21.9% | 24.2% |
| \$5,001 - \$10,000 | 19.5% | 15.3% | 19.3% |
| \$10,001 - \$20,000 | 22.0% | 17.2% | 31.9% |
| \$20,001 or more | 28.2% | 22.5% | 18.8% |
| | (1,257) | (530) | (207) |

Table 19 shows the total dollars owed in arrears by the prison, parole, and Suffolk County House of Correction populations to either the state or the custodial parents. The total from all groups combined is over \$15 million to the state, nearly \$15 million to custodial parents, and over \$30 million in combined arrears.

Table 19. Arrears Dollars Owed (State and Custodial Parent Combined)

| Total arrears owed to: | Prison Population | Parole Population | Suffolk County House of Correction | All Groups Combined |
|------------------------|-------------------|-------------------|------------------------------------|---------------------|
| State | \$10,367,909 | \$3,515,894 | \$1,449,995 | \$15,333,798 |
| Custodial parents | \$9,660,350 | \$3,624,661 | \$1,438,720 | \$14,723,731 |
| Combined | \$20,028,236 | \$7,140,555 | \$2,888,713 | \$30,057,504 |
| | (1,257) | (530) | (207) | (1,994) |



Table 20 shows the amounts owed by parolees, prison, and Suffolk County House of Correction inmates in interest and penalties. The average amount assessed in interest against the three populations ranges from nearly \$4,000 to nearly \$5,000. The average penalty owed by each of the three groups is closer to \$2,000.

| Table 20. Interest and Penalties Due | | | |
|---|-------------------|-------------------|------------------------------------|
| Interest | Prison Population | Parole Population | Suffolk County House of Correction |
| No interest owed on any order | 2.2% | 18.9% | 4.8% |
| Average owed per order | \$4,168 | \$3,172 | \$3,220 |
| Average owed across all orders | \$4,976 | \$3,932 | \$3,869 |
| Median across all orders | \$2,695 | \$1,445 | \$2,184 |
| Range across all orders | \$0 - \$73,869 | \$0 - \$44,443 | \$0 - \$31,819 |
| Percent owing \$0 - \$500 | 13.8% | 37.2% | 24.6% |
| Percent owing \$501 - \$1,000 | 10.4% | 7.2% | 7.2% |
| Percent owing \$1,001 - \$5,000 | 42.1% | 29.1% | 44.9% |
| Percent owing \$5,001 - \$10,000 | 17.7% | 15.7% | 12.1% |
| Percent owing \$10,001 - \$20,000 | 13.1% | 7.9% | 9.2% |
| Percent owing \$20,001 or more | 2.8% | 3.0% | 1.9% |
| Penalties | Prison Population | Parole Population | Suffolk County House of Correction |
| No penalties owed on any order | 2.1% | 16.8% | 4.8% |
| Average owed per order | \$2,085 | \$1,585.36 | \$1,613 |
| Average owed across all orders | \$2,489 | \$1,966.34 | \$1,938 |
| Median across all orders | \$1,347 | \$700 | \$1,092 |
| Range across all orders | \$0 - \$36,934 | \$0 - \$22,221 | \$0 - \$15,909 |
| Percent owing \$0 - \$500 | 24.2% | 44.3% | 31.4% |
| Percent owing \$501 - \$1,000 | 17.6% | 12.3% | 15.9% |
| Percent owing \$1,001 - \$5,000 | 42.4% | 32.5% | 41.5% |
| Percent owing \$5,001 - \$10,000 | 13.0% | 7.9% | 9.2% |
| Percent owing \$10,001 - \$20,000 | 2.5% | 2.1% | 1.9% |
| Percent owing \$20,001 or more | 0.2% | 0.9% | 0.0% |
| | (1,257) | (530) | (207) |



Tables 21 and 22 provide a comprehensive look at the arrears, interest, and penalties owed by the prison, parolee, and Suffolk County House of Correction populations. As Table 21 shows, the average owed by obligors in each group ranges from nearly \$20,000 to nearly \$24,000. A third of the parents in each group owe more than \$30,000 in combined arrears, interest, and penalties.

Table 21. All Arrears, Interest, and Penalties

| | Prison Population | Parole Population | Suffolk County House of Correction |
|---|-------------------|-------------------|------------------------------------|
| All Arrears, Interest, and Penalties | | | |
| None | 0.6% | 3.8% | 0.0% |
| Average owed per order | \$19,589 | \$15,732.80 | \$16,385 |
| Average owed across all orders | \$23,958 | \$19,371.59 | \$19,761 |
| Median across all orders | \$14,355 | \$8,767.50 | \$13,405 |
| Range across all orders | \$0 - \$288,935 | \$0 - \$306,641 | \$1 - \$135,262 |
| Percent owing \$0 - \$500 | 3.5% | 15.8% | 2.9% |
| Percent owing \$501 - \$1,000 | 1.6% | 4.7% | 2.4% |
| Percent owing \$1,001 - \$5,000 | 15.6% | 20.6% | 17.9% |
| Percent owing \$5,001 - \$10,000 | 18.9% | 12.1% | 15.9% |
| Percent owing \$10,001 - \$20,000 | 21.3% | 14.3% | 28.0% |
| Percent owing \$20,001 or more | 39.1% | 32.5% | 32.9% |
| | (1,257) | (530) | (207) |

Table 22 shows the combined dollars owed by the three groups. The grand total in interest, arrears, and penalties for the prison, parole, and Suffolk County House of Correction populations with child support orders is \$43,768,215.

