

Juvenile Justice Policy and Data Board

Board Meeting

September 28, 2021
2:00pm – 4:00pm

Agenda

1. Welcome and Introductions
2. Approval of June Meeting Minutes
3. Updates
4. Implementation of SRO Provisions of Policing Reform Statute
5. COVID-19 Report Discussion & Vote
6. Subcommittee Report Outs & 2021 Work Plan Update

Updates

- New JJPAD Board Members
 - Senator Adam Gomez
 - Matthew Connolly, EOE
- Diversion Learning Lab
- Center on Child Wellness & Trauma

Implementation of SRO Provisions of 2020 Policing Reform Law

- **SRO MOU Commission**
 - Commission advising DESE/EOPSS on language for binding MOU language that school districts & police departments with SRO will be required to use
 - Survey for feedback from school professionals, parents & youth now open
 - Anticipated final draft in early 2022

Implementation of SRO Provisions of Policing Reform Law

- **SRO Training & Certification**
 - 2018 CJRB Law required SROs to receive training on key topics
 - 2020 law added to training requirements and required all SROs to be certified (training is component of certification)
 - Timeline on Certification TBD

MTPC SRO Training Agenda

School Resource Officer Certification Agenda

September 20 - 21 Four Points Sheraton - Norwood, MA

Monday, September 20

8:45 AM

Honorable Amy L. Nechem
Chief Justice of the Massachusetts Juvenile Court Department

9:00 AM

Opening Remarks

9:00 AM

Dr. Jamie Barrett
Director of the Clinical Support Unit, Cambridge Police Department
Assistant Professor of Psychology in the Department of Psychiatry,
Harvard Medical School

12:00 PM

Introduction

Role of the SRO

Information Sharing

Juvenile Diversion

School Threat Assessment Teams

Youth Engagement



MTPC SRO Training Agenda

1:00 PM
-
2:00 PM

AAG Jonathan Burke
Civil Rights Division, MA Attorney General's Office

AAG Angela Brooks
Director, Children's Justice Unit, MA Attorney General's Office

Hate Crimes and Hate Incidents, Including Cyberbullying

2:00 PM
-
3:00 PM

Russell Johnston
Department of Elementary and Secondary Education

Attorney Josh Varon
Department of Elementary and Secondary Education

FERPA/Information Sharing

MTPC SRO Training Agenda

Tuesday, September 21

8:45 AM

-

11:30 AM

Chief Kevin Kennedy
Lincoln Police Department

Juvenile Law and Procedure

11:30 AM

-

12:00 PM

Keenon Cunningham
Dean of Students, New Heights Charter School (Brockton)

Positive Influence of SROs

MTPC SRO Training Agenda

1:00 PM

-

1:30 PM

Rebecca Bishop

Director, Center of Excellence for Problem Gambling Prevention at
EDC (Education Development Center)

Gambling and Gaming Addictions

1:45 PM

-

3:30 PM

Ed Jacobs, MSW

Director of Grants and Sponsored Projects, Plymouth County District
Attorney's Office

