

Juvenile Justice Policy and Data Board

Board Meeting

March 2, 2021
2:00pm – 4:00pm

Agenda

1. Welcome and Introductions
2. Approval of November meeting minutes
3. Legislative Update
4. Diversion Learning Lab Updates & Discussion of CBI Subcommittee “Model Program Guide”
5. 2021 Proposed Work Plan Presentation and Discussion
6. Board Member Updates

Legislative Update

Legislative Update

Bills Stemming from JJPAD Recommendations:

- An Act updating bail procedures for justice-involved youth (Rep. Dykema & Sen. Boncore)
- An Act creating a center on child wellness and trauma (Rep. Khan & Sen. Chandler)

Bills Related to Juvenile Justice Data:

- An Act clarifying the child advocate's authority to access juvenile records (Rep. Dykema & Sen. Boncore)
- An Act improving juvenile justice data collection (Rep. Miranda & Sen. Creem)

Diversion Learning Lab Update

Massachusetts Youth Diversion Program Model Program Guide

2019

- Studied diversion best practices across the state and country
- Developed findings and recommendations for Massachusetts community-based interventions and diversion (2019 report)

2020

- Created a Model Program Guide providing guidance on: the referral process, developing agreements, defining success and more
- OCA secures funding for Learning Lab
- DYS agrees to be host agency

~2021

- CBI finalizes the Model Program Guide
- DYS launches Diversion Learning Labs
- CBI remains active in an advisory capacity

Massachusetts Youth Diversion Program

Model Program Guide

- Model Program Guide was developed after:
 - 10 CBI Subcommittee meetings
(February 2020 – February 2021)
 - 4 Information Sharing Work Group meetings
 - 5 JDAI county presentations & discussions
 - *+ countless hours of prep and review from the Subcommittee*

Massachusetts Youth Diversion Program

Model Program Guide

Chapter 1: Introduction and Purpose

- What are the goals of the program & who is this program for?

Chapter 2: Program Guidelines

- Making a referral to the program and creating a diversion agreement
- Case management and wrapping up the program

Chapter 3: The Role of the Diversion Coordinator

- Job description, role and responsibilities of the Diversion Coordinators

Chapter 4: Information Sharing

- What personal information can be shared to/from the Coordinator?

Chapter 5: Data Collection and CQI

- Data to collect and publicly report
- Oversight methods and the CBI as ongoing advisory group

Appendices

- Example documents for the program

Model Program Guide: Options for Next Steps

- Vote as Board to approve today
- No Board vote needed (not a Legislative Report); document remains as CBI Subcommittee product
- Issue as “Draft” with intention to hold Board vote in June

Proposed 2021 Objectives & Work Plan

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1. New initiatives
2. Oversight and continuation of previous work

JJPAD Board 2021 Proposed Objectives

New Initiatives

- 1. Crossover Youth:** Deepen understanding of factors driving crossover from maltreatment to delinquency and identify more effective ways to intervene
- 2. Data & RED:** Increase our ability to use data to drive system improvements, with particular focus on reducing racial and ethnic disparities
- 3. Trauma Screening & Referral:** Study and develop recommendations to increase early identification of youth who have experienced trauma and referrals to appropriate services

1. Crossover Youth

How we got here (*more on this later*) :

- Natural extension of all three subcommittees' previous two years of work
- Years of reform have decreased the overall population of our juvenile justice system. The next step is analyzing the processes and systems impacting youth that remain justice-involved

- **Multiyear project:**
 - ✓ 2021: Research, Interviews/Focus Groups, System Mapping, Early Policy Development Conversations
 - ✓ 2022: Development of Recommendations and Report
- **Cross-Committee Work and Collaboration:**
 - ✓ All three subcommittees – Data, CBI, CTTF – will have a role
 - ✓ Potential areas for combined meetings

More on Proposed Project Details Later in Presentation

2. Data & Racial and Ethnic Disparities (RED)

How we got here:

- Data basics solidified (annual report, website) → this is an opportunity to deepen our analysis
- JJPAD analysis of data to date → racial and ethnic disparities are particularly large at early decision points

Data Subcommittee

- Identification of priority research questions
- Identification of data availability
- Development of 2-3 research briefs, prioritizing examination of RED at early decision points
- Briefs will be launching points for future conversations and recommendations

3. Early identification and intervention of youth who have experienced trauma

How we got here:

- CTF has identified as next priority area to examine
- Significant advocacy/legislative interest in this topic

Childhood Trauma Task Force

- Study and make recommendations re: trauma screening and referrals, including
 - Who should be screened
 - In what settings should screening occur
 - Who should conduct screenings
 - What screenings should be used
 - What barriers exist and how can they be addressed?