Table 22. Arrears, Interest, and Penalties Owed (Combined Dollars)

| | Prison Population | Parole Population | Suffolk County House of Correction | All Groups Combined |
|---|-------------------|-------------------|------------------------------------|---------------------|
| Total arrears owed | \$20,028,236 | \$7,140,555 | \$2,888,713 | \$30,057,504 |
| Total interest owed | \$6,254,309 | \$2,084,228 | \$800,716 | \$9,139,253 |
| Total penalties owed | \$3,128,174 | \$1,042,158 | \$401,126 | \$4,571,458 |
| Arrears, interest, and penalties combined | \$29,410,719 | \$10,266,941 | \$4,090,555 | \$43,768,215 |
| | (1,257) | (530) | (207) | (1,994) |



Dollars Paid in Post-Obligation Child Support Cases

Table 23 presents the total payments made by inmates of prisons, Suffolk County House of Correction, and by parolees during the 12 months preceding the data extract on September 30, 2001. The figures represent payments made toward the current support obligation and/or the arrears owed to the state and/or custodial parents.

As expected, the results show average payments were substantially higher among the parolee population. These individuals had a greater likelihood of being employed at some point during the 12 months. However, further analysis will be needed to determine how many months the parole group had been in this category at the time of the data extract. Similarly, further analysis will be needed to determine whether some of the prison and Suffolk County House of Correction inmates were employed during a portion of the 12-month period.

The average dollars received in the previous 12 months through voluntary sources (direct payment, wage assignments, unemployment intercepts, and foreign IV-D) range from \$100 in the prison population, \$274 in the Suffolk County House of Correction population, and \$1,338 in the parole population.

The percentage making no voluntary payments in the past 12 months stood at approximately 89 percent in the prison population, 70 percent in the Suffolk County House of Correction population, and 40 percent in the parole population.

The non-voluntary payments during the preceding 12 months ranged from just over \$100 in the prison population to \$200 among parolees and inmates of the Suffolk County House of Correction.

Table 23. Payments on Arrears and Monthly Support in the Past 12 Months

| Voluntary payments | Prison Population | Parolees | Suffolk County House of Correction |
|------------------------------------|-------------------|----------------|------------------------------------|
| Average payments across all orders | \$100 | \$1,338 | \$274 |
| Range across all orders | \$0 - \$9,347 | \$0 - \$17,610 | \$0 - \$4,661 |
| Median across all orders | \$0 | \$215 | \$0 |
| Percent paying \$0 | 88.7% | 40.4% | 69.6% |
| Percent paying \$1 - 200 | 3.7% | 9.1% | 9.7% |
| Percent paying \$201 - \$500 | 2.9% | 6.6% | 6.3% |
| Percent paying \$501 - \$1,000 | 1.8% | 8.3% | 5.8% |
| Percent paying \$1,001 - \$2,500 | 1.8% | 15.1% | 5.8% |
| Percent paying \$2,501 - \$5,000 | 0.8% | 14.3% | 2.9% |
| Percent paying more than \$5,000 | 0.2% | 6.2% | 0.0% |



Table 23. Payments on Arrears and Monthly Support in the Past 12 Months

| Non-voluntary payments | Prison Population | Parolees | Suffolk County House of Correction |
|---|----------------------|---|------------------------------------|
| Average payments across all orders | \$106 | \$200 | \$200 |
| Range across all orders | \$0 - \$7,017 | \$0 - \$9,404 | \$0 - \$9,403 |
| Median across all orders | \$0 | \$0 | \$0 |
| Percent paying \$0 | 80.2% | 55.3% | 69.6% |
| Percent paying \$1 - \$200 | 7.6% | 15.8% | 6.8% |
| Percent paying \$201 - \$500 | 6.9% | 17.4% | 12.6% |
| Percent paying \$501 - \$1,000 | 3.1% | 8.5% | 7.7% |
| Percent paying \$1,001 - \$2,500 | 1.4% | 2.5% | 2.9% |
| Percent paying \$2,501 - \$5,000 | 0.6% | 0.4% | 0.0% |
| Percent paying more than \$5,000 | 0.2% | 0.2% | 0.5% |
| Voluntary and non-voluntary payments | | | |
| Average payments across all orders | \$206 | \$1,538 | \$474 |
| Range across all orders | \$0 - \$10,353 | \$0 - \$18,118 | \$0 - \$9,403 |
| Median across all orders | \$0 | \$484.00 | \$0 |
| Percent paying \$0 | 75.0% | 33.2% | 58.5% |
| Percent paying \$1 - \$200 | 8.1% | 9.6% | 7.7% |
| Percent paying \$201 - \$500 | 7.6% | 7.5% | 10.1% |
| Percent paying \$501 - \$1,000 | 4.3% | 10.8% | 9.2% |
| Percent paying \$1,001 - \$2,500 | 2.6% | 15.7% | 9.7% |
| Percent paying \$2,501 - \$5,000 | 1.8% | 15.1% | 2.9% |
| Percent paying more than \$5,000 | 0.6% | 8.1% | 1.9% |
| | (1,257) | (530) | (207) |
| Total voluntary & non-voluntary payments on child support & arrears in 12 months: | | | |
| DOC inmates = \$258,799 | Parolees = \$815,261 | Suffolk County House of Correction inmates = \$98,121 | |

When voluntary and non-voluntary payments are combined, the average payments made by the three groups show a wide range. Among the prison population with a current support order and/or arrearage, the average payment in the prior 12 months was \$206. For Suffolk County House of Correction inmates, the comparable figure was \$474. Among parolees, average total payments in 12 months stood at \$1,538.

These averages translate into total payments on child support and/or arrears during a 12-month period of \$258,799 by Department of Correction inmates, \$815,261 by parolees, and \$98,121 by Suffolk County House of Correction inmates.

Table 24 compares the payments made during 12 months on current support obligations to the amount due. The analysis is restricted to cases with a current support obligation. The results show that 77 percent of the prison population, 61 percent of the Suffolk County



House of Correction population, and 31 percent of the parole population made no payments on the current support order during the 12 months preceding the data extract.

The average percent of the amount due (calculated as 12 months of payments multiplied by the current support order) that was paid ranged from less than 5 percent among the prison population to nearly 45 percent in the parole population. Indeed, a quarter of the parole population paid at least 80 percent of the current support due during the 12-month period.

