

Juvenile Justice Policy and Data Board

Data Subcommittee Meeting

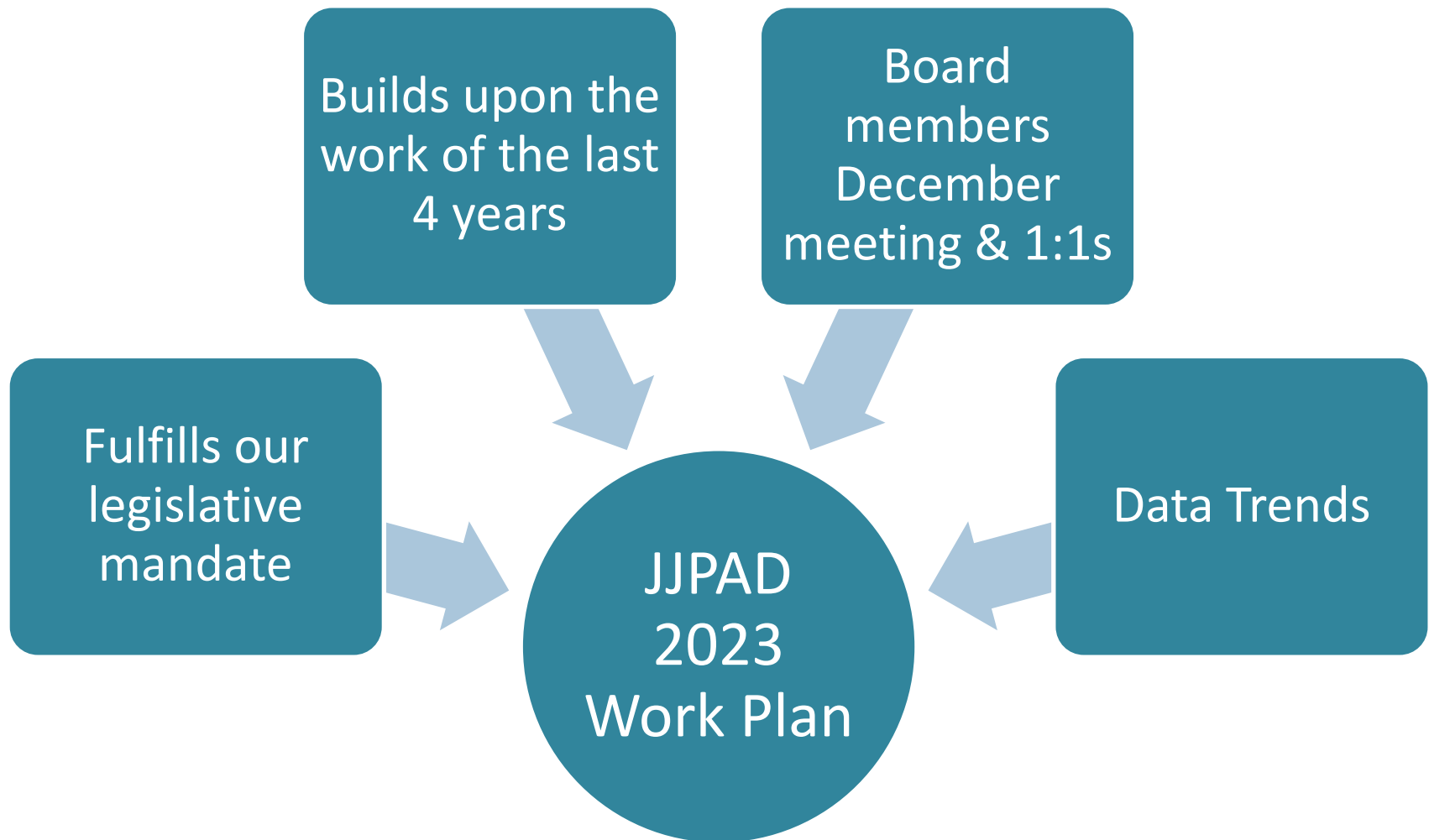
June 29, 2023

Agenda

1. Welcome New Members and Introductions
2. Approval of December Meeting Minutes
3. Review JJPAD 2023 Work Plan
4. Project Discussion: Juvenile Pre-trial Phase & Crossover
Youth
5. 2023 Data Meetings Outline