JJPAD Board 2021 Proposed Objectives

Oversight & Continuation of Previous Work

- 1. COVID-19:** Track on-going impact of COVID-19 on juvenile justice system and children's behavioral health
- 2. Impact of Statutory Changes:** Track implementation of juvenile justice system statutory changes
- 3. Continuation of Ongoing Work:**
 - FY21 Data Report
 - Continued support of previous JJPAD/CTTF initiatives
 - Update 2019 data availability report

1. COVID-19

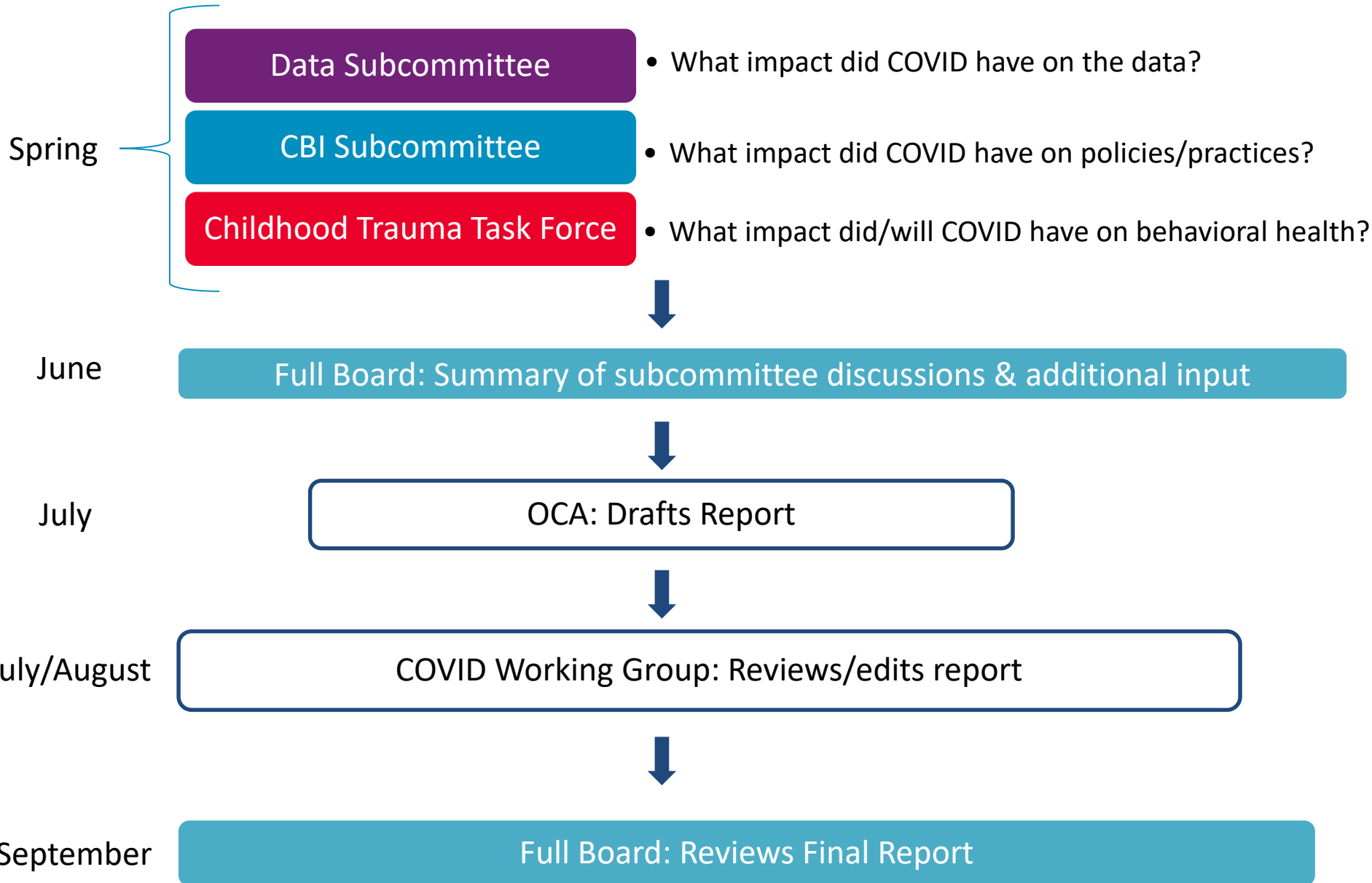
How we got here:

- CTF 2020 Report: *Protecting Our Children's Well-Being During COVID-19*
- JJPAD 2020 Annual Report: Section of the report highlighting JJPAD member agencies' policy and practice responses to the pandemic, and impacts on youth and their families

Goal: Produce follow-up report on COVID-19 impact, focused on following questions:

- What good changes came out of this? What should we keep?
- What are we worried about in the coming years?
 - How will this impact children's behavioral health in the short and long term?
 - How might the impact of the pandemic manifest in our juvenile justice system?

1. COVID-19



2. Impact of Statutory Changes

- **NEW** this year: Policing Bill from Fall 2020:



School Resource Officers training



Memorandum of Understanding Commission



Expungement

- OCA will lead tracking of efforts, and report to Board/convene SRO Working Group as necessary
- JJPAD Members should raise concerns if they arise

2. Impact of Statutory Changes

- CONT'D tracking of implementation of the Criminal Justice Reform Bill (2018)



Raise the age from 7 to 12



Removal of Juvenile Court Jurisdiction for first-time, lower-level offenses



Judicial diversion pre-arraignment



New requirements for SRO's, police and school districts



Revising juvenile overnight arrest lock-up procedures

- JJPAD Members should raise ongoing (or new) concerns if they arise

3. Continuation of Ongoing Work

Data Subcommittee

- FY21 Data Report
- Update 2019 Data Availability Report
- JJ Data Website expansion

CBI Subcommittee

- Diversion Learning Lab oversight

Childhood Trauma Task Force

- Ongoing work re: Framework for TIR Organizations

JJPAD Board 2021-2022 Reports

2021 COVID-19 Report
(~September)

Findings &
Recommendations TBD

2021 JJPAD Annual Report
(November)

FY21 Data

Updates to 2019 Data
Availability Report

Data & RED briefs

Impact of statutory
changes

Subcommittee updates re:
ongoing work

Recommendations TBD

2021 CTF Annual Report
(Fall)

Trauma screening/referral
findings &
recommendations

2022 Crossover Youth Report
(TBD)

Findings and
recommendations TBD

Full Board

Year 3 Role: Oversight of subcommittees' work, implementation of legislation, and COVID-19's impact on youth in the Commonwealth

March 2, 2021

- Legislative updates
- **Learning Lab update and Diversion Model Program Guide**
- **2021 Work Plan**

June 24, 2021

- COVID-19 Discussion
- Subcommittee Report Outs

September 2021

- **COVID-19 Report**
- CJRB and Policing Bill Implementation Update
- Subcommittee Report Outs