Table 24. Amount of Current Child Support Paid Versus Amount of Current Child Support Owed

| | Prison Population | Parole Population | Suffolk County House of Correction |
|---|-------------------|-------------------|------------------------------------|
| None | 77.2% | 31.4% | 60.8% |
| Average percent of monthly support order paid across all orders | 4.7% | 44.9% | 8.9% |
| Paid #20% | 17.1% | 16.6% | 21.7% |
| Paid 21-40% | 2.2% | 9.4% | 11.6% |
| Paid 41-60% | 0.9% | 7.6% | 4.2% |
| Paid 61-80% | 0.7% | 8.5% | 1.6% |
| Paid 81-100% | 2.0% | 26.4% | 0.0% |
| | (972) | (446) | (189) |

Sentence Lengths and Time Served for Inmates with Child Support Orders

One reason to modify child support orders for incarcerated parents is to avoid the build-up of arrears while they are in prison and are unable to earn wages and pay child support. Although the previous analysis shows that inmates and parolees owe large amounts of child support arrears, it does not identify the amounts that were accumulated prior to entering prison or jail and the amounts that were accumulated during incarceration. To better gauge the child support debts that obligors had when they entered prison and the amounts they accumulated while in prison, we reviewed records maintained by criminal justice agencies and noted dates of prison entry and release for those with child support orders. While dates of entry are accurate for all three prison populations in this study, release dates tend to be projected rather than actual, except for the population on parole. As a result, there is a certain amount of imprecision in the estimates of time served and arrears accumulated during incarceration for the prison and jail populations.

Another source of inaccuracy in our analysis is the lack of information on previous episodes of incarceration. We have assumed that everyone with a child support order who entered prison had been on the "street" during the preceding years and months and had



accumulated child support arrears when he or she was in the community and presumably eligible to work. In actual fact, many inmates are repeat offenders. Of the Massachusetts state prisoners released in 1995, 44 percent were reincarcerated within three years.³ Doubtlessly, a substantial proportion of individuals in prison and jail who generated arrears prior to their current incarceration accumulated at least some of these debts during a prior episode of incarceration. Thus, this analysis likely underestimates the amount of child support arrears accumulated during incarceration, and overestimates the amount generated while individuals were in the community and eligible to work.

Finally, this analysis only considers arrears balances due to non-payment of child support. It does not consider charges for interest and penalties that are imposed annually in Massachusetts and are calculated at 12 and 6 percent of unpaid balances, respectively.

We began the analysis by assessing the amount of time that individuals with child support orders had served in prison or were expected to serve by the time they were released. The analysis is restricted to those with current child support orders: 990 DOC inmates, 430 parolees, and 200 inmates at the Suffolk County House of Correction. As Table 25 shows, DOC prisoners are estimated to serve the greatest amount of time, with the average sentence standing at 8.4 years and the median at six years. Nearly 7 percent of DOC inmates with support orders have life sentences, and another 10.6 percent are expected to serve 17 years or more. Only 16.4 percent had sentence lengths that ranged from one to three years. The average time served for a state prison sentence in Massachusetts has remained between 50 and 55 months over the past four years.⁴

Jail sentences are much shorter for Suffolk inmates with child support orders, with the average being one year. Half of all inmates with child support orders are estimated to spend just under 10 months in jail. While nearly a quarter (23.6%) are expected to serve more than 18 months in jail, 20.7 percent are expected to serve less than six months. In 2001, approximately 50 percent of Suffolk County House of Correction inmates were released to probation (Piehl, 2002).

In actual fact, parolees with child support orders served an average of 2.9 years in prison, with half serving less than two years. Seventy percent of Massachusetts inmates serve their full sentence in prison; only 30 percent of DOC inmates are released to parole. They are clearly offenders with less serious crimes and shorter sentences.

³ Piehl, Anne Morrison, Ph.D. January 2002. "From Cell to Street: A Plan to Supervise Inmates After Release," John F. Kennedy School of Government, Harvard University. Published by MassINC.

⁴ Massachusetts Department of Correction. November 2001. "A Statistical Description of Releases from Institutions and the Jurisdiction of the Massachusetts Department of Correction During 2000."



Table 25. Time to be Served

| | Prison Population | | Parole Population | | Suffolk County House of Correction | |
|--|-------------------|-------|-------------------|-------|------------------------------------|-------|
| Time from entry to expected (or actual) release date | Estimated | | Actual | | Estimated | |
| Average years | 8.4 * | | 2.9 | | 1.0 | |
| Median years | 6.0 * | | 2.0 | | 0.8 | |
| Percent | Life | 6.9% | 1-3 yrs | 68.8% | 6 mos or less | 20.7% |
| | 1-3 yrs | 16.4% | 4-6 yrs | 21.0% | 6-12 mos | 39.4% |
| | 4-6 yrs | 32.1% | 7-10 yrs | 7.5% | 13-18 mos | 16.3% |
| | 7-10 yrs | 22.2% | 11-13 yrs | 1.1% | over 18 mos | 23.6% |
| | 11-13 yrs | 5.5% | 14-16 yrs | 0.8% | | |
| | 14-16 yrs | 6.4% | 17+ yrs | 1.0% | | |
| | 17+ yrs | 10.6% | | | | |
| | (990) | | (430) | | (200) | |

* Excludes those serving a life sentence.

As Table 26 shows, parolees face a wide range of supervision situations when they leave prison, with the length of time to be served on parole ranging from one to 219 months, or 18 years. On average, parolees with child support orders faced 3.9 years of parole when they were released from prison. The median was only 20 months, however, suggesting that half of all parolees faced supervision for 1.7 years or less.