Joel Ristuccia

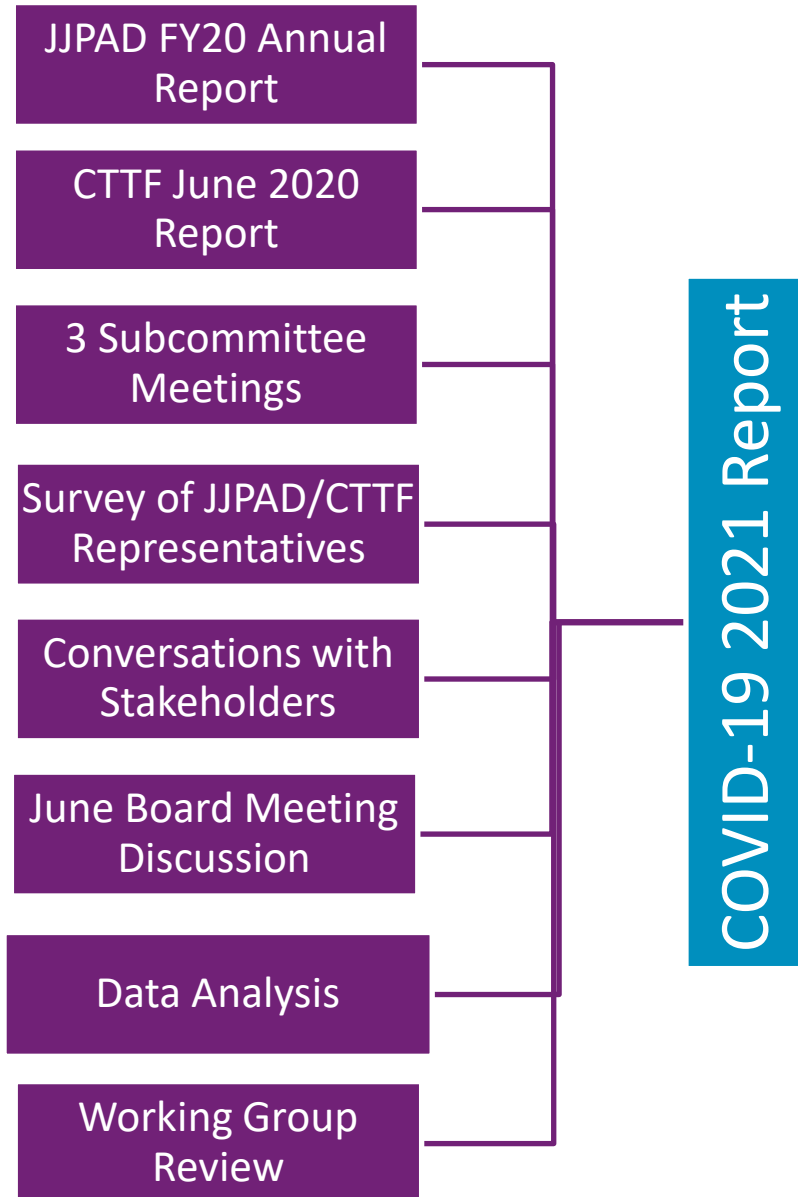
Instructor for Lesley Institute of Trauma Sensitivity

Impact of Trauma on Child/Adolescent Cognitive Development

COVID-19 and the Massachusetts Juvenile Justice System:

*Recommendations for Supporting Youth
and Preventing Delinquency*

Report Background & Goal



How has the pandemic affected youth's current and future involvement with the juvenile justice system?

Report Overview & Research Questions

Part I: Juvenile Justice System Utilization

How has the pandemic impacted juvenile justice system utilization thus far?

Part II: Impact on Future Delinquency

What pandemic-related conditions have put youth at increased risk of juvenile justice system involvement?

Part III: Silver linings and lessons learned from state agency pandemic responses

How have child-serving state entities responded to support youth involved in the juvenile justice system?

Part IV: Recommendations

Which pandemic-inspired changes in policies, practices, and services should be kept moving forward?