JJPAD 2023 Work Plan

Proposed Work Plan: How We Got Here



Juvenile Pretrial Phase: JJPAD Leg. Mandate

Mandate

- an assessment of the system of community-based services for children who are under the supervision, care or custody of the department of youth services or the juvenile court

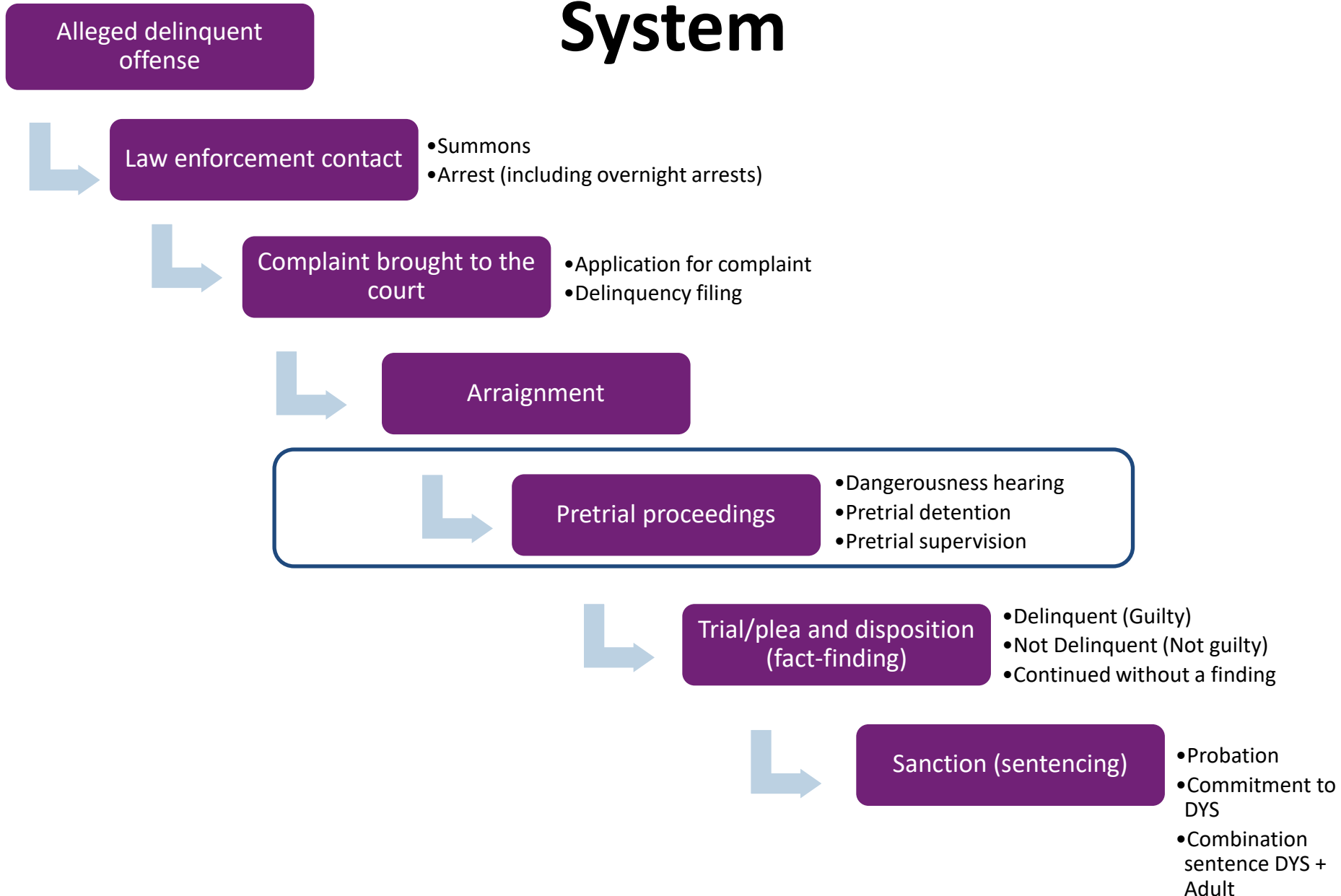
Guiding Questions

1. Who remains in pretrial detention? Why are they being held?
2. What interventions/ supports in the community (e.g., pretrial supervision) can be put into place or strengthened to prevent detention?
3. Can any of these youth be diverted pre-arraignment?

