

OFFICE OF THE STATE AUDITOR

DIANA DIZOGLIO

Official Audit Report – November 17, 2025

Massachusetts District Attorneys Association

For the period July 1, 2022 through June 30, 2024



OFFICE OF THE STATE AUDITOR

DIANA DIZOGLIO

November 17, 2025

Joseph D. Early Jr., District Attorney and President
Massachusetts District Attorneys Association
99 Summer Street, Suite 310
Boston, MA 02110

Dear President Early:

I am pleased to provide to you the results of the enclosed performance audit of the Massachusetts District Attorneys Association. As is typically the case, this report details the audit objectives, scope, methodology, findings, and recommendations for the audit period, July 1, 2022 through June 30, 2024. As you know, my audit team discussed the contents of this report with agency managers. This report reflects those comments.

I appreciate you and all your efforts at the Massachusetts District Attorneys Association. The cooperation and assistance provided to my staff during the audit went a long way toward a smooth process. Thank you for encouraging and making available your team. I am available to discuss this audit if you or your team has any questions.

Best regards,



Diana DiZoglio
Auditor of the Commonwealth

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LIST OF ABBREVIATIONS

CMS	case management system
DA	district attorney
EOTSS	Executive Office of Technology Services and Security
IT	information technology
JJPAD	Juvenile Justice Policy and Data
MDAA	Massachusetts District Attorneys Association
WAN	wide area network

EXECUTIVE SUMMARY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of certain activities of the Massachusetts District Attorneys Association (MDAA) for the period of July 1, 2022 through June 30, 2024. The purpose of our audit was to determine the following:

- Did MDAA provide Commonwealth district attorneys (DA) offices with sufficient technical assistance that coordinated and standardized DA office organization, operations, and procedures in accordance with Section 20D of Chapter 12 of the General Laws?
- Did MDAA comply with its annual reporting requirements regarding child abuse and neglect cases in accordance with Section 20D of Chapter 12 of the General Laws?

Below is a summary of our findings, the effects of those findings, and our recommendations, with hyperlinks to each page listed.

Finding 1 Page 11	MDAA's case management system (CMS) was outdated and did not meet the needs of the 11 DAs' offices.
Effect	If MDAA is unable to secure funding to update its CMS, then the CMS may become inoperative, especially since MDAA shared with us that it is concerned that the software manufacturer may cease to support the software. DAs may be unable to meet their operational needs and may not be able to provide the JJPAD Board with the information it needs to comply with Chapter 69 of the Acts of 2018.
Recommendation Page 11	MDAA should obtain funding to procure a new CMS that meets the needs of all 11 DA offices with regards to operations, tracking, and reporting.
Finding 2 Page 12	MDAA included inaccurate and incomplete information in a report to the Governor, Legislature, and the Office of the Child Advocate.
Effect	Because the recipients of the Report on the Status of Child Abuse and Neglect Cases may use the information for research, debate, deliberations, and proposed legislation, inaccuracies or missing information in the report may hinder legislators' and other policy makers' efforts to sufficiently address child abuse and neglect issues.
Recommendations Page 13	<ol style="list-style-type: none">1. MDAA should work with all DA offices, the Executive Office of the Trial Court, and any other pertinent agencies to ensure that each Report on the Status of Child Abuse and Neglect Cases is accurate and complete before MDAA submits the report to its recipients.2. MDAA should implement controls to identify and address inaccuracies when compiling the report before submitting it to its recipients.

In addition to the conclusions we reached regarding our audit objectives, we also identified issues not specifically addressed by our objectives. See [Other Matters](#) for more information.

OVERVIEW OF AUDITED ENTITY

The Massachusetts District Attorney Association (MDAA) was established under Section 20D of Chapter 12 of the Massachusetts General Laws to provide administrative and technological support services¹ to each of the 11 District Attorneys' (DA's) Offices in the Commonwealth. According to MDAA's internal control plan, its mission is to "promote public safety, the fair and effective administration of justice, the education of prosecutors and the safeguarding of the rights of victims."

According to MDAA's website, it accomplishes its mission in the following way:

By managing statewide business technology services and administering grants in the area of Violence Against Women and Motor Vehicle Crimes. MDAA also produces publications for prosecutors and victim-witness advocates, hosts dozens of prosecutor trainings annually, and provides information on budgetary, criminal justice, and public safety issues to the executive and legislative branches.

MDAA, located at 99 Summer Street in Boston, has nine full-time employees. One of these full-time employees is an executive director, who is appointed by the 11 district attorneys (DAs). MDAA's organizational make-up also includes its president, who comes from and is annually elected by a majority vote of the group of 11 DAs. The president presides over MDAA meetings.

MDAA received appropriations of \$5,421,797 in fiscal year 2022, \$10,974,317 in fiscal year 2023, and \$8,339,013 in fiscal year 2024.

- The fiscal year 2022 figure includes \$1,249,950, which MDAA is required to disburse to the 11 DAs as stipulated by state budget line items 0340-0203: Drug Diversion and Drug Prevention Education Programming and 0340-2117: Assistant [DA] Retention.
- Similarly, the fiscal year 2023 figure includes \$5,499,950 for disbursement, plus an additional \$5,000,000 for the annual salary increase for all assistant DAs as stipulated by state budget line item 0340-6653: Assistant [DA] Salary Expansion.
- The fiscal year 2024 figure includes \$2,499,950 for only budget line items 0340-0203 and 0340-2117.