Table 26. Parole Status

| | |
|--|-------|
| Completing parole | 93.3% |
| INS now involved in the case | 4.7% |
| Violated parole, warrant is out for arrest | 1.6% |
| | (430) |



Table 26. Parole Status

| Length of time to be served on parole | | |
|---------------------------------------|--|----------------|
| Average months | | 46.5 |
| Median months | | 20 |
| Range | | 1 - 219 months |
| 1 - 6 months | | 22.8% |
| 7 - 12 months | | 18.4% |
| 13 - 24 months | | 14.1% |
| 25 - 48 months | | 10.7% |
| 49 months or more | | 34.0% |
| | | (430) |

Child Support Obligations for Inmates and Parolees with Orders

Inmates and parolees held child support orders for similar lengths of time prior to their incarceration in DOC facilities or the Suffolk County House of Correction. On average, DOC inmates had received a child support order 4.1 years before they entered prison. On average, parolees received a child support order 5.3 years before they entered prison, with half getting a child support obligation in less than 3.5 years. Among Suffolk County House of Correction inmates, the average length of time between getting a child support order and entering jail was 4.9 years and the median was 4.4 years. For DOC inmates and parolees, an identical 16 percent received a child support order within the year immediately prior to their incarceration. Only 8.9 percent of Suffolk inmates faced this same timing situation. (See Table 27).

Table 27. Time Elapsed Between Original Monthly Support Order Date and Date of Entry to Institution Among Those with Orders Requiring Payment at Entry to the Institution

| | Prison Population | Parole Population | Suffolk County House of Correction |
|--|-------------------|-------------------|------------------------------------|
| Average number of years | 4.1 | 5.3 | 4.9 |
| Median number of years | 3.2 | 3.5 | 4.4 |
| Established within the year prior to incarceration | 16.3% | 16.5% | 8.9% |
| | (822) | (255) | (197) |



As noted in previous sections of this report (see Tables 7-13), post-obligation orders cover, on average, slightly less than two children. Compared with their counterparts with pre-obligation cases, individuals with child support orders tend to have somewhat older children, with prison inmates and parolees having older children than Suffolk County House of Correction inmates. Most (75%) were unmarried, especially inmates at Suffolk County House of Correction (86%). Family violence had been a factor for most prisoners, especially inmates at Suffolk County House of Correction, where 78.3 percent had a violence flag. For DOC inmates and parolees, the percentage with a Family Violence Indicator was 60.5% and 56.3%, respectively. About 70 percent of all three groups of prisoners had families that had previously received public assistance and another third were current recipients. Only 10 to 13 percent of each group had never received welfare.

Table 28 shows the number of child support orders requiring payments that inmates and parolees had when they entered prison or jail. On average, DOC inmates were required to pay child support for 0.8 orders, parolees were required to pay support for 0.7 orders, and jail inmates were required to pay for 1.2 orders. The difference across the three groups reflects the higher proportion of DOC inmates and parolees with zero dollar orders. Nearly 40 percent of parolees had no orders requiring monthly payments of support and/or arrears when they entered prison. Among DOC inmates, the proportion with orders requiring no payments was 16.8 percent.

On average, DOC inmates owed \$198 per order or a total of \$227 across all their orders. Parolees owed an average of \$265 in monthly child support or \$302 across all their orders. Suffolk County House of Correction inmates owed \$239 per order and an average of \$313 across all their child support orders.

Table 28. Number of Child Support Cases Requiring Payments of Monthly Support and/or Arrears* at Entry to the Institution

| | Prison Population | Parolees | Suffolk County House of Correction |
|---|-------------------|----------|------------------------------------|
| No orders requiring payments | 16.8% | 39.5% | 1.5% |
| One order | 71.1% | 52.6% | 78.5% |
| Two orders | 10.0% | 6.5% | 16.5% |
| Three orders | 1.9% | 0.9% | 3.0% |
| Four orders | 0.2% | 0.5% | 0.5% |
| Average number of orders | 0.8 | 0.7 | 1.2 |
| Average current monthly support due per order | \$198 | \$265 | \$239 |
| Average current monthly support due across all orders | \$227 | \$302 | \$313 |
| | (990) | (430) | (200) |

* Excludes cases with orders set at \$0.



As was noted in Table 15, there was evidence of modification activity for 20 percent of parolees and 8 and 11 percent of DOC inmates and Suffolk County House of Correction inmates, respectively. Only a third of the parolees with a modification had their order level reduced. Most of the modifications (65.9%) had resulted in increases in ordered levels of child support.

Arrears Accumulated Prior To and During Incarceration at Suffolk County House of Correction

Table 29 shows how much money jail inmates owed for unpaid child support when they entered the Suffolk County House of Correction and how much they accrued in arrears (or are expected to accrue) at various points of time following their incarceration. We consider arrears at several time intervals: the amount that accumulated from the time their order was established to the date they were admitted to jail; the amount that accumulated between the date they were admitted to jail and September 30, 2001, when the Department of Revenue (DOR) generated an extract showing actual arrears balances for Suffolk County House of Correction inmates; and the additional arrears that jail inmates are expected to accrue from September 30, 2001, until they are released based upon their projected release date. We also present the total estimated arrears that jail inmates will accrue during their incarceration if they leave Suffolk County on their projected release date and return to the community.

Table 29 shows that this population entered jail with considerable arrears balances. On average, these 170 individuals owed \$13,496 in unpaid child support. As a group, they owed \$2,294,244. Pre-incarceration arrears comprised 84.7 percent of the total child support arrears these individuals owed when DOR generated its extract on September 30, 2001.

Between the time they entered jail and when DOR generated its extract, these individuals accumulated an average of \$1,462 in arrears. The total child support balances generated by this group during this period of time was \$248,518. This comprised 15.3 percent of the total child support arrears that they owed when the DOR extract was generated.

In the absence of modification activity, the average Suffolk County House of Correction inmate is projected to accumulate an additional \$2,048 in child support arrears before he is released. Taken together, this group will generate an additional \$329,708 in unpaid child support before they are released, if indeed they leave the Suffolk County House of Correction on their projected release date.