Goal

- Make recommendations to improve our system's pretrial phase
- Identify cohorts of youth that may benefit from being served in the community vs. detention
- Make recommendations to improve pre-trial community-based supports for youth

Studying the Pretrial Phase of the JJ System



There have been distinct policy and practice changes impacting the pretrial phase of JJ system

Criminal Justice
Reform Act (2018)

The establishment
of Massachusetts'
Probation System
Pretrial Unit

State SJC Decision
Brangan (2017)

COVID-19 impact,
specifically court
delays

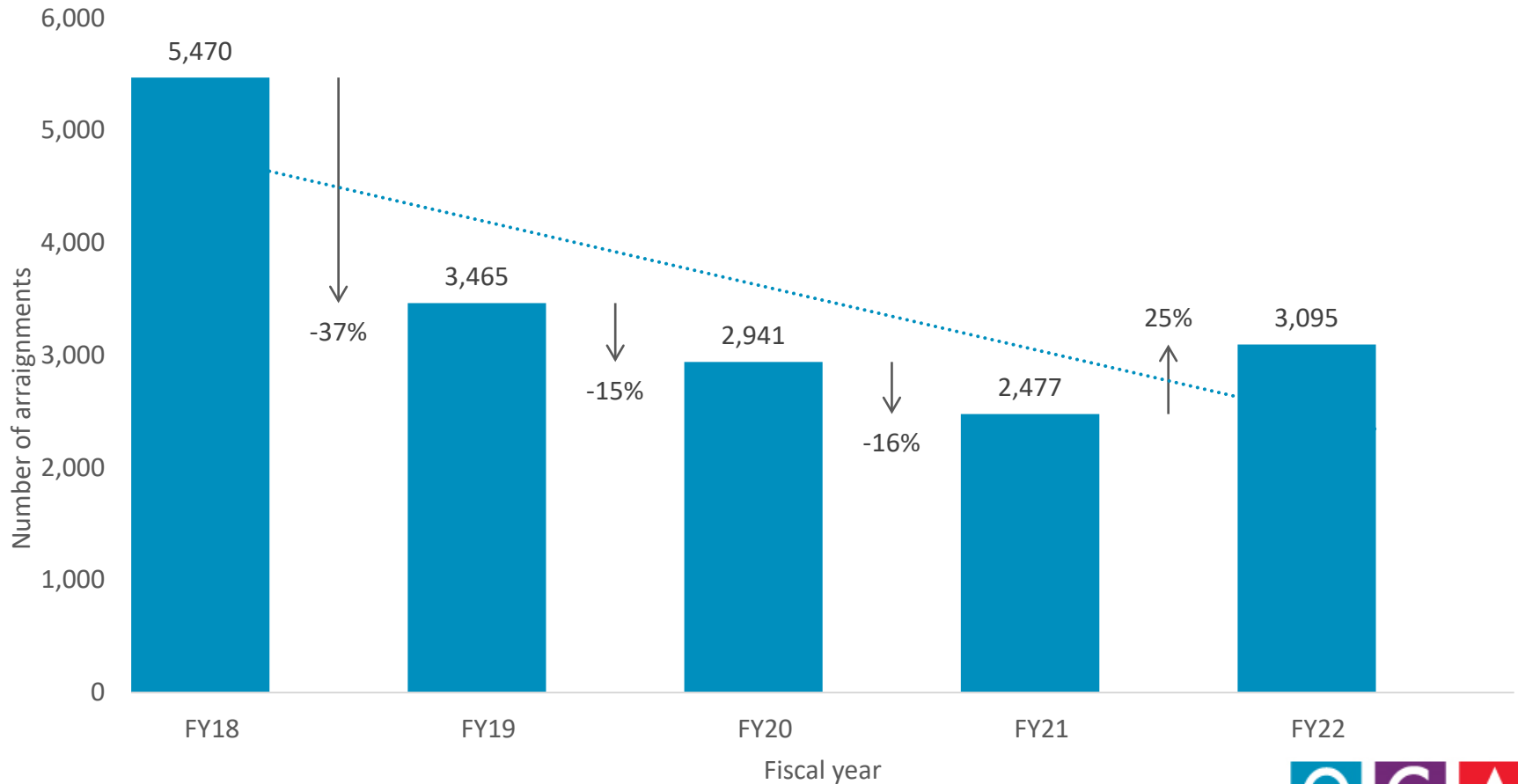
JDAI initiative to
decrease utilization
of detention (10+
years)