1. These services include software procurement, grant administration to district attorneys' offices, trainings for prosecutors, and financial and public safety data reporting to the executive and legislative branches.

Technical Support

According to Section 20D of Chapter 12 of the General Laws, MDAA provides technical assistance, which includes coordinating and standardizing reporting procedures for all 11 DA offices. MDAA also provides emergency hardware support during times of computer hardware failure.

MDAA information technology (IT) staff members monitor an average of 3,100 devices² on MDAA's wide area network (WAN)³ through monthly computer-generated security reports. These staff members also maintain devices connected to the WAN by updating general software, installing antivirus software, and patching network security risks.

MDAA spent a total of \$4,974,171 during the audit period to support the WAN. These expenses included IT services such as internet connectivity, computer hardware repairs and purchases, virtual private network services, virtual emulation software, and other technological needs for the 11 DA offices.

Case Management System

In 2001, MDAA coordinated the installation of a case management system (CMS) that DAs use to track court events and maintain information regarding ongoing or completed cases, victims, and witnesses. By 2005, all 11 DAs were using the CMS.

During the course of our audit work, MDAA informed us that data reporting requirements have increased since the implementation of the CMS, but the CMS's framework was unable to accommodate standardization updates across all DA offices. This included an inability to track and compile various types of data. In 2014 and 2015, MDAA received \$500,000 in funding for the evaluation and preparation of a new CMS, and subsequently hired a vendor that performed consulting and accounting services to complete the evaluation in December 2015.

In February 2016, MDAA submitted a bond request for a CMS with the Executive Office of Technology Services and Security (EOTSS). However, EOTSS indicated that MDAA was not yet ready for bond funding. In February 2021, MDAA reengaged with the same consulting vendor hired in 2015 to perform an updated evaluation of the DAs' business needs and market research. The consulting vendor then compiled a report

2. These 3,100 devices include various computer workstations, laptops, servers, and other devices connected on MDAA's wide area network.

3. A WAN allows users in multiple remote locations to privately connect with each other and share data over the internet.

estimating that a new CMS installed throughout the 11 DA offices would cost between \$3.6 and \$7.2 million.

In fiscal year 2022, during the annual budget process, the DAs highlighted in their presentation to the Legislature the need for a new CMS and stated that they would soon be seeking bond funding to purchase a new CMS.

In April 2024, MDAA officials met with EOTSS officials advocating for assistance in the bond solicitation process. EOTSS informed MDAA that there were no fiscal year 2025 bond funds available, nor were there staff members who could help MDAA in its bond solicitation process. EOTSS then provided \$100,000 in funds for MDAA to hire an IT research vendor that had experience working with another state government entity, the Massachusetts Justice Reinvestment Policy Oversight Board, and which was familiar with CMSs. The IT research vendor met and engaged with the DAs, consolidating their needs, reviewing the current CMS, and compiling a list of vendors that could supply a new CMS that could meet all the needs of the DAs. The IT research vendor then developed a roadmap of the selection and implementation of a new CMS. This roadmap included an estimated cost of \$300,000 for the IT research vendor to assist MDAA in the completion and submission of a new bond request to EOTSS intended for the potential purchase of a new CMS in fiscal year 2027. MDAA proceeded to request an additional \$300,000 in its fiscal year 2026 budget to procure these services; however, MDAA only received \$150,000 in its final budget.

MDAA expended \$661,493 on software and database maintenance of its current CMS during the audit period, and \$1.7 million from fiscal year 2021 through fiscal year 2025.

Juvenile Justice Policy and Data Board

In April 2018, the Governor signed into law Chapter 69 of the Acts of 2018. Section 89(b) of Chapter 69 of the Acts of 2018 created the Juvenile Justice Policy and Data (JJPAD) Board. The JJPAD Board is charged with collecting data (e.g., age, gender, racial or ethnic identity, and the type of corresponding crime) from criminal justice agencies that have contact with juveniles involved in the criminal justice system. The legislation states,

The [JJPAD] board shall analyze and make a recommendation on the feasibility of the child advocate creating and annually updating an instrument to record aggregate statistical data for every contact a juvenile has with: (i) criminal justice agencies; (ii) any contractor, vendor or service-provider working with said agencies; and (iii) any alternative lock-up programs. The

data to be recorded on the instrument shall include, without limitation, age, gender, racial or ethnic category and type of crime.

In June 2019, the JJPAD Board issued a report titled *Improving Access to Massachusetts Juvenile Justice System Data*. According to this report, “data on district attorney decisions [regarding] prosecutions and diversions” was missing. Regarding this missing data, the report also stated,

There is variation from DA office to DA office with regards to what data is currently tracked and how data categories are defined. . . . Other important data elements are only tracked by a proportion of DA offices. . . . The database used by the District Attorneys . . . is several decades old and not currently capable of tracking all of the data requested by the Legislature. Some offices currently collect additional data using Excel spreadsheets. Although technically feasible, this system is inefficient, costly with regards to staff time, and can lead to data quality/reliability challenges.

In March 2022, JJPAD issued an update to its 2019 *Improving Access to Massachusetts Juvenile Justice System Data* report. The March 2022 updated report stated,

There is variation from DA office to DA office with regards to what data is currently tracked, how it is tracked, and how data categories are defined. The current data management system used by District Attorneys’ Offices, [CMS], is several decades old and not currently capable of tracking all of the data requested by the Legislature.

