

Office of the Child Advocate  
Juvenile Justice Policy and Data Board  
Community Based Interventions Subcommittee  
Wednesday, August 28, 2024  
2:00PM-3:30PM  
**Meeting held virtually**

**Subcommittee Members or Designees Present:**

Katie Perry-Lorentz (DYS)  
Kimberly Lawrence (Probation)  
Stacey Lynch (DPH)  
Lydia Todd (CLM)  
Leon Smith (CfJJ)  
Amy Ponte (CAFL)  
Dawn Christie (PPAL)  
Brian Blakeslee (CPCS)  
Jamie Bennett (YAD)  
Susan Gill-Hickey (Court Clinics)  
Thula Sibanda (DYS)

**OCA Staff:**

Melissa Threadgill  
Kristi Polizzano  
Morgan Byrnes  
Arianna Turner  
Kerin Miller

**Other Attendees:**

Kathleen Bitetti (OSA)  
Erin Stewart  
Michael Kilkelly  
Mike Murray

**Meeting Commenced: 2:04 PM**

**Welcome and Introductions:**

Ms. Polizzano welcomed the attendees to the Community Based Interventions (CBI) Subcommittee virtual meeting. She welcomed members to introduce themselves.

**Review and Approval of Minutes from the July Meeting:**

Ms. Polizzano held a formal vote on the approval of the previous Community Based Interventions meeting minutes. Susan Gill-Hickey, Jamie Bennett, and Brian Blakeslee all voted to approve the minutes. Kimberly Lawrence and Stacey Lynch abstained. No one opposed.

The meeting minutes for July 29, 2024, were approved.

Ms. Polizzano then presented the meeting agenda, which included sharing key themes from young adult interviews conducted by the OCA and discussing the draft findings and brainstorming recommendations for the pretrial phase project.

Ms. Polizzano then reviewed follow-up questions about Illinois’s Pretrial Fairness Act, which was presented at last month’s meeting, including differences and disparities in how it is being implemented and the impact of the reforms. Ms. Polizzano added that there have been no updates to the data on New Jersey reforms also presented at last month’s meeting and that the Board is interviewing New Hampshire on their pretrial process in the coming weeks.

Ms. Polizzano welcomed questions on updates on these reforms. None were raised.

Ms. Polizzano then reviewed key themes from young adult interviews conducted by the OCA, including:

- “Wasting time” or “dead time” during pretrial detention
- The appeal of GPS, but only when it wasn’t used alongside home confinement
- The harm caused by GPS, specifically how disruptive it was to prosocial activities and important relationships
- Misconceptions as to where a person would be bailed out to
- Confusion re: pretrial monitoring vs. supervision

Ms. Polizzano welcomed questions or reactions to the themes.

Members commented that young people preferring to be in a Department of Youth Services (DYS) placement instead of a Department of Children and Families (DCF) placement is a common sentiment and suggested the Board explore this theme further. Ms. Polizzano shared that the Board will explore this and other related themes further as part of the dually-involved youth project.

### **Pretrial Phase Project**

Ms. Polizzano then reviewed what the Board has learned so far about the pretrial phase and reviewed the project’s research questions. Ms. Polizzano welcomed Ms. Byrnes to review the major themes that have emerged related to each research question.

Ms. Byrnes shared the interview findings, data, and research themes for each research question, including:

1. How can we improve pretrial success rates and reduce the need for detention?

2. What do victims want during this phase?
3. Can any of these youth be diverted & served in the community?
4. What community-based interventions/supports need to exist in order to divert?

Ms. Byrnes welcomed questions on the information presented. None were raised.

Ms. Byrnes then welcomed Ms. Polizzano to share draft findings.

Ms. Polizzano shared the draft findings for the project, including the following:

1. There is a mismatch between policy and practice in how conditions of release are set, and policy/practice is not research informed
2. There is a mismatch between policy and practice in how cash bail is set, and policy/practice is not research informed
3. A lack of shared understanding and guidance has led to GPS being used inappropriately
4. There are vastly different regional practices at this stage leading to concerns around “justice by geography,” as well as statewide disparities regarding who is detained pretrial, who gets placed on pretrial monitoring/supervision, and who is released on personal recognizance
5. There are cohorts of youth who could be diverted away from pretrial detention, pretrial supervision/monitoring, or the system entirely

Ms. Polizzano welcomed questions and reactions to the draft findings.

Members discussed differences in regional practices across case process points and the need for more geographical standardization.

One member commented about the large number of decision-makers involved in the pretrial process. Ms. Polizzano shared that the details and nuances of that issue will be captured in the full pretrial report.

Ms. Polizzano then introduced the fifth research question for consideration of the group: “What practices can help us improve long-term outcomes for kids and protect public safety?”.

Ms. Polizzano asked the group to think about their own responses to the question, “If you had a magic wand, what policy/practice/funding shift would you recommend to improve the juvenile pretrial phase in Massachusetts?”.

Members brainstormed “magic wand responses” to the question. Ms. Polizzano reviewed major themes that came out of member “magic wand” responses.

Ms. Polizzano shared the “magic wand” responses that have emerged from stakeholder interviews.

Ms. Polizzano began by reviewing the suggestion heard in interviews to “Divert youth away from the juvenile justice system” at multiple process points including pre-arraignment, from supervision/monitoring, and from detention.

Ms. Polizzano welcomed questions on this theme.

Members discussed the idea of eliminating pretrial probation as a disposition and the potential downsides of doing so.

Ms. Polizzano shared the suggestion heard in interviews to “Modify the conditions of release that can be set at this phase” both by modifying conditions of release and by modifying the process.

Ms. Polizzano welcomed questions on this theme.

Members discussed suggestions for modifying conditions of release, including only using home confinement for certain serious offenses, tying conditions to the alleged offense, setting conditions in conjunction with the input of young people and their families, limiting GPS to specific exclusion zones, and the benefits and drawbacks of reducing the number of conditions that can be set.

Members discussed the importance of being intentional about what conditions can and should be mandated given that a youth is presumed innocent during this phase. One member added that youth should choose conditions from a menu of.

Members discussed building in processes for adding and removing conditions as appropriate throughout the pretrial phase

Ms. Polizzano shared the suggestion to “Make services more accessible to youth and their families,” both upstream services to prevent court involvement and once youth are court involved.

Ms. Polizzano welcomed questions on this theme.

Members discussed establishing a closer partnership between courts and local school districts to keep kids more involved in school during the pretrial phase.

One member suggested creating a network of resources that provide service for these youth and families in order to reduce confusion and information overload during this phase.

Ms. Polizzano then shared the suggestion of “Increase out of home placement options for youth”.

Ms. Polizzano welcomed questions on this theme.

One attendee mentioned that many kids that are system-involved have IEPs that are unmet or don’t have IEPs who need them.

One member suggested expanding DMH services for kids who are in DCF placements.

One member suggested prioritizing kinship placements, particularly if the placement is in a different neighborhood or community from the youth’s home.

### **Next Steps**

Ms. Polizzano shared that the next meeting of the CBI subcommittee will take place virtually on September 25 at 12:30PM.

Ms. Polizzano asked attendees to respond to the “magic wand” poll on their screens or in the post-meeting email.

### **Closing Comments:**

Ms. Polizzano thanked the members for their participation and adjourned the meeting.

**Meeting adjourned: 3:31 PM**