November 2021

- **JJPAD FY21 Annual Report**
- Subcommittee Report outs

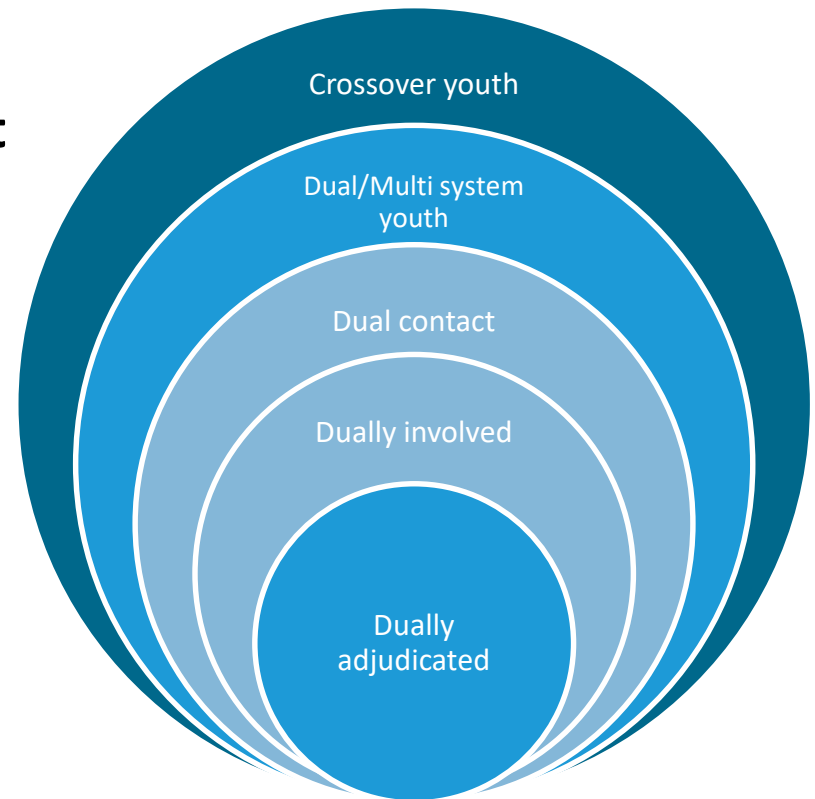
2021 Work Plan: Crossover Youth

Crossover Youth Discussion

1. Who are crossover youth?
2. Why focus on crossover youth?
3. What do we already know about crossover youth in MA?
4. Proposed JJPAD Crossover Youth Project

Who are Crossover Youth?

- Youth who have experienced **maltreatment** and engage in **delinquent acts**
- Population can narrow depending on:
 - whether and how **deeply involved** in each system a youth is (i.e. arrest/investigation stage or open child welfare case/committed youth)
 - **timing** of involvement (i.e. concurrent systems involvement or non-concurrent)



Why Focus on Crossover Youth?

An opportunity to address several different priorities/mandates of JJPAD and its subcommittees:

1. Reduce **racial/ethnic disparities** in the juvenile justice systems
2. Prevent **traumatized youth's** involvement in the juvenile justice system
3. Identify ways to **intervene earlier and more effectively** to reduce juvenile justice involvement

1. Reduce Racial & Ethnic Disparities

- Nationally and in Massachusetts, youth of color are overrepresented in both the child welfare and juvenile justice systems. Those disparities accumulate across decision points **within** and **across** systems.
- Crossover from the child welfare system is one likely driver of **racial and ethnic disparities** in the juvenile justice system.
- **To reduce RED in our juvenile justice system, we need to reduce crossover.**

1. Reduce Racial & Ethnic Disparities

Race	No DCF Involvement (%)	DCF Involvement (%)
Hispanic	50%	50%
Black or African American	31%	69%
White	63%	38%
Multiracial	44%	56%
Chooses not to self-identify	25%	75%
Asian	0%	100%
American Indian or Alaska Native	50%	50%

- Of the 247 new detentions between March 16, 2020 and October 9, 2020, 45% (n=112) had some level of current DCF involvement
- However, these rates were **significantly higher** for youth of color

*CRA or C&P; DCF Involvement not independently confirmed by DCF

2. Prevent traumatized youth's involvement in the juvenile justice system

Despite what we know about the relationship between trauma, child development and behavioral responses, **national research shows that crossover youth face harsher juvenile justice outcomes.**

In comparison with their peers, and controlling for offense type/level, they are:

- Less likely to receive probation as a first-time offender (especially true for Black youth)
- More likely to be placed in a group home or correctional setting
- More likely to be placed in detention

2. Prevent traumatized youth's involvement in the juvenile justice system

- National studies have shown that **recidivism rates for crossover youth are higher** than for youth who are only involved in the juvenile justice system.
- One study found that 66% of crossover youth had a jail stay in their young adulthood (18-22) compared to 50% of juvenile justice involved youth and 25% of child welfare youth.