The March 2022 updated report also stated that, with sufficient data, the JJPAD Board would be able to determine the following questions: “How often do DAs offer diversion? Are there differences in the use of diversion by race/ethnicity, or from DA office to DA office?”

Annual Child Abuse and Neglect Reporting Requirements

According to MDAA’s enabling legislation, Section 20D of Chapter 12 of the General Laws, MDAA must file an annual report regarding the status of child abuse and neglect cases each year to the clerks of the Senate and the House; the Senate and the House Committees on Ways and Means; the Joint Committee on Children, Families and Persons with Disabilities; the Joint Committee on the Judiciary; the Office of the Child Advocate; and the Governor.

MDAA provides a template to the 11 DA offices each year, requesting the status of child abuse and neglect cases. MDAA then combines the information, totaling numerical amounts from each DA, and summarizes the information into a Report on the Status of Child Abuse and Neglect Cases. MDAA then submits the report to the required recipients.

AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of certain activities of the Massachusetts District Attorneys Association (MDAA) for the period July 1, 2022 through June 30, 2024.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Below is a list of our audit objectives, indicating each question we intended our audit to answer; the conclusion we reached regarding each objective; and, if applicable, where each objective is discussed in the audit findings.

Objective	Conclusion
1. Did MDAA provide Commonwealth district attorneys (DA) offices with sufficient technical assistance that coordinated and standardized DA office organization, operations, and procedures in accordance with Section 20D of Chapter 12 of the General Laws?	Partially; see Finding <u>1</u>
2. Did MDAA comply with its annual reporting requirements regarding child abuse and neglect cases in accordance with Section 20D of Chapter 12 of the General Laws?	Partially; see Finding <u>2</u> and <u>Other Matters</u>

To accomplish our objectives, we gained an understanding of the MDAA internal control environment relevant to our objectives by reviewing applicable policies and procedures and by interviewing MDAA management. In addition, to obtain sufficient, appropriate evidence to address our audit objectives, we performed the procedures described below.

DA Office Coordination and Standardization

To determine whether MDAA provided Commonwealth DA offices with sufficient technical assistance that coordinated and standardized DA office organization, operations, and procedures in accordance with Section 20D of Chapter 12 of the General Laws, we took the following actions related to information technology (IT) expenses, security reports, and the case management system (CMS).

IT Expenses

We selected a random, nonstatistical⁴ sample of 25 IT expenses out of a population of 341 IT expenses that MDAA incurred during the audit period. We obtained an invoice for each corresponding IT expense and reviewed the information on each invoice (i.e., vendor name, the item or service purchased, the purchase description, and which DA office benefited from the expense) to determine whether the expense directly supported any of 11 DAs and was related to IT (e.g., technical assistance, hardware, software, or internet service fees).

Security Reports

We obtained all 28 (100%) of the security reports⁵ that were generated during the audit period. We reviewed each security report to identify the number of active devices on the wide area network (WAN) within each report, as well as the total number of devices that were unpatched, vulnerable, or lacked antivirus protection. We calculated the number of unpatched devices and the percentage change in the patch levels from month to month. We then calculated the average number of unpatched and vulnerable devices and determined whether there was a trend showing an increase or decrease in the vulnerability of the devices on the WAN during the audit period.

CMS

We conducted multiple interviews with MDAA officials regarding the adequacy of the CMS that was in place during the audit period and obtained screenshots of it. We conducted internet research regarding the CMS and reviewed relevant audit findings from prior Office of the State Auditor reports (i.e., our audit of the Cape and Islands District Attorney's Office, issued in March 2021, and our audit of the Middlesex County District Attorney's Office, issued in June 2021). Additionally, we obtained two reports from the Massachusetts Juvenile Justice Policy and Data (JJPAD) Board, dated June 2019 and March 2022. We reviewed these reports for any findings or insights related to the CMS and, using this information, we determined whether the current CMS was adequate for the needs of all 11 DA offices.

For this objective, we found certain issues during our testing. See [Finding 1](#) for more information.

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4. Auditors use nonstatistical sampling to select items for audit testing when a population is small (usually less than 1,000). Auditors generally use a software program to choose a randomly generated sample.
 5. Security reports are automatically generated each month. However, during the audit period, MDAA generated the reports twice per month in some months.

Annual Child Abuse and Neglect Reporting Requirements

To determine whether MDAA complied with its annual reporting requirements regarding child abuse and neglect cases in accordance with Section 20D of Chapter 12 of the General Laws, we took the following actions. First, we obtained all two (100%) of the Reports on the Status of Child Abuse and Neglect Cases that were generated during the audit period. We reviewed each report to determine whether it was filed with the clerks of the Senate and the House; the Senate and the House Committees on Ways and Means; the Joint Committee on Children, Families and Persons with Disabilities; the Joint Committee on the Judiciary; the Office of the Child Advocate; and the Governor. We determined whether each report contained the required information listed in Section 20D of Chapter 12 of the General Laws, specifically, the status of child abuse and neglect cases that were referred for criminal prosecution (including the number of cases that resulted in prosecution, the results of those prosecutions, the principal reason for decisions not to prosecute, and what resources would have assisted in corresponding investigations and prosecutions). We then determined whether each report contained accurate information by comparing the information in the report to the source information provided by each DA office. We also contacted the recipients of the reports to determine how the information in the reports was used and whether the information was beneficial to each recipient.