During their entire incarceration period, jail inmates will accumulate an estimated \$3,174 in child support balances, or \$539,579 for the group as a whole. This represents an increase of 23.5 percent over the child support balances they had when they entered jail. Thus, in the absence of modification activity, child support arrears grow by nearly a quarter for jail inmates while they are incarcerated.



Table 29. Arrears Accumulated Prior To and Following Entry to Suffolk County House of Correction Among Those with Orders Requiring Payment at Entry *

| Average Arrears Accumulated: | Prior to Jail Entry (n=170) | Between Entry and Extract (9-30-01) (n=170) | Additional Estimated Arrears That Will Accrue Between Data Extract and Projected Release ** (n=161) | Total Estimated Arrears Between Entry and Projected Release (n=170) |
|--|--------------------------------|--|--|--|
| Range | \$19 - \$81,533 | \$7 - \$8,344 | \$7 - \$22,328 | \$48 - \$29,999 |
| \$1- \$500 | 5.9% | 30.0% | 28.0% | 10.6% |
| \$501 - \$1,000 | 3.5% | 21.2% | 18.6% | 9.4% |
| \$1,001 - \$2,000 | 5.3% | 21.2% | 21.1% | 18.8% |
| \$2,001 - \$3,000 | 7.1% | 15.3% | 14.3% | 25.3% |
| \$3,001 - \$4,000 | 7.1% | 7.1% | 5.6% | 13.5% |
| \$4,001 or more | 71.2% | 5.3% | 12.4% | 22.4% |
| Average | \$13,496 | \$1,462 | \$2,048 | \$3,174 |
| Median | \$8,464 | \$981 | \$1,162 | \$2,425 |
| Sum | \$2,294,244 | \$248,518 | \$329,708 | \$539,579 |
| As a percent of all arrears on 9-30-01 | 84.7% | 15.3% | | |
| Percent increase over arrears at entry | | | | +23.5% |

- * Excludes those with no monthly orders at entry, orders set at \$0, and those owing only arrears at entry to jail.
- ** Excludes those discharged from jail immediately following the extract on 9-30-01.

One goal of the Fathers in the Criminal Justice System Project is to explore the feasibility of modifying child support orders for incarcerated noncustodial parents to \$50 while they are in prison or jail. Table 30 projects the impact of this policy on Suffolk County House of Correction inmates with child support orders. The table compares estimates of child support arrears balances that jail inmates are projected to accumulate if their current orders remain in effect for the duration of their tenure in jail with estimates of arrears balances that would be generated if their orders were changed to \$50 per month on the day they entered the Suffolk County House of Correction. Not surprisingly, a modification to \$50 would make a huge difference in the generation of arrears balances even for jail inmates who tend to have short sentences. Without a change in ordered levels of child support, Suffolk County House of Correction inmates will accumulate \$3,175 in arrears while they serve their time. If their orders had been modified to \$50 on the day they entered jail, their arrears balances would only grow by an average of \$643. In percentage terms, the rate of growth in arrears during incarceration would drop from 23.5 percent to 5.8 percent with the implementation of immediate modifications. And rather than realizing \$539,579



in new debt from this group of obligors, Massachusetts would inherit a new debt balance of \$115,662. Not counted in these figures are annual interest and penalty charges.

Table 30. Comparing Projected Actual Arrears Versus Arrears if Orders Are Set at \$50 Per Month on Entry to Suffolk County House of Correction

| | Total Estimated Arrears Between Entry and Projected Release (n=170) | Total Estimated Arrears Between Entry and Projected Release with Monthly Support Set at \$50 at Entry (n=170) |
|--|--|---|
| Range | \$48 - \$29,999 | \$18 - \$2,467 |
| \$1- \$500 | 10.6% | 45.6% |
| \$501 - \$1,000 | 9.4% | 37.2% |
| \$1,001 - \$2,000 | 18.8% | 15.6% |
| \$2,001 - \$3,000 | 25.3% | 1.7% |
| \$3,001 - \$4,000 | 13.5% | 0.0% |
| \$4,001 or more | 22.4% | 0.0% |
| Average | \$3,174 | \$643 |
| Median | \$2,425 | \$531 |
| Sum | \$539,579 | \$115,662 |
| Percent increase over arrears at entry | +23.5% | +5.8% |

* Excludes those with no monthly orders at entry, orders set at \$0, those owing only arrears at entry to jail, and those discharged from jail immediately following the extract on 9-30-01.

Arrears Accumulated Prior To and During Incarceration in a DOC Prison

With their longer prison sentences, it is not surprising that incarceration has a much greater impact on the accumulation of arrears for inmates in prisons operated by the Department of Correction as opposed to county jail facilities. Table 31 illustrates the arrears balances that DOC inmates held when they entered prison and by how much they had accumulated when their child support balances were examined in September 2001. The table also shows how much they are projected to accumulate in unpaid child support balances if they serve out their sentence and leave prison at their projected release date. By adding the balances they had accumulated in prison as of September 30, 2001, with the balances they are projected to generate, we can estimate the total arrears balances that this group of individuals will generate during their incarceration.



The analysis reveals that this group entered prison owing an average of \$10,543 in unpaid child support. The total for the group was \$6,853,152. As of September 30, 2001, the average inmate had generated an additional \$8,271 in arrears. This represented 46.6 percent of their total arrears balance at the date the child support extract was generated. Since individuals in this group are expected to be in prison an average of 8.4 years, with half of all DOC inmates serving more than six years, their child support arrears balances are expected to dramatically increase. Indeed, if they stay in prison until they reach their projected release dates, this group will have generated an average of \$20,461 in unpaid child support debt during their incarceration and the state will have realized approximately \$13,238,237 in new child support arrears. This arrears balance is almost 200 percent higher (194%) than the arrears balance that inmates had when they entered prison. One-fifth of inmates in facilities operated by the Department of Correction will generate arrears balances in excess of \$30,000 while they remain in prison. If they serve 50 to 55 months, the average time served by inmates in Massachusetts state prisons, they will generate an average of approximately \$10,000 in unpaid child support.

