

Juvenile Justice Policy and Data Board

April 11th
1pm – 3pm

Agenda

- Welcome and Introductions
- Approval of February 27th Meeting Minutes
- Report outs:
 - Data Subcommittee
 - Community-Based Interventions Subcommittee
 - Childhood Trauma Task Force
- Discussion on Arrest/Jurisdiction Authority Implementation Challenges

SUBCOMMITTEE REPORT OUTS

Data Subcommittee

- Statutory Impact Framework
 - Discussed & edited framework document
 - Developing plan to pull baseline & Year 1 data
- June 30th Aggregate Data Report
 - Subcommittee will review draft report May 9th
 - If substantial revisions are needed, may review again at June 7th meeting
 - Full Board will discuss & vote on report at June 12th meeting

Community-Based Interventions Subcommittee

- March/April Meetings: Focused on Police Diversion & DA Diversion
- May Meeting: Focus on Judicial Diversion & Probation Diversion Assessment Process
- Surveys Out in the Field for:
 - Service Referrers
 - Community-Based Providers

Emerging Themes:

- Wide variation in practice from town to town and county to county
 - Criteria for who is diverted
 - Which entities are using diversion
 - Level of adoption of research-based practices (e.g. use of risk & need assessments to match youth to services, data collection)
- Resource challenges
 - Transportation
 - Mental health services & waitlists
 - Services for higher risk/need youth

Childhood Trauma Task Force

- **March:** Violence & Childhood Trauma
 - ROCA
 - Child Witness to Violence
- **April:** School-Based Interventions
 - Trauma & Learning Policy Initiative
 - BPS/Children's Hospital School-Based Initiatives
 - DESE Safe & Supportive Schools
- **May:** Immigration/Refugee-Related Trauma

DISCUSSION ON IMPLEMENTATION CHALLENGES

Litigation Update

- Pending litigation re: definition of “delinquent child” as it relates to “first offense of a misdemeanor for which the punishment is a fine, imprisonment in a jail or house of correction for not more than 6 months”
- Arguments heard at SJC on April 4th

Goals of Law Change

- Shift system response for some behaviors from justice system to private domain or other state services (when warranted)
 - Younger children (under 12)
 - Lower-level misdemeanors
- Reduce referrals to justice system for nonviolent and verbal misconduct in schools and instead handle this behavior through school disciplinary measures

Source: “Juvenile Justice Reform in the Criminal Justice Package”, Senator Brownsberger’s website
(www.willbrownsberger.com/juvenile-justice-reform/)

Today's Focus

- What are the kinds of youth behaviors we are seeing that previously may have been responded to with an arrest/charge and now, under the new law, requires a different response?
- What would be the ideal system response to those different kinds of behaviors?
- What needs to change for us to have a system where that “ideal” response happens in all communities?

Common Offenses Impacted by Statute Change

Youth Under 12

- All offenses

Lower-Level “Under 6 Mos” Offenses

- Trespass
- Disorderly Conduct
- Disturbing the Peace
- Wanton or Malicious Destruction of Property under \$250
- Annoying or Obscene Telephone Calls or Electronic Communication
- Accosting/Annoying Person of the Opposite Sex
- Indecent Exposure
- Threat to Commit Crime
- Possess, Distribute or Possess with Intent – Drug Class E [Class E = Narcotics that contain limited amounts of such substances as codeine, diphenoxylate or opium]
- Possess less than 1 oz, Marijuana
- Assorted Moving Vehicle Violations

School-Based Offenses

- Disturbing a school assembly
- Disorderly conduct

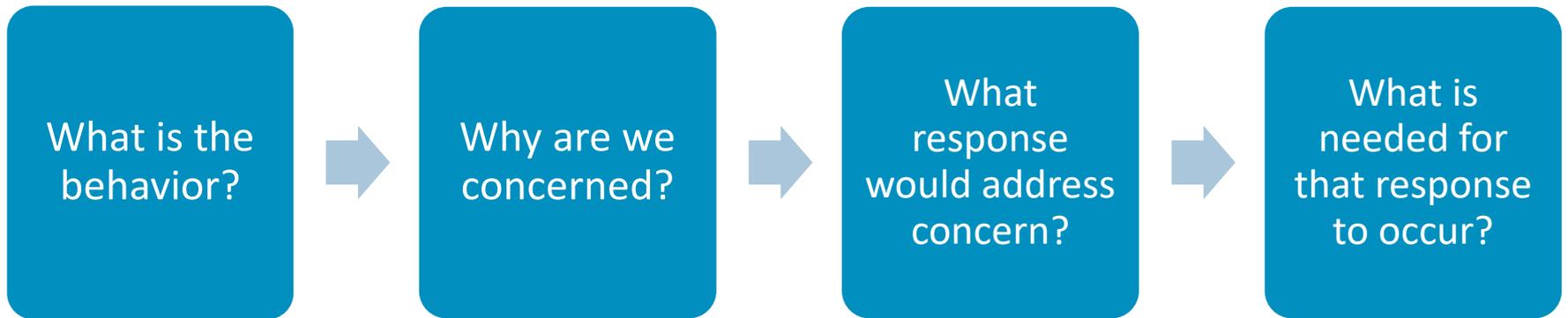
What Does the Research Say?

- Limit testing is age appropriate and temporary for most adolescents
- Youth that are diverted are less likely to reoffend than youth that are arrested and formally processed
- Using validated, structured decision-making tools is key to successfully identifying youth that are appropriate for diversion
- Research is mixed on the effectiveness of different types of diversion programs, but a focus on quality and QA is important
- Relevant Examples:
 - Florida Juvenile Assessment Centers
 - Civil Citation Programs in FL and DE

Summary of Concerns and Potential Unintended Consequences

- **Youth failing through the cracks:** Are there more youth who need services that we are failing to reach because of the law changes?
- **Public safety:** Is the public more at risk because of the law changes?
- **Schools:** Have school environments been negatively impacted by the law changes?
 - School safety
 - School learning environment
- **Accountability:** Are we harming youth by sending a message that certain behaviors “aren’t serious” and/or by failing to hold them accountable through the justice system?
- Is anything missing from this list?

What is the Right System Response?



Next Meeting

- Full Board Meeting: June 12th, 12pm – 2pm
- Subcommittees:
 - Data Subcommittee: May 9th, 2-4pm
 - CBI Subcommittee: May 21st, 2-4pm
 - Childhood Trauma: May 14th, 9-11am
 - Diversity & Inclusion: Working on scheduling