For this objective, we found certain issues during our testing. See [Finding 2](#) and [Other Matters](#) for more information.

We used nonstatistical sampling methods for testing and therefore did not project the results of our testing to the corresponding populations.

Data Reliability Assessment

To determine the reliability of the data from MDAA's local computer network system, we assessed certain areas within MDAA's information system controls (e.g., configuration management, the monitoring of configuration changes, application controls, security management, controls over the segregation of duties, and IT general access controls). We tested data regarding all 10 MDAA employees who were active during the audit period to determine whether background checks were performed at their time of hire and whether their computer user access rights matched their titles and positions. We also determined whether employees who were terminated during the audit period had their computer network access removed. We tested 3 employees hired during the audit period to determine whether they had completed

initial cybersecurity awareness training and tested the remaining 7 to determine whether they completed annual refresher cybersecurity awareness training.

We observed MDAA officials query the number of computer network users and extract 2,864 computer network users⁶ from their computer network (of whom, 10 were specifically MDAA employees who were active during the audit period, and thus, constituted our testing population for cybersecurity awareness training and personnel screening). The chief information officer then provided these records to us in Microsoft Excel workbooks. We determined whether the number of users we observed in the system matched the corresponding number of users in the Excel workbooks. We tested the data to ensure that it did not contain certain spreadsheet issues (e.g., embedded data; hidden objects such as names, rows, columns, or worksheets; duplicate records; or missing values in necessary data fields).

We also traced all 10 MDAA computer network users to the Human Resources Compensation Management System, which is the Commonwealth's official payroll system, to ensure that each of the 10 MDAA computer network users was an active MDAA employee during the audit period.

To determine the reliability of IT transactions, we interviewed MDAA management who were knowledgeable about the data and observed the chief fiscal officer query MDAA's finance system and extract 444 transactions incurred during the audit period. The chief fiscal officer then provided these 444 transactions to us in a Microsoft Excel workbook. We determined whether the total number of transactions we observed within the system matched the total number of transactions in the Excel workbook. We refined the data by removing transactions related to salaries, employee reimbursements, and payroll taxes, and then sorted the data specific to the audit period, resulting in a population of 341 IT transactions. We tested the data to ensure that it did not contain certain spreadsheet issues (e.g., embedded data; hidden objects such as names, rows, columns, or worksheets; duplicate records; or missing values in necessary data fields). We selected a random sample of 20 IT transactions and traced certain information on each transaction (i.e., fiscal year; period; department; cash expense amount; acceptance date; appropriation number; object code, which indicates the type of good or service in question; vendor customer code; and vendor's legal name) to source documents (e.g., invoices, purchase

6. The 2,864 computer network users were composed of all WAN users across the 11 DA offices, which included test and guest accounts. We only included the 10 MDAA users who were active during the audit period in our population.

orders, and email approvals). We then selected a judgmental sample⁷ of 20 digital copy invoices and traced certain information in each invoice (i.e., fiscal year, period, department, cash expense amount, acceptance date, appropriation number, object code, vendor customer code, and vendor's legal name) to the information listed in the IT transaction Excel workbook.

Based on the results of the data reliability assessment procedures described above, we determined that the information we obtained during the course of our audit was sufficiently reliable for the purposes of our audit.

7. Auditors use judgmental sampling to select items for audit testing when a population is very small, the population items are not similar enough, or there are specific items in the population that the auditors determine are appropriate to review. Auditors use their knowledge and judgment to select the most appropriate sample. For example, an auditor might select items from areas of high risk. The results of testing using judgmental sampling cannot be used to make conclusions or projections about entire populations; however, they can be used to identify specific issues, risks, or weaknesses.

DETAILED AUDIT FINDINGS WITH AUDITEE'S RESPONSE

1. The Massachusetts District Attorneys Association's case management system was outdated and did not meet the needs of the 11 district attorneys' offices.

The case management system (CMS) that was used by the Massachusetts District Attorneys Association (MDAA) during the audit period and is currently in use by all 11 district attorneys' (DA's) offices is obsolete and, according to MDAA officials, may soon no longer be supported by the software manufacturer. The software is unable to meet all the needs of the DAs regarding tracking and reporting specific data to the Juvenile Justice Policy and Data (JJPAD) Board and may soon be unable to meet all the operational needs of the 11 DAs. See [Appendix A](#) for more information regarding MDAA's CMS.

If MDAA is unable to secure funding to update its CMS, then the CMS may become inoperative, especially since MDAA shared with us that it is concerned that the software manufacturer may cease to support the software. DAs may be unable to meet their operational needs and may not be able to provide the JJPAD Board with the information it needs to comply with Chapter 69 of the Acts of 2018.

Authoritative Guidance

Section 20D of Chapter 12 of the Massachusetts General Laws states,

The district attorneys may appoint a suitable person to serve as executive director to the Massachusetts District Attorneys Association for the purpose of promoting prosecutorial resources and improving prosecutorial functions through the coordination and standardization of services and programs, together with providing information, technical assistance and educational services to ensure standardization in organization, goals, operations and procedures.

Reasons for Insufficient Technical Assistance

MDAA informed us that each DA office's business needs are unique. Because each DA office uses the CMS differently, an extraordinary effort is needed to determine each DA office's requirements and to coordinate the collection of standardized data.