Table 31. Arrears Accumulated Prior to and Following Entry to Department of Correction Among Those with Orders Requiring Payment at Entry

| Average arrears accumulated: | Prior to DOC Entry (n=650) | Between Entry and Extract (5-30-01) (n=650) | Additional Estimated Arrears That Will Accrue Between Data Extract and Projected Release (n=648) | Total Estimated Arrears Between Entry and Projected Release (n=648) |
|------------------------------|-------------------------------|--|---|--|
| Range | \$0 - \$104,436 | \$0 - \$99,174 | \$27 - \$156,620 | \$343 - \$197,499 |
| \$1,000 or less | 12.5% | 11.8% | 11.6% | 0.9% |
| \$1,001 - \$5,000 | 31.5% | 40.8% | 32.7% | 21.0% |
| \$5,001 - \$10,000 | 21.2% | 20.6% | 20.1% | 19.0% |
| \$10,001 - \$15,000 | 10.9% | 10.6% | 10.6% | 15.8% |
| \$15,001 - \$20,000 | 8.6% | 5.5% | 7.9% | 9.9% |
| \$20,001 - \$25,000 | 5.5% | 3.4% | 4.8% | 6.8% |
| \$25,001 - \$30,000 | 1.5% | 0.2% | 2.6% | 5.9% |
| \$30,001 or more | 8.2% | 7.1% | 9.7% | 20.7% |
| Average | \$10,543 | \$8,271 | \$12,228 | \$20,461 |
| Median | \$6,001 | \$4,731 | \$6,114 | \$13,006 |
| Sum | \$6,853,152 | \$5,376,504 | \$7,923,477 | \$13,238,237 |



Table 31. Arrears Accumulated Prior to and Following Entry to Department of Correction Among Those with Orders Requiring Payment at Entry *

| | Prior to DOC Entry (n=650) | Between Entry and Extract (5-30-01) (n=650) | Additional Estimated Arrears That Will Accrue Between Data Extract and Projected Release ** (n=648) | Total Estimated Arrears Between Entry and Projected Release (n=648) |
|--|-------------------------------|--|--|--|
| Average arrears accumulated: | | | | |
| As a percent of all arrears on 5-30-01 | 53.4% | 46.6% | | |
| Percent increase over arrears at entry | | | | +194% |

* Excludes those with no monthly orders at entry, orders set at \$0, those owing only arrears at entry to DOC, and those serving a life sentence.
 ** Excludes those discharged from DOC immediately following the extract.

Table 32 shows the projected impact of modifying child support orders to \$50 when an individual enters a DOC prison facility. As is readily evident, the reduction in arrears balances would be substantial. Instead of accumulating and average of \$20,461 in unpaid child support during incarceration, DOC inmates would accumulate an average balance of \$4,447. Half of all DOC inmates would accumulate less than \$3,050. This would represent an increase of 42 percent over the arrears balances that this group had when they entered prison. The state would avoid some hefty arrears balances, too. Instead of realizing \$13,238,237 in additional debt, it would realize \$2,881,750 in unpaid child support for this group of individuals. As with Suffolk County House of Correction inmates, this analysis ignores interest and penalty charges.

Table 32. Comparing Projected Actual Arrears Versus Arrears If Orders Are Set at \$50 Per Month on Entry to Department of Correction

| | Total Estimated Arrears Between Entry and Projected Release * (n=647) | Total Estimated Arrears Between Entry and Projected Release with Monthly Support Set at \$50 at Entry (n=647) |
|---------------------|--|--|
| Range | \$343 - \$197,449 | \$600 - \$18,250 ** |
| \$1,000 or less | 0.9% | 0.6% |
| \$1,001 - \$5,000 | 21.0% | 71.5% |
| \$5,001 - \$10,000 | 19.0% | 21.3% |
| \$10,001 - \$15,000 | 15.8% | 4.8% |
| \$15,001 - \$20,000 | 9.9% | 1.9% |



Table 32. Comparing Projected Actual Arrears Versus Arrears If Orders Are Set at \$50 Per Month on Entry to Department of Correction

| | Total Estimated Arrears Between Entry and Projected Release * (n=647) | Total Estimated Arrears Between Entry and Projected Release with Monthly Support Set at \$50 at Entry (n=647) |
|---------------------|--|--|
| \$20,001 - \$25,000 | 6.8% | 0.0% |
| \$25,001 - \$30,000 | 5.9% | 0.0% |
| \$31,001 or more | 20.7% | 0.0% |
| Average | \$20,461 | \$4,447 |
| Median | \$13,006 | \$3,050 |
| Sum | \$13,238,237 | \$2,881,750 |

* Excludes those with no monthly orders at entry, those with orders set at \$0, those owing only arrears at entry to DOC, and those serving a life sentence.

** A few cases had actual monthly orders below \$50.

Arrears Accumulated Prior To and During Incarceration Among Parolees

The last group in our analysis is individuals with child support orders who were on parole on September 30, 2001, when the Department of Revenue generated an extract showing their child support balances. As previously noted, only about 30 percent of inmates in the Department of Correction are paroled. On average, they face 20 months of supervision. On average, parolees served 2.9 years in prison, with half serving two years or less. The general population of DOC inmates with child support orders is projected to serve 8.4 years of time, with half spending six or more years in prison. During the past four years, Massachusetts inmates served about 4.5 years in state prisons.

An analysis of arrears balances that parolees accumulated prior to and during their incarceration appears in Table 33. It shows that these individuals entered a DOC prison with an average arrears balance of \$11,180. As a group, they owed \$2,604,994. During their imprisonment, their arrears balances increased by nearly 50 percent (46.9%). In dollar terms, this translated into an average increase of \$5,250. For the state, the total arrears generated by parolees while they were in prison was \$1,207,402.

