

Juvenile Justice Policy and Data Board

CBI Subcommittee

Virtual Meeting
November 13, 2020
10am – 11:30am

Agenda

1. Welcome and Introductions
 - Virtual Meeting Guidelines
2. Review/Approval of October meeting minutes
3. Commissioner Forbes (DYS) Diversion Learning Labs Update and Q&A
4. Continued discussion re: Model Program Guide

Additional Questions Requiring Discussion on the Following Topics

- 1) Information from Referrers
- 2) Victim Interaction
- 3) Interaction with Defense Counsel
- 4) Communication with Referrer on Unsuccessful Cases

(And questions re: process for connecting youth with attorney from last meeting still unresolved)

To Consider:

- What could be productively addressed with further conversation (perhaps in a smaller working group that reports back to this group)?
- Can some open questions/areas of disagreement be noted (perhaps with pros and cons) and left to DYS to resolve during implementation?
 - Potential to plan to discuss a few months into implementation, per Leon's suggestion last meeting
- How much detail needs to be in Model Program Guide?

Information from Referrers

- What specifically will referrers be providing to the diversion coordinator?
 - Is this a basic summary of the incident or is it a full police report and/or complaint application?
 - Does it include information about victims and/or witnesses?
- Of this, what will be shared with:
 - The youth/family?
 - The youth's attorney, if they have one?
 - What can/should be done to protect the confidentiality of victims and witnesses?

Victim Interactions

- What interaction, if any, will Diversion Coordinators have with victims? With victim advocates in DA offices?
- What are the implications of the above for use of restorative justice practices/referral to RJ programs?
- What procedures will be in place to ensure compliance with the Massachusetts Victim's Rights Law?

Interactions with Defense Counsel

- What policies will guide interactions between Diversion Coordinators and defense counsel? What is the role of defense counsel during the development of the diversion agreement?
- Given the interest in diversion being a relatively quick process, how can we ensure involvement of counsel does not lead to a more extended process? What time frames will apply to decision-making processes involving defense counsel?
 - For example, if defense counsel is advising a youth on whether to sign the diversion agreement, how many days are allowed for this part of process?
- Will defense attorneys (YAD and bar advocates) be required to participate in any training or orientation to the program?

Communication with Referrer re: Unsuccessful Cases

- Should more information about the case plan and the reasons the plan was unsuccessful be provided to referrers, to increase referrer confidence in the integrity/efficacy of the program?

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 - Potential to plan to discuss a few months into implementation, per Leon's suggestion last meeting
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Where We're headed...

- Next meeting date: TBD
 - Possible working group meeting?
- 2021 Meetings- 2nd Tuesday/Wednesday/Thursday of each month 2-4:00pm (calendar invites to come)

Contact

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