Recommendation

MDAA should obtain funding to procure a new CMS that meets the needs of all 11 DA offices with regards to operations, tracking, and reporting.

Auditee's Response

MDAA will continue to request funding to purchase a new CMS system for the 11 district attorneys' offices.

Auditor's Reply

Based on its response, MDAA is taking measures to address our concerns regarding this matter. As part of our post-audit review process, we will follow up on this matter in approximately six months.

2. The Massachusetts District Attorneys Association included inaccurate and incomplete information in a report to the Governor, Legislature, and the Office of the Child Advocate.

MDAA's Report on the Status of Child Abuse and Neglect Cases for fiscal year 2022 did not include data from 2 of the 11 DA offices. MDAA did not use any additional resources to gather data from the Middlesex DA or the Northwestern DA regarding the status of child abuse and neglect cases in their districts, after MDAA requested this information twice.

Further, in fiscal year 2023's report, we found a numerical error in the category titled "Criminal Cases Disposed without Conviction." More specifically, MDAA reported that 932 criminal cases were disposed without conviction. Using templates completed by the 11 DA offices, we calculated that the total was 941 criminal cases that were disposed without conviction, a difference of 9 cases that were not included in the fiscal year 2023 report.

Because the recipients of the Report on the Status of Child Abuse and Neglect Cases may use the information for research, debate, deliberations, and proposed legislation, inaccuracies or missing information in the report may hinder legislators' and other policy makers' efforts to sufficiently address child abuse and neglect issues.

Authoritative Guidance

Section 20D of Chapter 12 of the General Laws states:

The executive director shall annually report on the status of child abuse and neglect cases that have been referred for criminal prosecution, including the number prosecuted, the results of those prosecutions, the principal reason for decisions not to prosecute, and what resources would have assisted in those investigations and prosecutions. The report shall be filed with the clerks of the senate and the house, the senate and the house committees on ways and means, the joint

committee on children, families and persons with disabilities, the joint committee on the judiciary, the child advocate, and the governor.

Reasons for Missing and Inaccurate Information

MDAA stated that the DAs are not statutorily obligated to provide the information that is required in the Report on the Status of Child Abuse and Neglect Cases. MDAA stated that it was aware of the missing information from the fiscal year 2022 report, and that the report disclosed that the information was not available from two DAs. MDAA made multiple attempts to obtain the missing data but was unable to obtain all the data before the reporting deadline. However, MDAA is obligated by law to collect this data for its annual reports, and yet it did not seek alternative methods to collect the data, such as contacting the Executive Office of the Trial Court to obtain this information.

Regarding fiscal year's 2023 report inaccuracy, MDAA stated that a transcription error was made when compiling source data into the Report on the Status of Child Abuse and Neglect Cases. Additionally, MDAA did not have controls requiring that a review of the data be performed before publishing it in MDAA's annual report.

Recommendations

1. MDAA should work with all DA offices, the Executive Office of the Trial Court, and any other pertinent agencies to ensure that each Report on the Status of Child Abuse and Neglect Cases is accurate and complete before MDAA submits the report to its recipients.
2. MDAA should implement controls to identify and address inaccuracies when compiling the report before submitting it to its recipients.

Auditee's Response

During the audit period, MDAA reported on the status of tens of thousands of child abuse and neglect cases. MDAA regrets and acknowledges that a transcription (typographical) error in the [fiscal year] 2023 report resulted in the underreporting of nine cases that were closed without conviction. . . .

In [fiscal year] 2022, to comply timely with MDAA's obligation to submit a status report annually, MDAA filed a report explaining that two identified counties' information was missing for a single fiscal year. None of the status report recipients contacted MDAA indicating that the missing information was needed to debate, deliberate, or draft proposed legislation. The Governor, the Legislature, and the Child Advocate may, and often do, contact MDAA and the District Attorneys for information needed for their work. Indeed, MDAA and the District Attorneys are required to respond to all requests for information pursuant to the public records law.

Auditor's Reply

MDAA acknowledges that it made a transcription (i.e., typographical) error in the fiscal year 2023 report and that information for two counties was excluded from the fiscal year 2022 report.

This transcription error likely occurred because of a lack of internal controls over the reporting process. A segregation of duties that required multiple reviews could help detect this error. Also, alternative resources were available to obtain the data for the two missing counties, but these resources were not used. As a result, the annual report was published without the data from the two counties. We encourage MDAA to consider both of our recommendations to ensure that the issues identified in this finding do not reoccur in the future.

OTHER MATTERS

The Massachusetts District Attorneys Association's Report on the Status of Child Abuse and Neglect Cases should be revamped to more effectively serve all of its recipients.

We contacted all of the recipients of the Report on the Status of Child Abuse and Neglect Cases, those being the clerks of the Senate and the House; the Senate and the House Committees on Ways and Means; the Joint Committee on Children, Families and Persons with Disabilities; the Joint Committee on the Judiciary; the Office of the Child Advocate; and the Governor. We inquired about the purpose of the information as provided in the report. The consensus response is summarized as being that the information in the reports may be used for debate, deliberation, and drafting proposed legislation. However, we also received a response stating that the information presented in the reports is not useful for their purposes.

With data presented in multiple formats, the recipients of the reports may be better able to identify trends or to make more informed decisions regarding child welfare.

The current design of the report provides limited information summarizing the total amounts of each reported district attorney office, as summarized in the table below. See [Appendix B](#) for more information regarding the current format of the report.