Data Trends Summary

1. **Arraignments have been decreasing**, and the youth that are still being arraigned represent a complex group
2. Data shows that **detention admissions have been declining** for some time. The detention admissions that remain are largely for **youth held without bail**.
3. Youth held without bail as a result of a **58A hearing accounts for some, but not most**, detention admissions.
4. Rather, the **majority of youth held without bail are held as a result of violating their pretrial probation conditions** or bail conditions of release.

Arraignments have decreased 43% since FY18

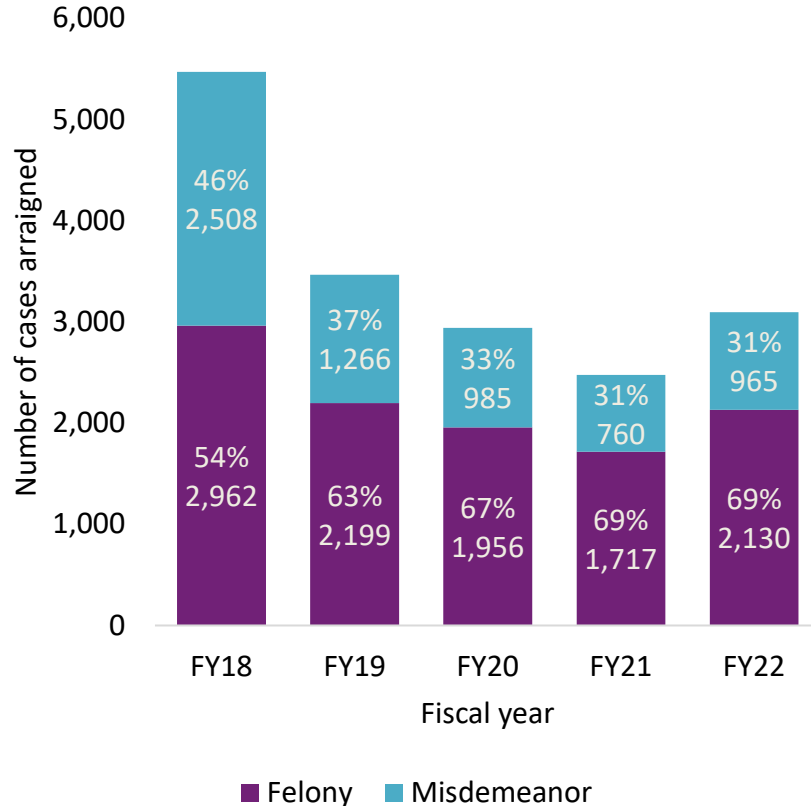
Arraignments (FY18-FY22)



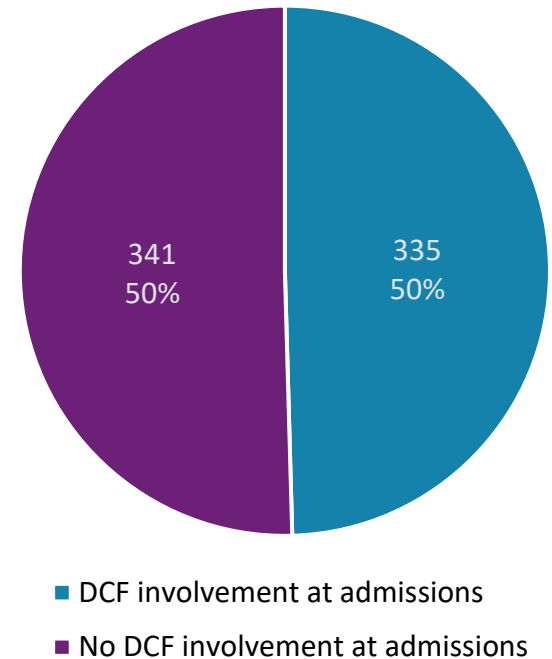
Yet, data shows the youth still being arraigned represent a complex group...