3. Intervene Earlier & More Effectively

Research in other states shows that crossover youth typically:

- Enter JJ system at a younger age (~1 year younger)
- Have more complex needs (e.g. MH/BH issues, SUD, academic difficulties)

(As compared to youth in delinquency system with no child welfare involvement)

3. Intervene Earlier & More Effectively

Maltreatment/
Trauma



Unaddressed/unrecognized trauma can lead to a behavioral response at:

Home

Foster family

Congregate
care

School

Community



Behavior results in a response by the parent, community, schools, child welfare system, and/or juvenile justice system:

Community
(e.g. FRC
referral)

Behavioral
Health
Response

School
Discipline

Change in
Placement

CRA

Diversion

Arrest

Increasing intensity of system(s) involvement

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What Do We Know About Crossover Youth in MA?

- Data in MA is limited, but it's clear that a significant percentage of youth in the juvenile justice system have child welfare involvement.
 - Currently available data on youth at DYS with current "DCF Involvement"
 - Detention: 45% of detention admissions (Feb – Oct 2020)
 - Commitment: Consistently ~30% of committed youth
 - Of these, 50-60% CRA, 30-40% C&P, 10% Voluntary
- ** Data is based on report by youth or court officer – not independently confirmed with DCF ***
- 2014 (dissertation) study of data from 2000-2012 found that 72% of youth committed to DYS had prior or current involvement with DCF
 - We **do not know** what percentage of arrests, arraignments, youth on probation, etc. crossover youth represent

What Do We Know About Crossover Youth in MA?

2015 CfJJ *Missed Opportunities* study of youth with open DCF and DYS cases found that:

- Involvement with DCF typically began at young age (0-5)
- 58% experienced at least one home removal
- 36% had been subject to a CRA petition
- A large share experienced many placements (close to ¼ experienced 6-10 placements)
- RED: 60% crossover youth were Black or Latino, compared with 39% of overall DCF population

Proposed JJPAD Crossover Youth Project

- Numerous previous efforts in MA to address needs of this population, including:
 - CHINS to CRA reform in 2012
 - Hampden County Pilot Program (MDRT)
 - Crossover Youth Practice Model (DYS/DCF/Partners)
- Some successes → but challenges and gaps remain
- JJPAD membership and expertise allows for a systems-level approach

Proposed JJPAD Crossover Youth Project

Opportunity to do a state-level review of policies, practices, funding and service gaps, to include:

- **Data:** What do we have? What could we get? What do we need?
- **Qualitative Research:** System mapping, interviews and focus groups, review of current policies/practices, all with goal of refining understanding of problem and cultivating list of potential solutions
- **Promising Practice Identification:** What are other states/counties/cities doing that we could adapt? What is the research/evidence base for various practices?

How Do We Focus Our Efforts?

- Research indicates a sharp shift in youth behavior ~ age 12
- This is also the point when system response to behavior begins to shift from child who needs help → potential public safety threat
- Washington study found crossover youth average first justice system contact at age 13