Fiscal Year 2022 Report on the Status of Child Abuse and Neglect Cases

	Abuse and Neglect Referrals*	Referrals Closed without Prosecution**	Criminal Cases Initiated†	Criminal Cases Disposed with Conviction‡	Criminal Cases Disposed without Conviction§
Total	12,757	6,150	1,878	658	647

* These are recommendations newly made in fiscal 2022 to investigate cases and can come from sources such as police departments, the Office of Child Advocate, or other agencies.

** These are investigations of referrals that were referred either before or during fiscal year 2022 and that did not result in prosecutions; thus, they were closed.

† These are cases that moved forward into prosecution and may include referrals from previous fiscal years.

‡ These are cases for which prosecutions have been concluded, resulting in convictions of the defendants.

§ These are cases for which prosecutions have concluded without convictions.

|| Due to the various stages and lengths of referral investigations and the many stages that cases undergo when proceeding through the courts, it is not possible to reconcile this number to any other figures in the table. Child abuse and neglect cases, from initial referral to final disposition, can take several years to resolve.

During our testing, we reviewed the source data that MDAA summarized in the report. After surveying the recipients of the report, we believe that, while it is not required, it is best practice to include

disaggregated information for the benefit of the report recipients. For example, we presented the same fiscal year 2022 data by district in the following table.

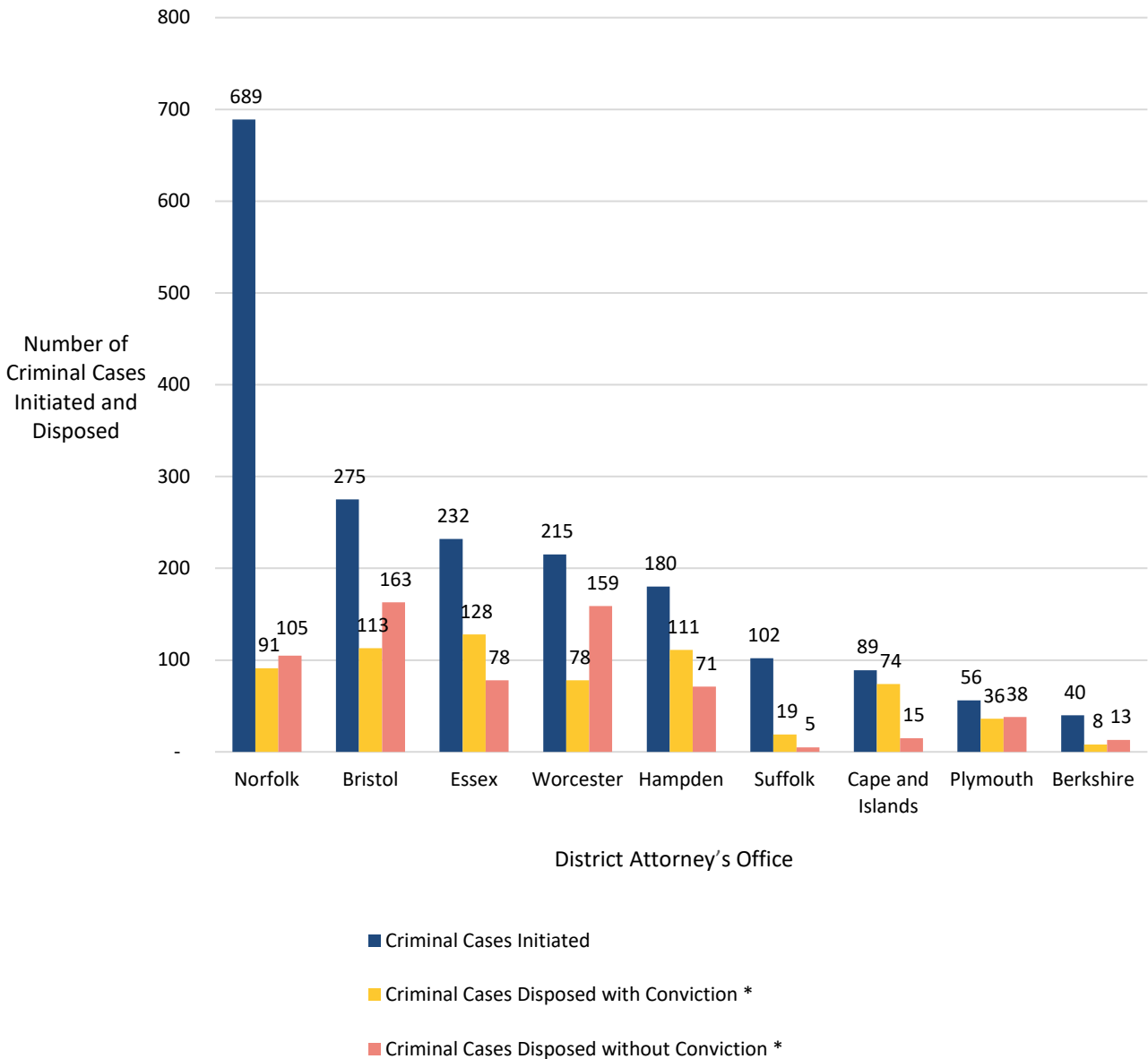
District	Abuse and Neglect Referrals	Referrals Closed without Prosecution	Criminal Cases Initiated	Criminal Cases Disposed with Conviction	Criminal Cases Disposed without Conviction	Percentage of Cases Disposed with Conviction**	Percentage of Cases Disposed without Conviction [†]
Norfolk	2,244	777	689	91	105	13%	15%
Bristol	1,791	716	275	113	163	41%	59%
Essex	2,060	512	232	128	78	55%	34%
Worcester	1,762	1,579	215	78	159	36%	74%
Hampden	1,116	371	180	111	71	62%	39%
Suffolk	1,700	1,133	102	19	5	19%	5%
Cape and Islands	251	162	89	74	15	83%	17%
Plymouth	1,088	483	56	36	38	64%	68%
Berkshire	745	417	40	8	13	20%	33%
Middlesex*							
Northwestern*							
Total	<u>12,757</u>	<u>6,150</u>	<u>1,878</u>	<u>658</u>	<u>647</u>		

