

14-YEAR CENSUS OF MASSACHUSETTS FIRST DEGREE LWOP PRISONERS 1/1/2009 to 12/31/2022^a

Year:	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Total
LWOP Census on January 1	938	964	991	1009	1040	1068	1029	1038	1057	1068	1080	1083	1049	1031	
# of New LWOP Commitments	39	38	26	41	40	35	25	35	21	25	24	6	13	25	393
LWOP Prisoner Deaths	11	4	7	6	8	10	8	12	4	8	8	6	13	6	111
LWOP Medical Parole	--	--	--	--	--	--	--	--	--	2	3	21 ^b	9	9	44
LWOP Court Releases ^c	2	7	1	4	4	0	8	4	6	3	10	13	9	3	74
End of Year LWOP Census	964	991	1009	1040	1068	1029 ^d	1038	1057	1068	1080	1083	1049	1031	1038 ^e	

^a Criminally sentenced jurisdiction population (Source: public records from DOC 2011-2023 & Parole Board 2023) NB: Number medically paroled and year end totals adjusted from prior editions of this table correcting earlier delays reporting categories by year end.

^b Includes 3 LWOP prisoners granted med parole only days before dying of Covid while hospitalized (D. Becker, WBUR, Nov 30, 2020).

^c Sentence or verdict vacated or revoked due to false or erroneous convictions (DOC public records requests, 2011 to 2023).

^d 64 Juvenile first degree LWOP prisoners reclassified to LWP eligibility by "Diatchenko v District Attorney", 466 Mass 655 (2014).

^e 1011 were in custody in MA state prisons and 27 were held out of state as of 1/1/2023.

AUTHOR'S COMMENT: It is notable that over 14 years, 74 LWOP convictions, totalling 19% of 393 accrued commitments, were reversed, exonerating prisoners. While many of these 74 convictions date back 20 or even 30 years, it is reasonable to posit that, over the next 14 (or more) years, a similar number of exonerations derived from the extant 393 commitments also will be reported. This fraction represents only those who are successful at reversing their cases. Many others, also not guilty, will not achieve this elusive outcome. Having 1 in 5 LWOP sentences proven to be false convictions is an inexcusable error rate and argues strongly that all sentenced to LWOP should at least become eligible for parole, even though unable to reverse their convictions.



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