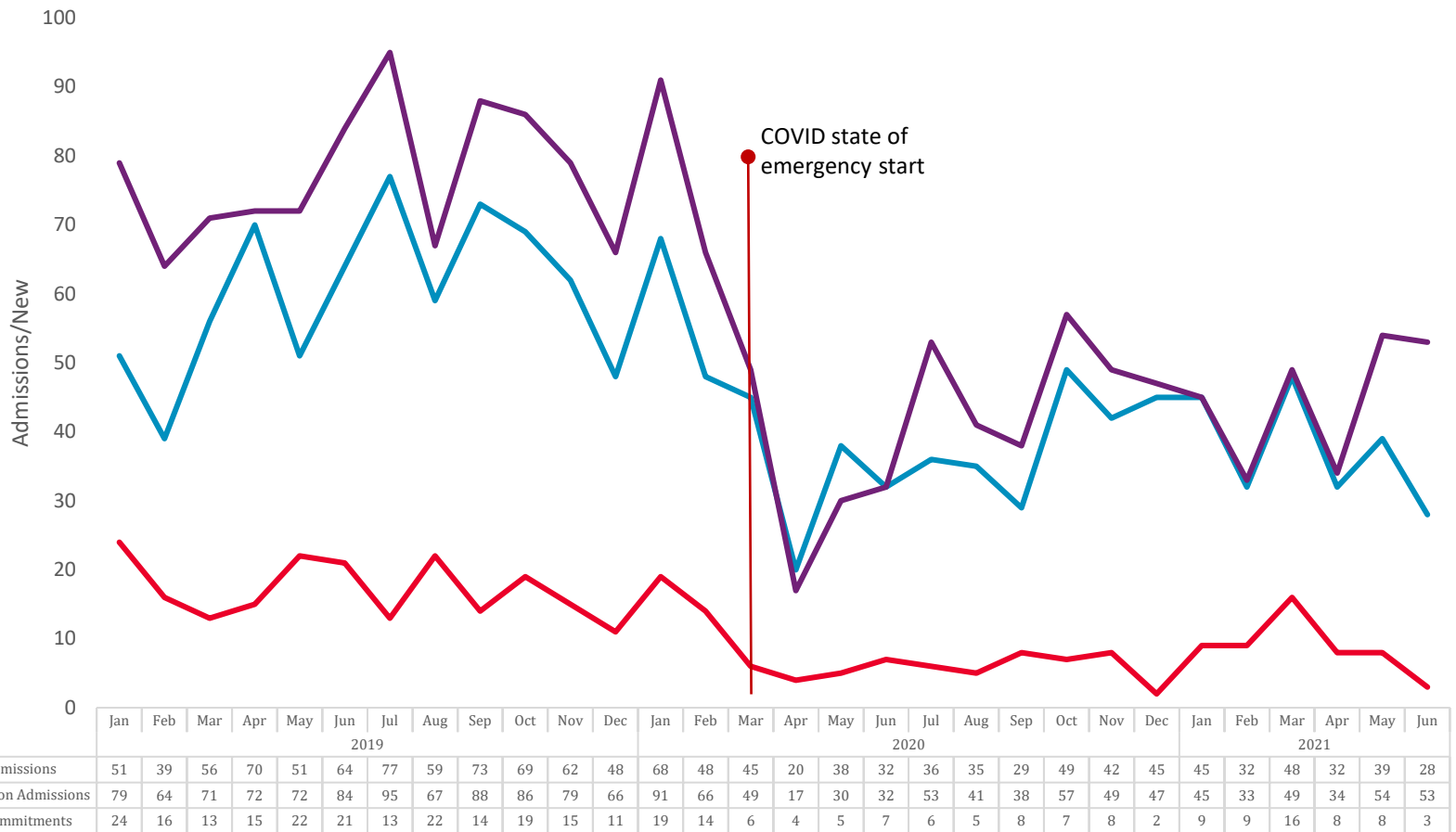
What additional actions should the Commonwealth take to mitigate the impact of the pandemic on youth and prevent future delinquency?

Part I: The pandemic decreased juvenile justice system utilization

- 40% decrease in average monthly **overnight arrest admissions**
- 48% decrease in average monthly **detention admissions**
- 62% decrease in average monthly new **commitments to DYS**
- Risk/Need and Administrative **probation** supervision cases also dropped 60% and 42%, respectively

(Monthly average of March 2019-Feb 2020 compared to March 2020 to Feb 2021)

Average Monthly ONA, Detention and DYS Commitments



Source: Department of Youth Services, Department of Research

Why Did Utilization Decrease?

1. Shifts in “circumstantial” factors that are tied to increased likelihood of delinquent behavior
2. A concerted effort by juvenile justice system stakeholders to divert youth during the pandemic.