- A third are arraigned on low-level offenses
- A significant portion of youth detained pretrial have child welfare involvement

Arraignments by offense severity
(FY18-FY22)



FY22 Detention admissions by DCF
involvement (n=676)



...(cont'd)

- Many youth detained pretrial have (potentially unmet) needs that may be driving delinquency system involvement.

In FY22:

- More than half** of youth detained pretrial had **an individualized education plan (IEP)**, twice the rate of Massachusetts' students generally.
- A quarter of youth** detained pretrial had previously experienced **physical or sexual abuse or had been sexually exploited**.
- About a third** of youth detained pretrial had identified feelings of **depression/anxiety**, almost twice the rate of Massachusetts' youth population.

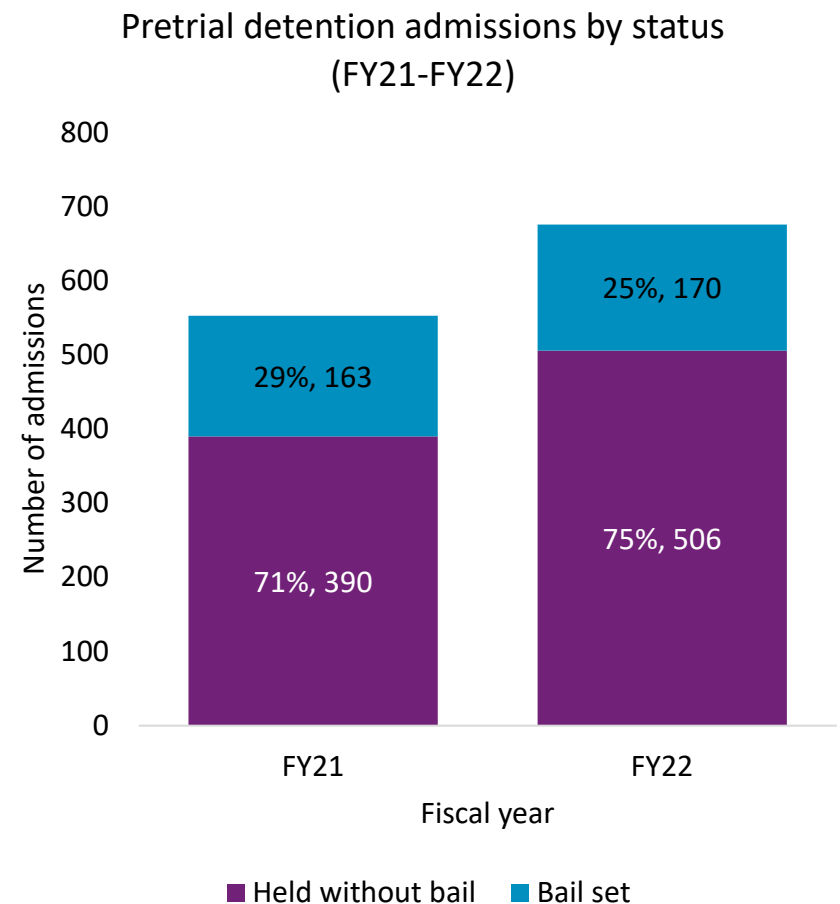
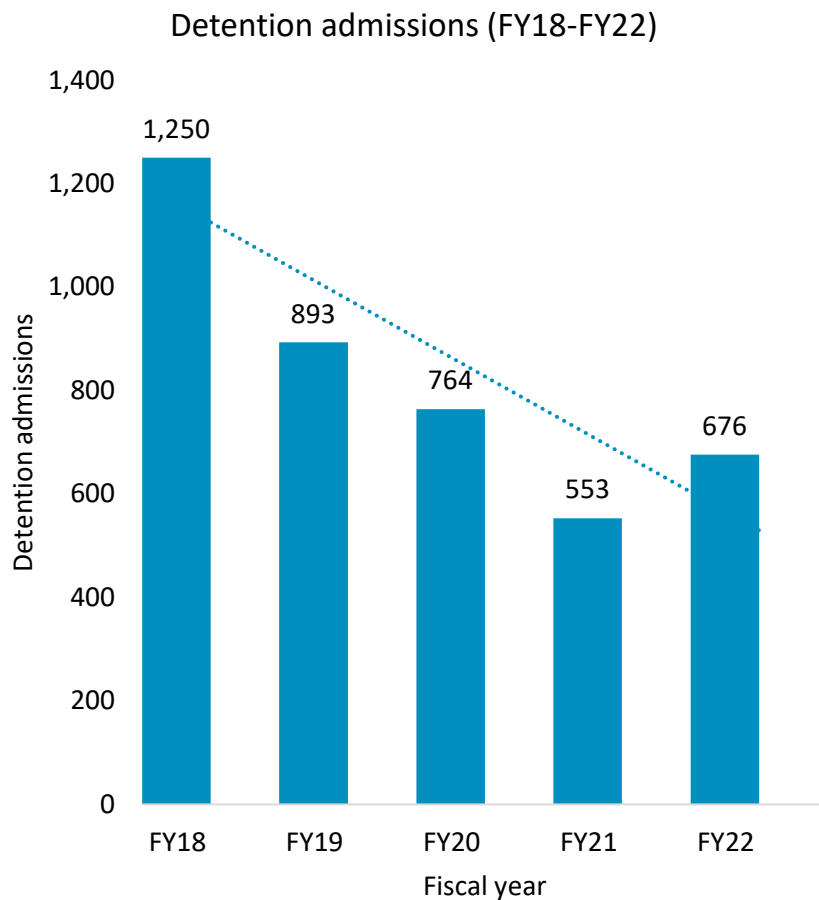
- Racial disparities exists and are worsening

