

Office of the Child Advocate
Juvenile Justice Policy and Data Board
Thursday, December 19, 2024
10:00am-12:00pm
Meeting held virtually

Board Members or Designees Present:

Maria Mossaides (OCA)
Cecely Reardon (DYS)
Nancy Connolly (DMH)
Duci Goncalves (YAD)
Rachel Wallack (Juvenile Court)
Rebecca Brink (DCF)
Dawn Christie (PPAL)
Lydia Todd (CLM)
Tobin Abraham (Rep Nguyen)
Naoka Carey (CfJJ)
Laura Miller (MDAA)

OCA Staff:

Kristi Polizzano
Melissa Threadgill
Arianna Turner
Morgan Byrnes
Kerin Miller
Alix Riviere
Ari Fertig
Samantha Morton
Bekah Thomas

Other Attendees:

Bridget Nichols (DMH)
Sana Fadel (CfJJ)
Leon Smith (CfJJ)

Meeting Commenced: 10:03 AM

Welcome and Introductions

Ms. Threadgill welcomed the attendees to the Juvenile Justice Policy & Data (JJPAD) Board meeting. Members of the Board and guests introduced themselves.

Meeting Agenda

Ms. Threadgill presented the agenda for today’s meeting which included:

- OCA Announcements
- Pretrial Report
- FY24 Annual Report Updates
- Subcommittee Draft Work Plans
- Board Member Updates

Approval of Minutes from the October Meeting

Ms. Threadgill held a formal vote on the approval of the previous JJPAD Board meeting minutes. Tobin Abraham, Nancy Connolly, Rebecca Brink, and Cecely Reardon all voted in the affirmative. Rachel Wallack, Lydia Todd, and Naoka Carey abstained. No one opposed.

The meeting minutes from October were approved.

OCA Announcements

AGO Diversion Program

Ms. Threadgill shared an update on the OCA’s work on the Attorney General Office’s (AGO) Diversion Program, including the program’s creation, the process for the program, and next steps in its development.

Ms. Threadgill welcomed questions.

Ms. Reardon added that the Department of Youth Services is hoping to finalize procurements for the new Massachusetts Youth Diversion Program (MYDP) sites by the end of the year and is looking forward to continued development of the program. Currently, youth in the AGOs diversion program meet with diversion coordinators from the MYDP to review the educational materials related to the AGO diversion program.

Juvenile Pretrial Phase Report

Ms. Threadgill introduced the pretrial phase project report, thanking the many people who have contributed to it over the past two years.

Ms. Threadgill then reviewed the draft findings of the report, which were shared during the October Board meeting.

Ms. Threadgill welcomed questions and comments on the draft findings. None were raised.

Ms. Threadgill then shared the three broad categories of draft recommendations and began reviewing the specific recommendations for the first category: “Improve how conditions of release are set and revisited during the pretrial process,” including:

- Provide more guidance on setting pretrial conditions of release (COR) for youth
- Develop a new “order of pretrial conditions of release” form
- Provide guidance on the process of revising pretrial conditions of release for youth and addressing violations

Ms. Threadgill welcomed questions on the first category of recommendations.

One member asked which recommendation would help reduce disparities within pretrial condition setting. Ms. Threadgill shared that training decision-makers on which conditions and processes are effective and encouraging research-based approaches can reduce disparities. Ms. Polizzano added that the Board does not have data on who receives which condition but recommendations later on in the report may help address disparities. One member explained that interventions may favor white youth, and they want to ensure that any reforms are designed to help all youth.

One member shared that it can be difficult for decision-makers to move past the idea that they alone know what is best based on their experience and believe they do not need to rely on research and data. They added that one complicating factor in trying to both reduce disparities and assign conditions that are relevant to the charges is that youth of color are disproportionately charged with more serious offenses compared to their white peers.

Ms. Threadgill shared that the Juvenile Detention Alternatives Initiative was successful in educating people about the dangers of detention, and there has been a significant increase in the use of diversion over the past decade. She also shared that statutory changes are both difficult to get passed and difficult to change, which may result in unintended negative consequences. Ms. Polizzano added that in stakeholder interviews, the OCA heard that decision-makers were seeking guidance for cases that were not clear cut and wanted to find ways to improve situations for kids who do remain in the system.