One objective of the Fathers in the Criminal Justice System project will be to explore the appropriateness of existing child support orders among parolees and the feasibility of modifying orders to reflect their actual financial circumstances. Table 33 shows that while they are on parole, individuals will generate average child support charges of \$2,020. Clearly, it will be important for these individuals to obtain jobs that pay enough to cover these child support obligations as well as their living expenses and other financial



obligations, including payment for restitution and mandatory treatment programs.

Table 33. Arrears Accumulated Prior to and Following Entry to Department of Correction Among Those on Parole Who Had Orders Requiring Payment^{*} at Entry

| Average arrears accumulated: | Prior to DOC Entry (n=233) | Between Entry and Parole (n=233) | Additional Estimated Arrears That Will Accrue Between the Date of Parole and the Date of Discharge from Parole ^{**} (n=233) |
|--|-------------------------------|-------------------------------------|---|
| Range | \$0 - \$183,800 | \$0 - \$49,266 | \$0 - \$62,426 |
| \$1,000 or less | 31.8% | 26.1% | 67.0% |
| \$1,001 - \$5,000 | 21.9% | 42.2% | 24.0% |
| \$5,001 - \$10,000 | 15.0% | 17.0% | 5.6% |
| \$10,001 - \$15,000 | 11.2% | 6.1% | 2.1% |
| \$15,001 - \$20,000 | 5.6% | 4.3% | 0.1% |
| \$20,001 - \$25,000 | 3.4% | 1.7% | 0.0% |
| \$25,001 - \$30,000 | 1.7% | 0.0% | 0.0% |
| \$30,001 or more | 9.4% | 2.6% | 0.9% |
| Average | \$11,180 | \$5,250 | \$2,020 |
| Median | \$3,479 | \$2,326 | \$505 |
| Sum | \$2,604,994 | \$1,207,402 | \$470,649 |
| As a percent of all arrears on 9-30-01 | 68% | 32% | |
| Percent increase over arrears at entry | | 46.9% | 18% |

* Excludes those with no monthly orders at entry, those with orders set at \$0, those owing only arrears at entry to DOC, and those serving a life sentence.

** Excludes those discharged from parole immediately following the extract.

Would retroactive modification of arrears accumulated during incarceration make a big difference in the financial obligations that parolees face when they are released from prison? What would be the impact of modifying child support order levels to \$50 during parole? Table 34 addresses these issues by projecting arrears balances that would be generated with the implementation of retroactive modifications of child support orders to \$50 for parolees during their incarceration and the extension of \$50 order levels during parole. The analysis shows that while parolees would still face the challenge of paying off the average arrears balances of \$11,180 that they had accumulated prior to going to prison, their financial burdens would be considerably lighter. In addition to their pre-incarceration balances, they would be required to pay an average of \$2,184 in child support while they were in prison and during parole. This would be \$5,439 less than the



prison obligations they currently hold and are projected to accumulate during parole based on their existing child support orders.

Table 34. Comparing Projected Amount Due: Actual Versus When Orders Are Set at \$50 Per Month During Incarceration

| | Total Due Between Incarceration and Projected Parole Discharge Date (n=1,230) | Total Due Between Incarceration and Projected Parole Discharge Date If Monthly Support is Set at \$50 While Incarcerated and Paroled (n=230) |
|---------------------|--|---|
| Range | \$50 - \$109,495 | \$145 - \$11,985 |
| \$1,000 or less | 19.3% | 42.2% |
| \$1,001 - \$5,000 | 44.5% | 46.5% |
| \$5,001 - \$10,000 | 13.8% | 9.6% |
| \$10,001 - \$15,000 | 7.8% | 1.7% |
| \$15,001 - \$20,000 | 6.0% | 0.0% |
| \$20,001 - \$25,000 | 3.7% | 0.0% |
| \$25,001 - \$30,000 | 1.8% | 0.0% |
| \$31,001 or more | 3.2% | 0.0% |
| Average | \$7,623 | \$2,184 |
| Median | \$3,391 | \$1,217 |
| Sum | \$1,608,496 | \$502,387 |

* Excludes those with no monthly orders at entry, those with orders set at \$0, those owing only arrears at entry to DOC, and those serving a life sentence.

** A few cases had actual monthly orders below \$50.

Summary and Conclusions

The analysis of an electronic match between child support records and data maintained by the Department of Correction, the Parole Department, and the Suffolk County House of Correction produces the following results:

- A total of 2,115 individuals in a Massachusetts prison, 783 parolees, and 348 Suffolk County House of Correction inmates have at least one open Massachusetts child support case.
- Those with an open child support case have, on average, 1.3 to 1.4 open cases. These



averages translate into a total of 2,774 open Massachusetts child support cases for prison inmates, 996 cases among parolees, and 488 cases among Suffolk County House of Correction inmates.

- The vast majority of these individuals are male, and most are over the age of 30.
- The total number of children named on child support orders of DOC prison inmates is 3,848. The number for the parole population is 756, and for Suffolk County House of Correction, the figure is 348.
- Close to a third of the prison inmates and parolees were married to the parent of a child named on a least one child support case. The percentage is smaller, 18.8 percent, among the Suffolk County House of Correction population.
- Approximately half of the inmates and parolees with pre-obligation cases have at least one case that still needs to have paternity established.
- A relatively large percentage of prison inmates, parolees, and Suffolk County House of Correction inmates (between 32.3 and 40.6 percent in each group) have *only* pre-obligation cases open.
- Between 35 to 45 percent of the child support cases of incarcerated or paroled parents involve current public assistance to the custodial parent and children. Another 66 percent have previously received public assistance.
- Those individuals with a current monthly support order owe on an average of 1.2 different orders.
- Per order, the average amount due varies between approximately \$200 and \$265 per month. However, when all the active orders are combined the average increases to \$227 to \$313 per month.
- Only 8 to 11 percent of the Department of Correction and Suffolk County House of Correction inmates have had a modification of a monthly support order.
- Among parolees, about 20 percent have had an order modified, typically resulting in an increased order level.
- A third of the parolees, 20 percent of the Suffolk County House of Correction, and 15 percent of the prison inmates have no state arrears.
- The average arrears to the state range from approximately \$6,600 among parolees to over \$8,000 among prison inmates.