* The fiscal year 2022 report did not contain information for this agency.

** This column represents the percentage of initiated cases that were disposed with conviction during fiscal year 2022. These numbers may include initiated cases that have been ongoing from previous fiscal years.

† This column represents the percentage of initiated cases that were disposed without conviction during fiscal year 2022. These numbers may include initiated cases that have been ongoing from previous fiscal years.

Comparison of Criminal Cases Initiated and Disposed



* Disposed cases may include initiated cases that have been ongoing from previous fiscal years.

Although MDAA is only required to report information that is specified in Section 20D of Chapter 12 of the Massachusetts General Laws, we asked report users questions regarding their use of the reports. Their responses indicated that the mandated recipients of the report could be better served with more detailed information.

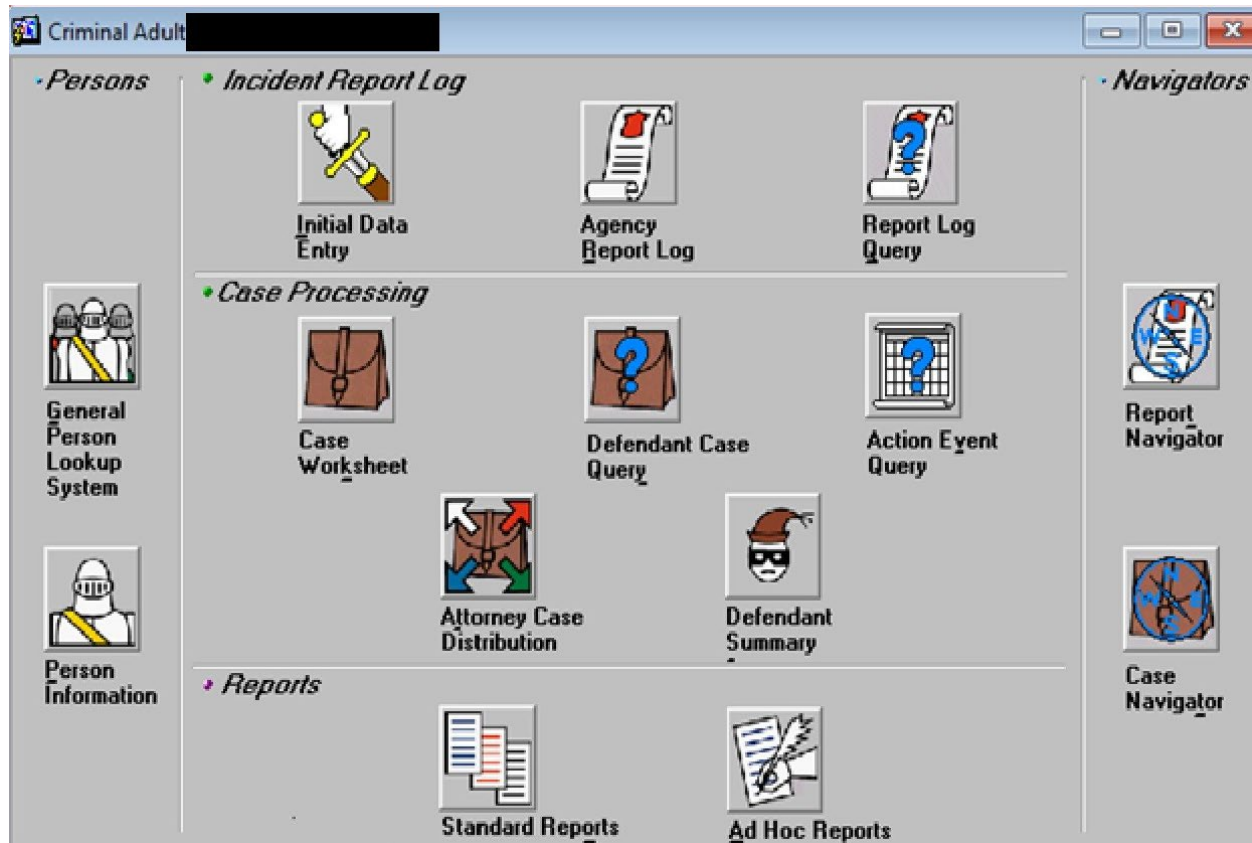
We recommend that MDAA contact each recipient of the Report on the Status of Child Abuse and Neglect Cases to determine each recipient's needs and how they use the information. MDAA should then work with each recipient to create a report template which provides information that is relevant and more useful to all of the report recipients.