Ms. Threadgill then began presenting information on the second category of recommendations: “Divert more youth from detention and juvenile court involvement by expanding the range of pretrial supervision and pre-arraignment diversion options,” including:

- Create a continuum of interventions for supervision in the community during the pretrial phase
- Improve GPS technology

- Divert more youth pre-arraignment by expanding opportunities for state diversion

Ms. Threadgill welcomed questions and comments on the second category of recommendations.

One member commented that GPS should be used as a last resort, but if it is used, the technology should be reliable.

Ms. Threadgill then introduced the third category of recommendations” “Support implementation of pretrial reforms and continue to measure the impact,” including:

- Require training on aspects of the pretrial phase across state entities and encouraging cross-entity trainings when possible
- Increase the number of juvenile court judges to reduce the pretrial timeline and support reform implementation
- Expanding the availability, and promoting the use of, social workers in delinquency related cases
- Increase data availability to support continuous quality improvement and data-informed policy making

Ms. Threadgill welcomed questions on the third category of recommendations. None were raised.

Ms. Threadgill then reviewed areas of future study related to the pretrial phase, including the use of cash bail and delinquency prevention and intervention programming.

Ms. Threadgill welcomed additional edits to the report and shared that the OCA is incorporating a few last-minute edits from the Board.

Ms. Threadgill provided an overview of the pretrial report next steps, including:

- December: OCA integrates remaining edits into report
- January: OCA publishes final report and submits to the Legislature

Vote to Submit the Pretrial Report to the Legislature

Ms. Threadgill held a formal vote on the pretrial report. Maria Mossaides, Lydia Todd, Dawn Christie, Duci Goncalves, and Naoka Carey all voted in the affirmative. Tobin Abraham, Rachel Wallack, Rebecca Brink, Laura Miller, Nancy Connolly, and Cecely Reardon abstained. No one opposed.

The pretrial report was approved.

Project Update: FY24 Annual Report

Ms. Polizzano introduced the FY24 annual report work to date and provided several notes on the data that will be presented. She also shared which data the Data Subcommittee has reviewed and received so far.

Ms. Polizzano then started reviewing preliminary data analysis, including:

- Between FY23 and FY24, system use was relatively stable except ONA and Pretrial Detention Admissions, which increased 9% and 17%, respectively
- Between FY23 and FY24 there were small increases in felony cases at most process points
- In FY24, boys represent the majority of cases at each process point
- However, between FY23-FY24, there was a greater rate of increase for girls than boys
- Black and Latino youth represent over half of cases/admissions at each process point
- Between FY23-FY24, at most process points, cases involving Black and Latino youth increased, while cases involving white youth decreased
- Number of court cases plateaued in FY24

Ms. Polizzano then shared a data summary of the overall juvenile justice data trends and welcomed questions and discussion.

One member asked if, given that there are decreases in white youth involvement at some of the earlier stages and large decreases at later stages, it possible that diversion is being offered to white youth more than youth of color. One member shared that they have observed strong equity in the diversion process and data. They also shared that there are pockets of the state where there are still large disparities, especially regarding arrest and charging decisions. Ms. Threadgill added that the Massachusetts Youth Diversion Program is not in every county or used at the same level at each county. She added that the OCA is monitoring rates of the felony charges versus misdemeanor charges because misdemeanors are more likely to be diverted.

Ms. Polizzano then shared the next steps for the annual report, including:

- December: OCA receives remaining data
- January/February: Data Subcommittee reviews remaining data and the data section of the Board's annual report
- February/March: Board reviews and (pending discussion) votes to submit to the legislature

Ms. Polizzano welcomed questions on next steps. None were raised.

Subcommittee Work Plans

Ms. Polizzano reviewed the work plans for each JJPAD subcommittee, which are as follows:

- Full Board:
 - Winter - Review & Discussion 2024 Annual Report; Set 2025-2026 work plan
- CBI Subcommittee:
 - Return to dually involved youth (DIY) project
- Data Subcommittee:
 - 2024 Annual Report data review
 - DIY data deep dive and case file review
- Childhood Trauma Task Force (CTTF):
 - Analyze training data and discuss recommendations

One member shared that provider agencies have been training for numerous years on relevant topics and suggested looking to some of the trade organizations as part of the CTTF agency training project.

Board Member Updates

Ms. Polizzano welcomed board members to share updates from their respective organizations. None were raised.

Closing Comments

Ms. Polizzano thanked attendees for their work and adjourned the meeting.

Meeting adjourned: 11:11AM