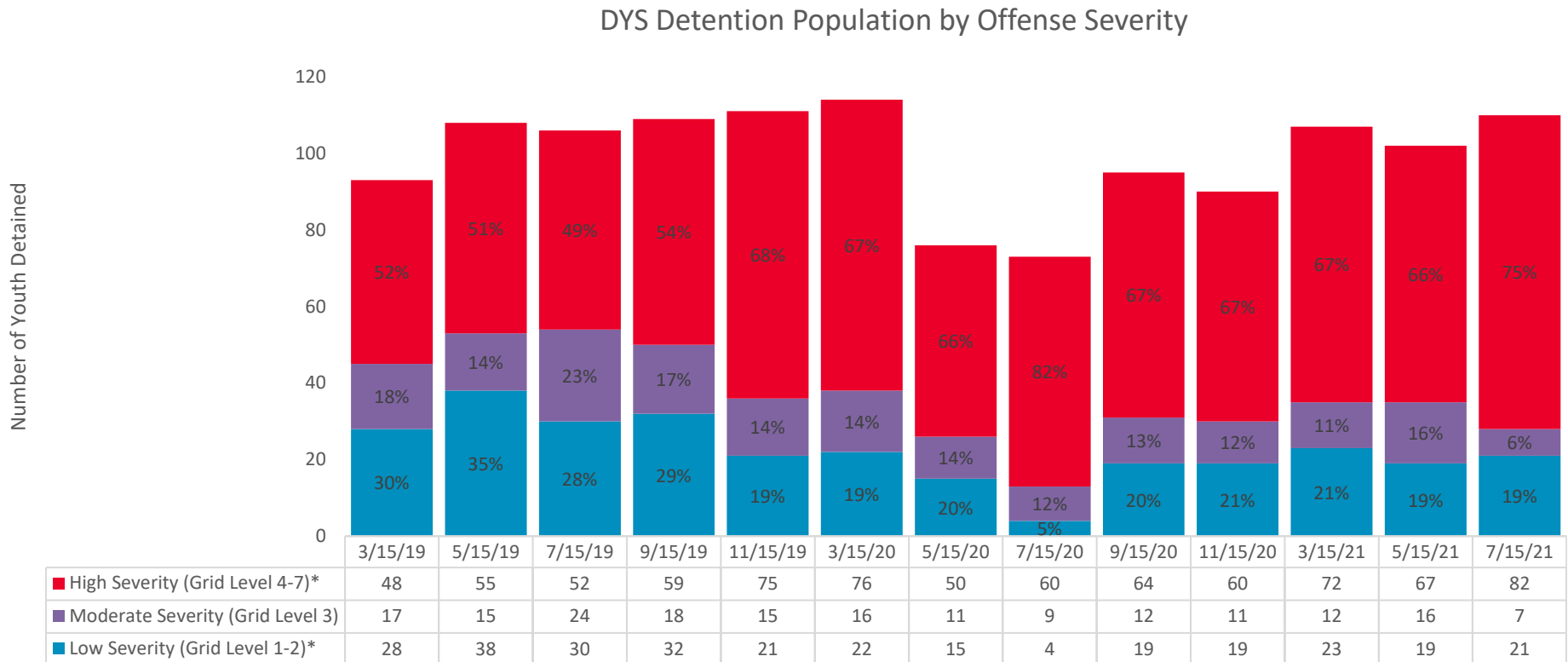
Youth “Stuck” in the System

- Probation pretrial supervision caseloads **increased 9%**
- Youth who were released from detention facilities were detained for an average of **62 days, 19 days longer the prior year**

*Data for youth who did not exit detention during this time—and **subsequently may have even longer lengths of stay**—is not available.

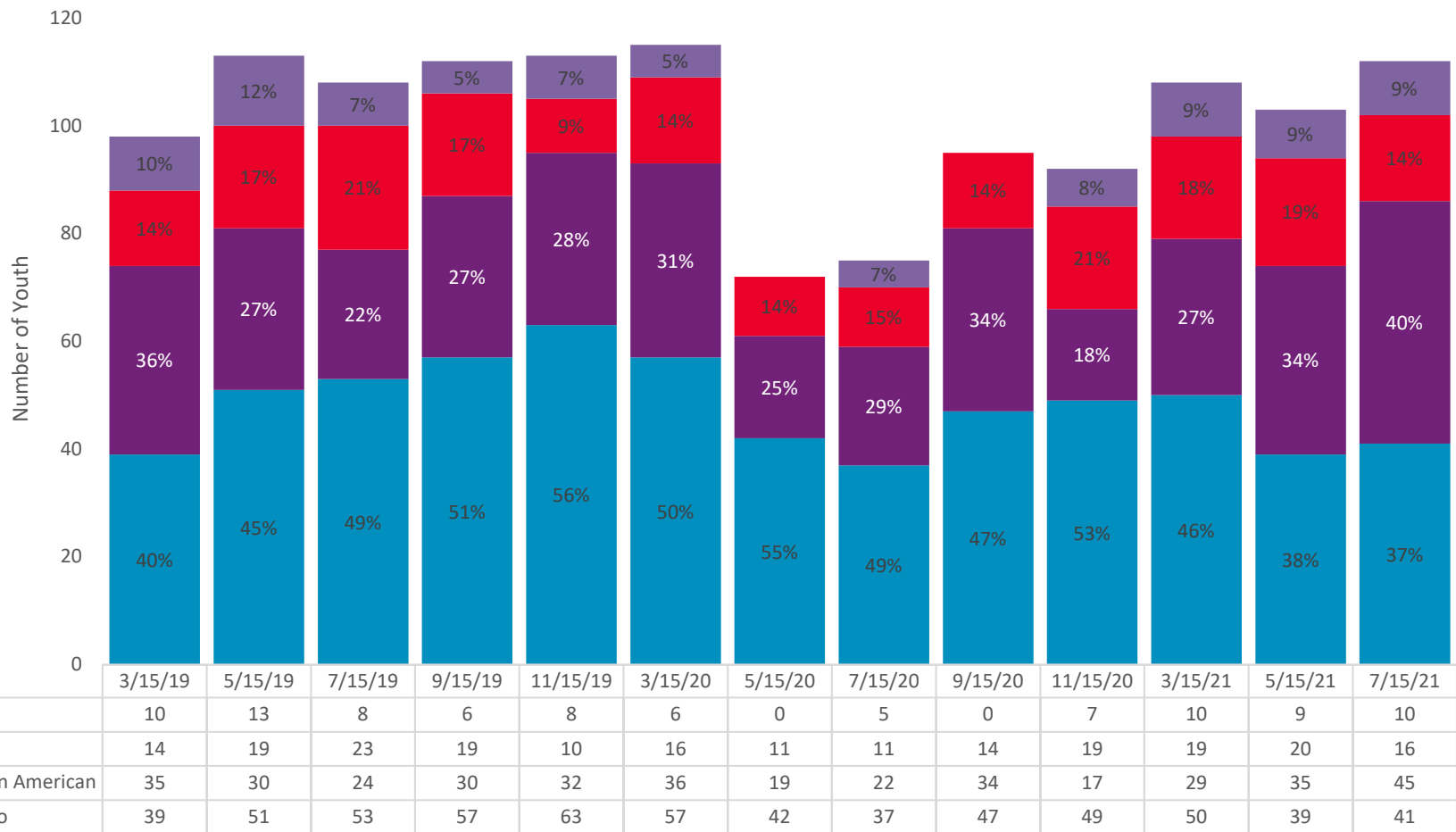
Detention Snapshot Population Offense Severity