RoD and RRI, Arraignments				
FY18			FY22	
Race	RoD*	RRI^	RoD	RRI
Black	1.10	1.13	1.35	1.65
Latino	1.39	1.43	1.41	1.72
White	0.97	1.00	0.82	1.00

Rate of Disproportionality (RoD)— an indicator of inequality calculated by dividing the percentage of arraignments in a racial/ethnic group by the percentage of youth in that same racial/ethnic group for applications for complaint. RoDs greater than 1.0 indicate overrepresentation. RoDs less than 1.0 indicate underrepresentation.

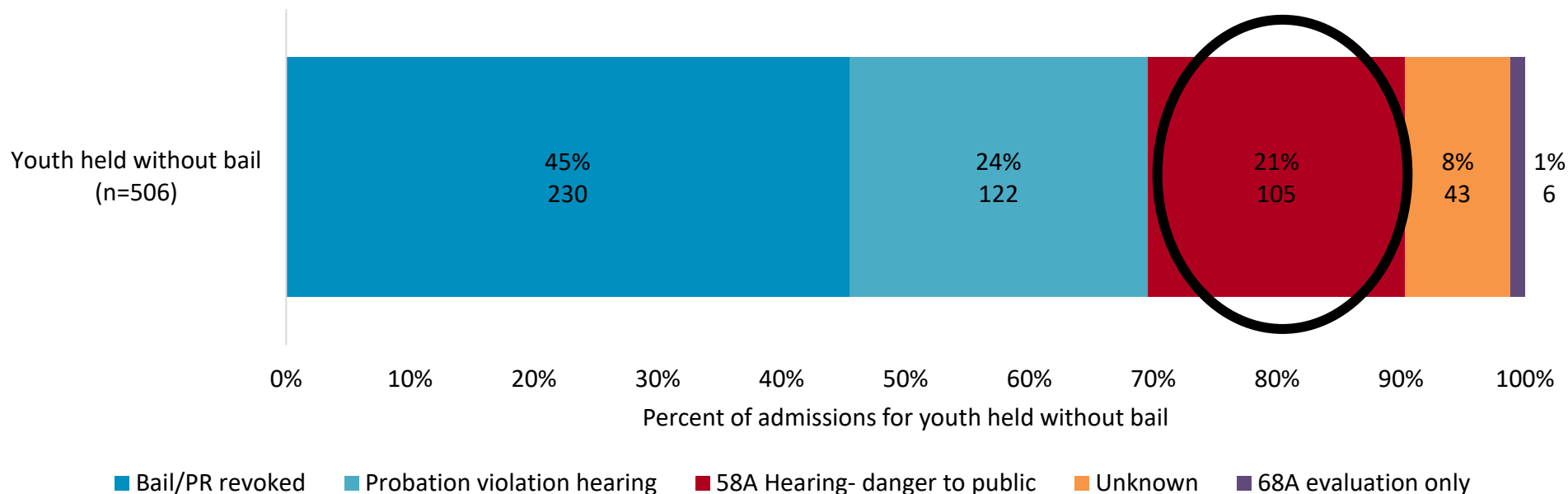
Relative Rate Index (RRI)— compares the observed rate of disproportionality for white youth to the observed rate of disproportionality for youth of color after adjusting for “base” population rates, using data on applications for complaint. Thus, RRI for white youth are always “1.00.” RRI greater than 1.00 indicate an increased likelihood of involvement for people of color at that point. RRI less than 1.00 indicate a decreased likelihood of involvement for people of color at that point.