- Inmates and parolees owe nearly as much in arrears to custodial parents as they do to the state.
- The total arrears to either the state or the custodial parents from all inmates and parolees exceeds \$15 million to the state, nearly \$15 million to custodial parents, and over \$30 million in combined arrears.
- The grand total in interest, arrears, and penalties for the prison, parole, and Suffolk County House of Correction populations with child support orders is \$43,768,215.
- Among the prison population with a current support order and/or arrearage, the average total payment in the prior 12 months was \$206. For Suffolk County House of Correction inmates, the comparable figure was \$474. Among parolees, the average total payments in 12 months stood at \$1,538.
- An analysis of cases with a current support obligation shows that 77 percent of the prison population, 61 percent of the Suffolk County House of Correction population, and 31 percent of the parole population made no payments on the current support order during the 12 months preceding the data extract.
- In the last 12 months, the average percentage of the amount due that was paid ranged from less than 5 percent among the prison population to nearly 45 percent in the parole population.

The collection of information on prison entry and projected release dates permitted the analysis of the length of time that inmates with child support orders spend in various facilities and the child support arrears that they generate before and during their incarceration. The analysis of prison entry and release dates in relation to arrears records maintained by the Department of Revenue also permitted projections of arrears balances resulting from the routine adoption of prison order levels of \$50. The analysis produces the following results:

- Different inmate populations face different lengths of incarceration. On average, inmates at the Suffolk County House of Correction are estimated to serve one year of time while inmates who enter prisons operated by the Department of Correction face an average of 8.4 years of time.
- Offenders with child support orders who had been released from a DOC prison and were on parole had served an average of 2.9 years before being placed on parole. Parole supervision periods range from one month to 18 years, with the average length of time being 20 months.





- DOC inmates, parolees and jail populations had received child support orders approximately four to five years before entering prison. Although we assume that these individuals had been in the community during these years and eligible to work and pay child support, many are repeat offenders and had undoubtedly been in prison for prior offenses for at least some of that time. Thus, our estimates of arrears accumulated while in prison are probably too low.
- On average, inmates at the Suffolk County House of Correction entered the facility owing \$13,496 in unpaid child support. If they stay in jail until their projected release dates and child support orders remain at their pre-incarceration levels, they will accumulate another \$3,174 in child support debt. This represents an increase of 23.5 percent in their debt levels and does not count additional charges for interest and penalties. As a group, these inmates will generate an additional \$539,579 in child support arrears while they serve their jail sentences.
- The routine adoption of a \$50 child support order level for all inmates upon entry to the Suffolk County House of Correction would result in the accumulation of average arrears balances of \$643 versus \$3,174 during incarceration and the avoidance of approximately \$2,531 in additional child support debt for each inmate.
- On average, inmates entering a Department of Correction prison owe \$10,543 in unpaid child support. If they stay in prison until their projected release date and their orders remain at their pre-incarceration levels, they will accumulate another \$20,461 in child support debt. This represents an increase of nearly 200 percent in child support debt levels and does not count additional charges for interest and penalties will incur. As a group, these inmates will generate an additional \$13,238,237 in child support arrears while they serve their prison sentences.
- The routine adoption of a \$50 child support order level for all inmates upon entry to a DOC prison would result in the accumulation of average arrears balances of \$4,447 versus \$20,461 during incarceration and the avoidance of approximately \$16,014 in additional child support debt for each inmate. Based upon existing sentence lengths, the state would avoid the generation of an estimated \$10,356,487 in arrears for this group.
- On average, parolees entered a DOC prison owing \$11,180 in unpaid child support and accumulated an additional \$5,250 while they were incarcerated. As a group, they generated \$1,207,402 in child support arrears while serving time in prison.
- While on parole, inmates released from prison are expected to generate child support obligations that average \$2,020. This underscores the importance of parolees obtaining jobs that pay enough to cover these child support obligations as well as their other expenses. In the last 12 months, parolees paid about 45 percent of their child support



obligation.

- The retroactive adoption of a \$50 child support order level for all parolees during their incarceration and the extension of \$50 order levels during parole would result in the accumulation of average arrears balances of \$2,184, versus the \$7,270 they are currently projected to accrue and the avoidance of approximately \$5,439 in additional child support debt for each parolee.

The analysis of an electronic match between child support records and data maintained by criminal justice agencies suggests several steps for action for both types of agencies.

- Child support is an issue for a substantial proportion of individuals in prison, jails, and on parole. Criminal justice agencies need to be aware of the fact that they share many clients with the child support agency and that child support actions continue while individuals are incarcerated and unemployed. Child support issues should be flagged at intake and criminal justice agencies should assist inmates with taking appropriate steps to minimize the build-up of arrears.
- Many inmates have pre-obligation cases and need paternity to be established. The child support agency should explore the feasibility of establishing paternity in prison and jail settings.
- Virtually all inmates have child support orders that exceed \$50 per month and need modifications to avoid the generation of large arrears balances during their incarceration. The child support agency should develop procedures to implement such modifications in a timely, simple, and cost-effective manner.
- Given the length of prison sentences for DOC inmates and the magnitude of child support arrears that this population of offenders accumulates, this group should be the prime target for modification activity, with reductions taking effect immediately upon entry to a DOC prison.
- Given the importance of prisoner reentry efforts and the fragile financial status that parolees face upon their release, this group should also be considered for retroactive adjustments of arrears accumulated during incarceration and the extension of \$50 order levels and/or the adoption of modified order levels to better reflect earnings during their tenure on parole.
- The short sentences that most jail inmates face make modification activity impractical with this population unless it is implemented and reversed in an automated fashion immediately upon entry and release. Since half of Suffolk County House of Correction inmates are released to probation, DOR should explore the feasibility of coordinating needed child support actions with that agency.