Youth detained for *High* severity offenses made up a larger % of youth detained throughout the pandemic

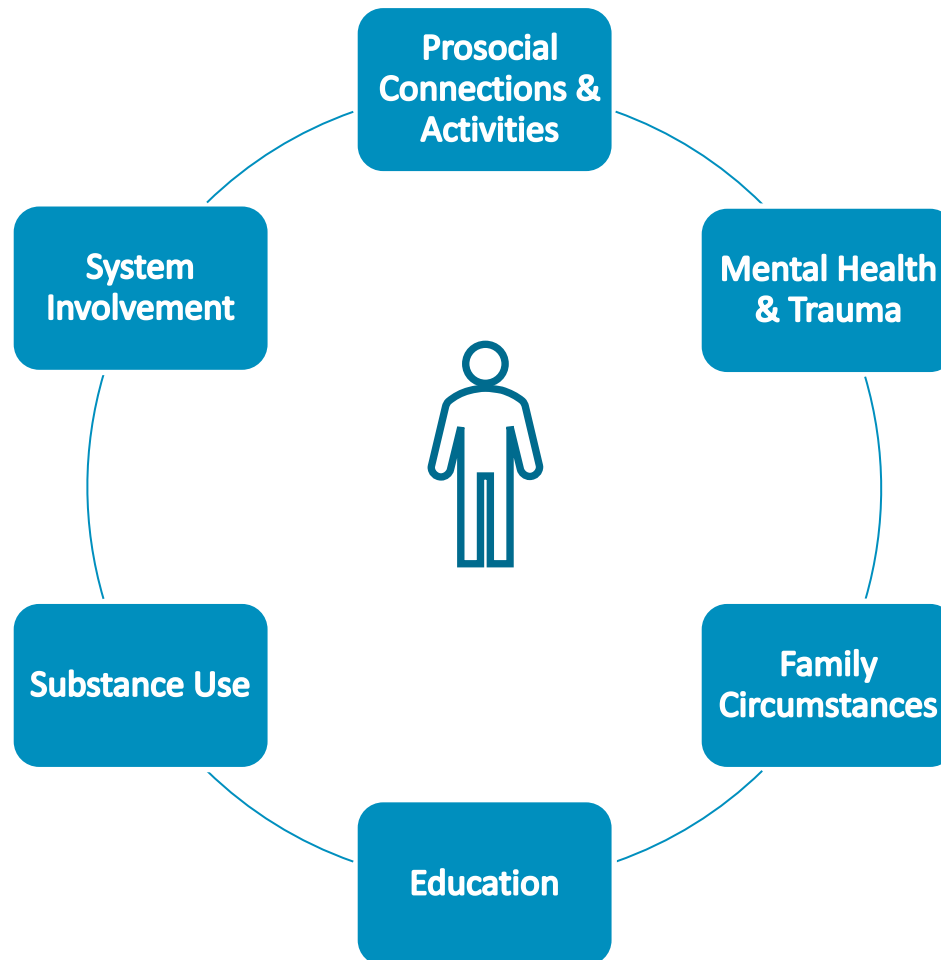


Youth “Stuck” in the System: Racial Disparities

DYS Detained Population by Race



Part II: The pandemic created conditions that have put youth at increased risk of delinquency



