

Juvenile Justice Policy and Data Board

Community Based Interventions
Subcommittee Meeting

November 20, 2024

Agenda

1. Welcome and Introductions
2. Approval of October Meeting Minutes
3. Review Edits and Feedback on the Draft Pretrial Phase Report
4. Next Steps

Proposed Report Edits

Page/Section	Proposed Edits	Proposed by
Across multiple sections	Comparisons to pre-pandemic FY19 data in intro and inclusion of a text box before data key takeaways (pg. 28)	Trial Court DMH
Finding 1 (pg. 39)	<p>Pretrial Conditions for Youth can be Developmentally Inappropriate or Not Tailored to Their Specific Cases</p> <p>Pretrial Conditions for Youth can Fail to be Developmentally Appropriate or Tailored to Their Specific Cases</p> <p>Pretrial Conditions Are Often Neither Developmentally Appropriate Nor Tailored to the Individual Circumstances of Youth</p>	CfJJ, OCA
Pg. 45	GPS is not always used to enforce an exclusion zone. Many professionals provided examples of cases where GPS was set as a condition of release, without there being a named victim and without any exclusion zones — which means it was operating as a “blanket” monitoring device.	Trial Court, TBD based on MPS data response
Pg. 47 Reasons for extended lengths of time	Limited staffing and/or resources across state entities to address the current caseload of delinquency cases.	DMH
Finding 4 (pg. 50)	<p>There is no uniform approach to pretrial practice</p> <p>There is no uniform approach to pretrial practice due to unclear statutory guidance</p>	Trial Court, OCA
Pg. 69 Finding on Diversion	Specifically, professionals mentioned youth who are detained for a misdemeanor/lower “grid” level offense (n=353, 46% of detention admissions) as good candidates for diversion from detention once the necessary community-based option exists.	Trial Court, OCA

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Pg. 73 (Rec. #1 to provide more guidance on condition setting)	Encouraging Recognizing the importance of a youth's current prosocial activities, and using avoiding the use of restrictive conditions prudently that conflict or prevent participation in them unless absolutely necessary given the facts and circumstances of the case, as those often limit prosocial activities.	CfJJ
Pg. 74 (Rec. #1 to provide more guidance on condition setting)	<p>Only using GPS as an alternative for cases in which a judge would otherwise detain a youth, or as a last option before revoking bail and detaining a youth and ensuring that GPS restrictions are limited to specific exclusion zones rather than being overly broad.</p> <p>Avoiding the use of home confinement, restricting the use to situations where there is evidence before the court establishing that a youth presents a flight risk or an imminent danger (e.g., as determined by MGL c. 276 Section 58A) to the community. In setting a condition of home confinement, judges should also consider the mental health impact on the youth, the safety of the youth in their home, and the negative impact that home confinement can have on their participation on prosocial activities and their family dynamics.</p>	CfJJ
Pg. 74- 75 (Rec. #1 to provide more guidance on condition setting)	<p>The legislature may want to consider revisiting our General Laws to determine whether there is a need to adopt changes that ensure that conditions set in the juvenile court are developmentally appropriate for youth and are limited to the facts and circumstances of the underlying case.</p> <p>The legislature may consider a review of the data in this report to consider whether there is a need to revisit G. L. c. 276, § 87 in order to ensure that there is greater clarity under the law that offers when, and what type, of service based conditions are appropriate and developmentally appropriate so that the onus of consent is not squarely placed on still-developing youth.</p> <p>There also may be a role for the legislature to revisit the statutory framework currently in place to determine whether there is a way to streamline and avoid this type of confusion.</p>	CfJJ

Proposed Report Edits

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Pg. 87 (Rec. #7 to require trainings)	Require Training across the Judiciary State Entities and Encourage Combined Trainings when Possible	Trial Court
Pg. 92 (Conclusion & next steps)	Board members have also noted there may be gaps in community-based delinquency prevention and intervention programs meeting the current level of need for the cohorts of youth that remain in the state's juvenile justice system. Members mentioned individuals arraigned in Juvenile Court today have complex needs and face challenges that cannot be addressed by the current landscape of community-based programs.	Trial Court, DMH, OCA

Pretrial Project: Next Steps

December

Latest report draft emailed to
Board members by 12/6

Full Board discusses & (pending
discussion) votes on report



January

Submit to the legislature

Next Meeting:

- 2025 meetings will be monthly!
- Please fill out your availability for a standing meeting day/time by COB 11/26 (see post-meeting email)



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

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