APPENDIX A

Case Management System Illustrations

Below are screenshots taken of the case management system used by the District Attorneys.

Main Screen Directory



Typical Input Screen to Perform Queries on Individuals

The screenshot displays the 'General Person Lookup System' window. It features a tabbed interface with 'Query', 'Adult', 'Juvenile', and 'Investigation' tabs. The 'Query' tab is active, showing two main sections: 'Person/Entity Query' and 'People/Entity Matching Query'.

Person/Entity Query Section:

- Entity:** A dropdown menu.
- Last Name:** Text input field.
- First Name:** Text input field.
- Middle Name:** Text input field.
- D.O.B.:** Text input field.
- Sex:** Radio button.
- Race:** Text input field.
- Person Type:** Text input field.
- D.L. No.:** Text input field.
- F.B.I. #:** Text input field.
- State ID #:** Text input field.
- S.S.N.:** Text input field.
- CDC #:** Text input field.
- Address:** Text input field.
- City:** Text input field.
- State:** Text input field.
- Zip:** Text input field.
- Phone:** Text input field.
- Ext.:** Text input field.

People/Entity Matching Query Section:

Name	Alias	V/W	Sex Off	D.O.B.	S.S.N.	D.L. No.
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			

At the bottom of the window, there are four buttons: 'Document Query', 'Add Person', 'Modify', and 'Select'.

APPENDIX B

Fiscal Year 2022 Report on the Status of Child Abuse and Neglect Cases

Below is a copy of the fiscal year 2022 Report on the Status of Child Abuse and Neglect Cases, showing the design and text of report.



To: The Honorable Maura Healey, Governor
The Honorable Maria Mossaides, Child Advocate
The Honorable Michael Rodrigues, Chair, Senate Committee on Ways and Means
The Honorable Aaron Michlewitz, Chair, House Committee on Ways and Means
The Honorable James Eldridge, Senate Chair, Committee on the Judiciary
The Honorable Michael Day, House Chair, Committee on the Judiciary
The Honorable Robyn Kennedy, Senate Chair, Committee on Children, Families and Persons with Disabilities
The Honorable Jay Livingstone, House Chair, Committee on Children, Families and Persons with Disabilities
The Honorable Michael Hurley, Clerk of the Senate
The Honorable Steven James, Clerk of the House

From: Jennifer Franco, Massachusetts District Attorneys Association

Date: May 11, 2023

Re: **Report on the Status of Child Abuse and Neglect Cases (G.L. c. 12, § 20D)**

As required by G.L. c. 12, § 20D¹, the Massachusetts District Attorneys Association (MDAA) submits the following information relative to child abuse and neglect cases that have been referred for criminal prosecution to nine of the eleven District Attorneys during FY2022². The Department of Children and Families, which is mandated to report certain categories of child abuse and neglect to the District Attorneys, pursuant to G.L. c. 119, § 51A, is the primary source of child abuse and neglect referrals for the District Attorneys. However, the District Attorneys also receive a significant number of reports from the police, and directly from victims, and from the victims' families.

¹ G.L. c. 12, § 20D: The executive director [of the Massachusetts District Attorneys Association] shall annually report on the status of child abuse and neglect cases that have been referred for criminal prosecution, including the number prosecuted, the results of those prosecutions, the principal reason for decisions not to prosecute, and what resources would have assisted in those investigations and prosecutions. The report shall be filed with the clerks of the senate and the house, the senate and house committees on ways and means, the joint committee on children, families and persons with disabilities, the joint committee on the judiciary, the child advocate, and the governor.

² This report shall be updated should MDAA receive data from the Middlesex and/or Northwestern District Attorney.

The number of criminal prosecutions initiated by the District Attorneys does not reflect the tremendous workload of pre-charge investigations involved in reviewing these sensitive and complex cases.

Please note that MDAA is reporting referrals as the number of new cases reported or referred to the nine District Attorneys during FY2022; all other information relates to child abuse and neglect cases reported or referred to the nine District Attorneys in any year. Child abuse and neglect cases, from initial referral to final disposition, can take several years to resolve.

Abuse/Neglect Referrals (Per Child)	12,757
Referrals Closed without Prosecution	6,150
Criminal Cases Initiated (Per Defendant)	1,878
Criminal Cases Disposed with Conviction	658
Criminal Cases Disposed without Conviction	647

It is important to note that the COVID-19 pandemic and resulting court closures have had a significant impact on cases moving through the criminal justice process.

The District Attorneys report the following as the principal reasons for the decision not to prosecute:

- Insufficient evidence
- Psychological trauma
- No disclosure/victim denied abuse
- Competency issues of child/tender age of victim
- Lack of specificity/detail
- Not in child's best interest
- Lack of jurisdiction
- Perpetrator is underage for prosecution
- Family unsupportive and unwilling to go forward
- Suspect unknown
- Does not meet elements of a crime
- Suspect incompetent
- 5th Amendment Privilege
- Statute of Limitations elapsed

The District Attorneys believe that each agency utilizes all available resources to serve victims, their families, and the public during every step in the long process toward healing the victims and their families, and toward resolution of these difficult cases. However, the District

Attorneys report that the following resources would have assisted in these investigations and prosecutions:

- Funding for more specialized investigators, victim-witness advocates and prosecutors
- Data Tracking System
- Shortage of law enforcement
- Shortage of forensic experts and tools
- More prosecutors