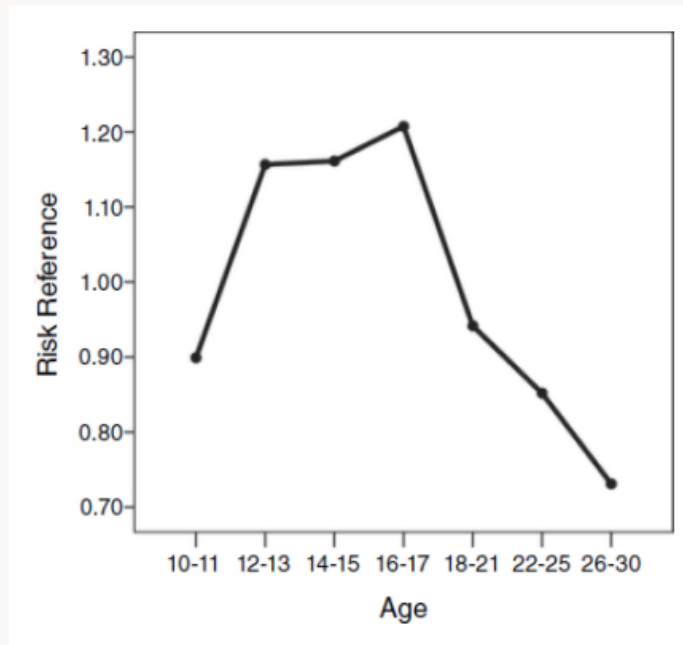
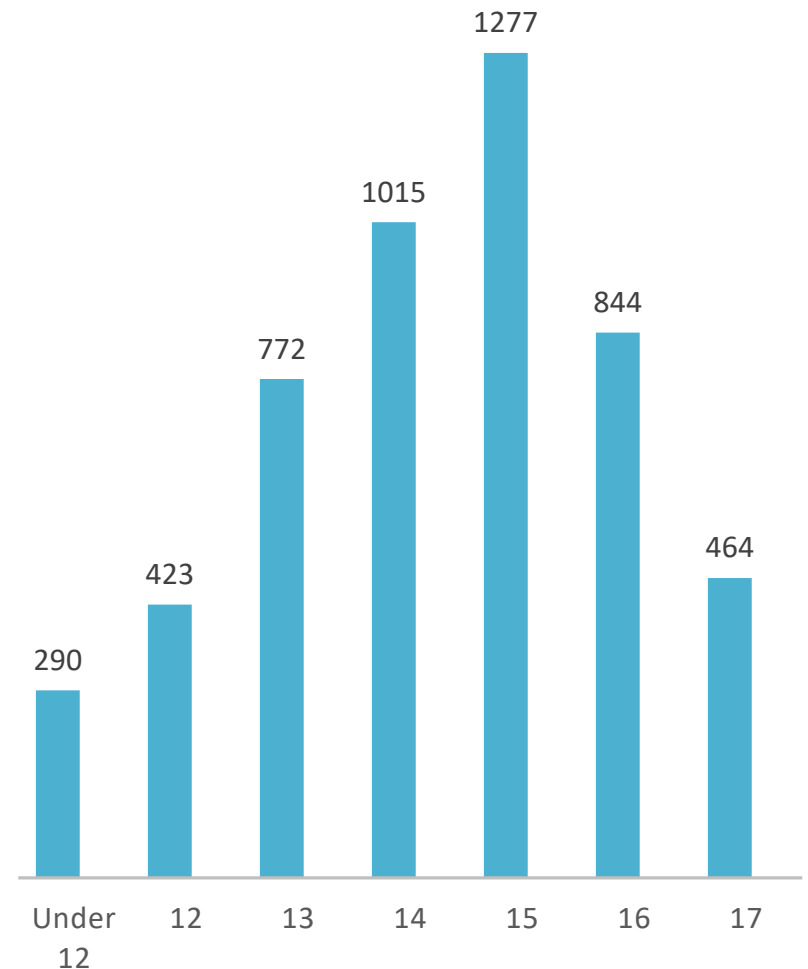


FIGURE 4-1 Age differences in preference for risky behaviors (e.g., unprotected sex, shoplifting, smoking).
SOURCE: Steinberg (2009).

By Age: Preteen to Early Adolescence CRAs (2019)

CRA Type	Number of CRAs	% of all CRAs	Mean Age
Stubborn Child	2,297	51.5%	15.3
Truant	1,438	32.2%	14.2
Habitual School Offender	407	9.1%	13.8
Runaway	319	7.1%	15.9



By Stage & Referral Point:

Maltreatment/
Trauma



Unaddressed/unrecognized trauma can lead to a behavioral response at:

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Foster
family

Congregate
care

School

Community



Results in a response by the parent, community, schools, child welfare system,
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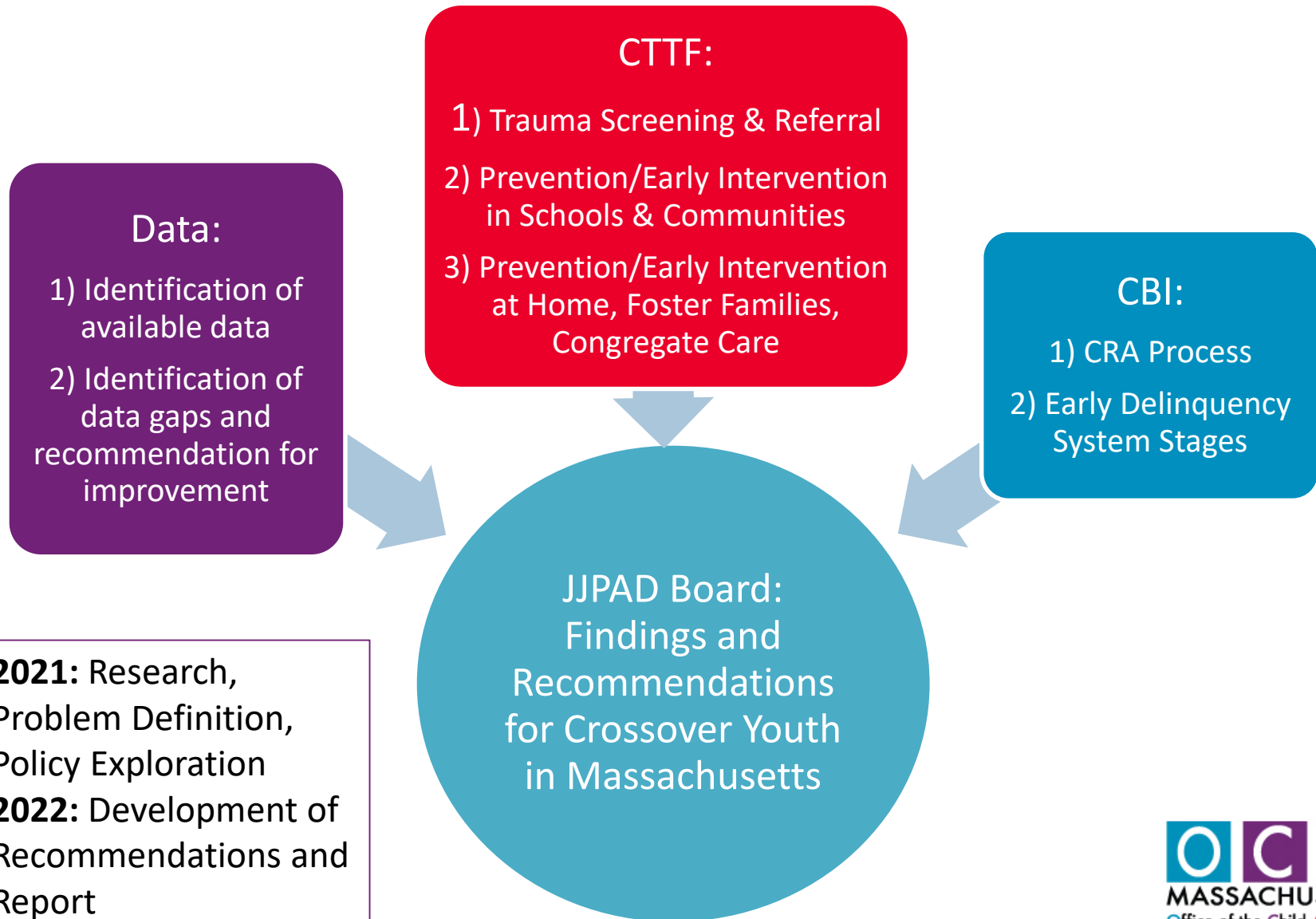
Arrest

Increasing intensity of system(s) involvement

Referral points

Possible Responses

Work Plan: Crossover Youth



Crossover Youth Work Plan Questions? Thoughts?

Board Member Updates & Reflections

- Any new/forthcoming initiatives, policy changes, or accomplishments/bright spots/positive trends that others should be aware of
- Particular challenges/barriers you are experiencing, that you think may be relevant to other Board members and/or something this group should try to tackle collectively

Next Meeting Dates:

(All meetings are virtual; WebEx information is in each calendar invitation)

Full Board:

June 24, 2021

2:00pm-4:00pm

Subcommittee	Standing Time	Next Meeting
Data	2 nd Thursdays, 10:30am-12pm	March 11, 2021
CBI	3 rd Thursdays, 1:00pm-2:30pm	March 18, 2021
CTTF	1 st Mondays, 1:00pm-3:00pm	April 5, 2021

Contact

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