Part III: Silver Linings & Lessons Learned

- 1. Remote Technology:** Virtual programming replaced many in-person activities to promote positive youth development and helped maintain connections to family, pro-social supports, and positive programming.
- 2. Reducing Instances of Youth in Custody:** Juvenile justice system utilization decreased, especially for youth held in DYS facilities. There is also general agreement that system actors were more likely to divert youth at each stage of the juvenile justice process

Part IV: Recommendations

1. Continue to Limit Youth Contact with the Juvenile Justice System
2. Continue to Support Youth Directly Involved in the Juvenile Justice System
3. Keep and Expand Remote Technology Innovations for System Stakeholders to Supplement In-Person Activities/Operations
4. Support Community-Based Programs Aimed at Reducing System Involvement and Promoting Prosocial Activities
5. Support Families Across the Commonwealth
6. Expand Availability and Access to Services that Promote Youth Mental Health
7. Support Delinquency Prevention Efforts in Schools
8. Expand Substance Use Services for Youth Involved in the Juvenile Justice System and Those at Risk of Involvement

COVID-19 Report Edits

Page	Nature of Edit
12, 71	Added report conclusion to Exec Summary and Full Report
9, 60	Amended recommendation re: youth held for long periods of time in DYS facility
32	Added data from DPH Community Survey specific to LGBTQ+ youth
34	Amended description of data re: children hospitalized due to COVID-19. (Note, we are still working with DPH to obtain this data point.)
34-35	Updated data from DPH Community Survey on financial instability
37-38	Provided additional data/details on issues re: waitlists for mental health services, including a specific mention of lack of availability of culturally competent/linguistically diverse providers as well as providers with expertise working with LGBTQ youth+
40-41	Added data on Interpersonal Violence (IPV) during the pandemic from DPH Community Survey
62	Added that increased coordination of delinquency preventions services would be of benefit in addition to increased funding
65	Added specific reference to the importance of diversifying our mental health workforce
66	Added description of funding DPH received for telebehavioral health pilot
68-69	Added additional details on recent expansions of BSAS service availability

Subcommittee Work Updates

Childhood Trauma Task Force

Meetings since June 2021:

- **July:** Trauma screening in the pediatric setting
- **September:** Trauma screening in the child welfare system
- **Where we're headed:**
 - Trauma screening by first responders and in juvenile justice system
 - Annual report with initial findings (Dec 2021)
 - Full report with recommendations (TBD 2022)

Data Subcommittee

Meetings since June 2021:

- **July:** Data Availability Report Updates
- **August:** No meeting; sent out Annual Data Requests
- **September:** Data Availability Report Updates
- **Where we're headed:**
 - Annual Report Data Analysis
 - Updated Data Availability Report

Data Availability Report Preview

Progress since the 2019 Recommendations:

1. Increased availability of data
2. Increased coordination of data collection
3. Development of the Juvenile Justice System Data Website

2021 Findings:

1. Massachusetts has **dedicated significant resources to increasing data availability** over the past three years
2. Despite progress, **some basic data on decisions made at critical juvenile justice process points is not yet available to the JJPAD Board**

Data Availability Report Preview

2021 Findings (cont'd):

3. **Barriers to matching data across process points** makes it difficult-to-impossible for the Board to accurately assess the impact of some policy and practice changes

4. **Barriers to accessing data with greater levels of detail** negatively impacts the Board's ability to conduct deeper analysis and make focused policy recommendations

5. There is **limited ability to report data on youth involved in multiple state systems**

6. There is **limited ability to report data on youth life outcomes over time**

Data Subcommittee

Data Availability Report Preview

2021 Recommendations:

1. The JJPAD Board should **study the feasibility of creating an Administrative Data Center** to serve as Massachusetts' central coordinator of record-level state data for child-serving entities
2. The Legislature should consider policy changes to improve data availability in the short term
3. Data holders and the OCA should collaborate to identify opportunities to expand the detail of available data
4. Massachusetts should explore opportunities and partner with research institutions to conduct studies on long-term outcomes for youth who have contact with the juvenile justice system

Next steps:

Data subcommittee will vote on report to include in FY21 Annual Report

CBI Subcommittee

Meetings since June 2021:

- **July:** School-based CRAs & truancy intervention best practices
- **September:** CRAs in other jurisdictions & key findings to date

Where we're headed:

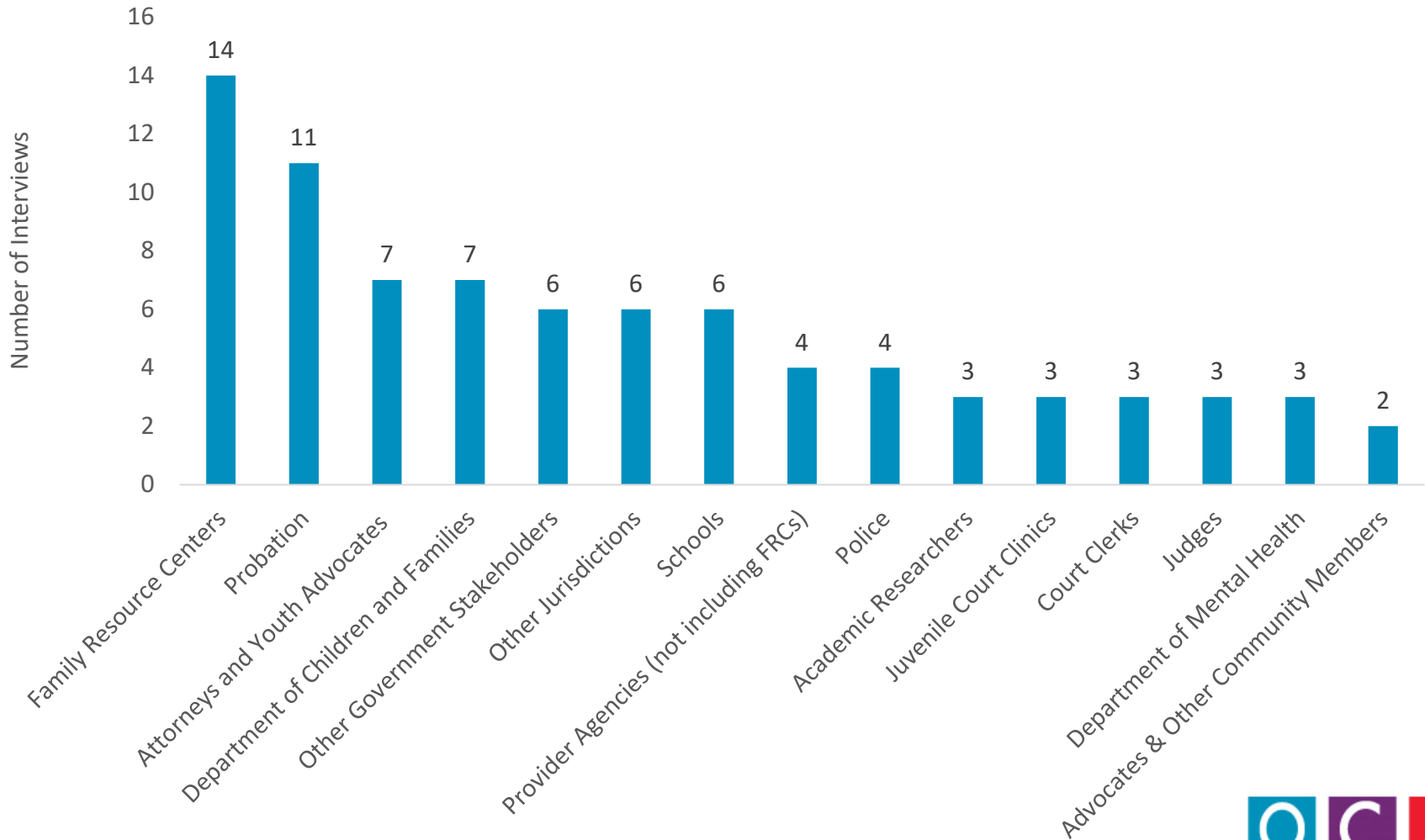
- CAFL Presentation on CRA Representation
- DCF Presentation on Congregate Care
- Child/Family Focus Groups

Over the course of 6 months, the OCA has conducted 82 interviews with over 100 individuals to understand Massachusetts' CRA System

Goals

- Identify common gaps, challenges & areas of strength
- Gain insight on possible changes to be made
- Assess whether the CHINS—CRA reform worked as intended

Over 15 stakeholder groups have been represented



...with more to come

- OCA contracted with DMA Health Strategies to conduct:
 1. 2 focus groups of youth who had CRAs filed on them
 2. 2 focus groups of parents/caregivers who had CRAs filed on their child

- Specific interviews re: Runaway CRA Filings

Overarching Takeaways

- CRA system is currently serving a lot of kids/families with extremely high needs
 - But not ALL kids/families with CRAs fall into that category
 - More extreme cases are more “salient” and more memorable
- Almost no one thinks the system is “working well”
 - Almost everyone can point to situations where a CRA was a waste of time and resources (i.e. there could have been a more efficient way of helping family)
 - Many can share examples of when CRA process was actively harmful to youth
- Almost everyone can point to situations where a CRA was helpful, too
 - BUT: not always clear if there was anything special about the *CRA process* vs something special/helpful about the *people who got involved because the CRA was filed*

What We've Learned: Strengths in MA CRA System

Strengths of the CRA process:

- A means of **case conferencing** across multiple agencies and services providers
- Can provide **case management** and lead to **connections to positive, caring adults** (e.g. Probation, CAFL attorneys, Juvenile Court Clinicians)
- Intangible, but sense from many that court involvement/court orders can cause some people to **take situation more seriously** (parents/guardians & youth but also state actors & service providers)
- The CRA reform provided a way to **de-criminalize status offenses**, and kept youth out of detention and handcuffs

What We've Learned: Strengths in MA CRA System

Potential benefits to the youth & families:

- A means to **obtain out-of-home-placement** (pros/cons, but something some families are seeking)
- If a youth is already involved in the **delinquency system**, a CRA can be an alternative way to address their needs in a non-punitive manner
- If earlier attempts at service connections failed, a **“last resort” option to identify needs and access services** for youth and families (CRA as “fail safe”)

What We've Learned: Weaknesses in MA CRA System

Process challenges:

- There are **inconsistencies at every stage** (e.g. referrals to FRCs, informal vs. formal case triaging, DCF involvement, DMH involvement, school participation) of the process across the state.
- **Many myths surround the process & ability of the court to connect youth with appropriate, timely services.** These ideas are held by practitioners and families alike.
- CRAs are sometimes filed to access specific services, but that is a structural choice. **Services – in theory – could be provided by another state agency and accessed without having to go to court.**

General concern that Black & brown families pushed toward CRA more often

What We've Learned: Weaknesses in MA CRA System

Process challenges:

- Families often come to court desperate for services, but the **process for getting connected to services is slow**. (Can be weeks between application, intake interviews, preliminary hearings, case plan development, etc.)
- Despite the legislative intent to keep youth out of court, **the 2012 requirement re: preliminary hearings in front of judge brings them in more than is necessary**
- Does the **traditional “adversarial” court process** really fit the needs of youth/families in CRA cases?
 - Does it make sense to make a parent/guardian “prove” that their child needs assistance?
 - Is hashing out disagreements between parents and children in a courtroom – sometimes through lawyers – helpful or harmful?
 - Can the process itself be traumatizing for children?

What We've Learned: Weaknesses in MA CRA System

Challenges for youth & families:

- There is a **lack of available services** to match kids' needs and gaps in services across the state, and that can't be solved through CRA system
- The child-centered approach to the CRA makes it **difficult to solve family problems or concerns**
- Can **expose youth to peers in congregate settings that perpetuate dangerous behavior**, causing a CRA to Delinquency pipeline.
- Practitioners are concerned **that youth with specific needs are being processed through CRA system rather than having their needs met elsewhere** (e.g. immigrant youth, LGBTQ youth, girls, adopted youth)

Next Steps...

CBI Subcommittee:

- Winter/Spring 2022- Discuss Recommendations & what an “ideal” CRA system looks like
- Spring/Summer 2022- Publish final CRA Report with recommendations

Full Board

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

December 1, 2021

- **JJPAD FY21 Annual Report**
 - Summary of CY 2021 Work
 - FY 21 Data Analysis
 - Updated JJ Data Availability Report
- Subcommittee Report outs

Next Meeting Dates:

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

Full Board:

December 1, 2021

2-4:00pm

Subcommittee	Standing Time	Next Meeting
CTTF	1 st Mondays, 1:00pm-3:00pm	October 4, 2021
Data	2 nd Thursdays, 10:30am-12pm	October 24, 2021
CBI	3 rd Thursdays, 1:00pm-2:30pm	October 21, 2021

Contact

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