Data shows that detention admissions have been declining for some time, and admissions that remain are largely for youth held without bail.

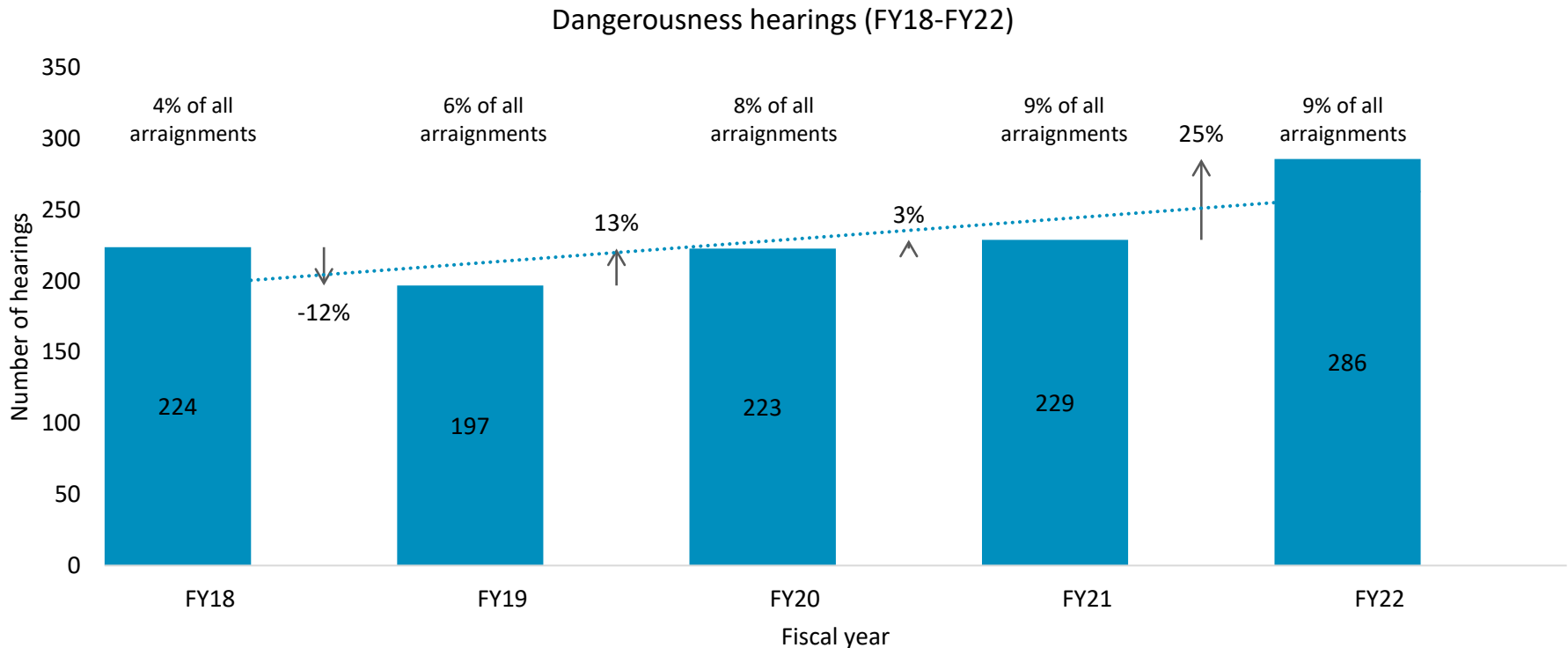


Most (75%) youth are held without bail. Of those youth, about 20% are held as a result of a 58A (dangerousness) hearing

Reasons why youth are held without bail (FY22)

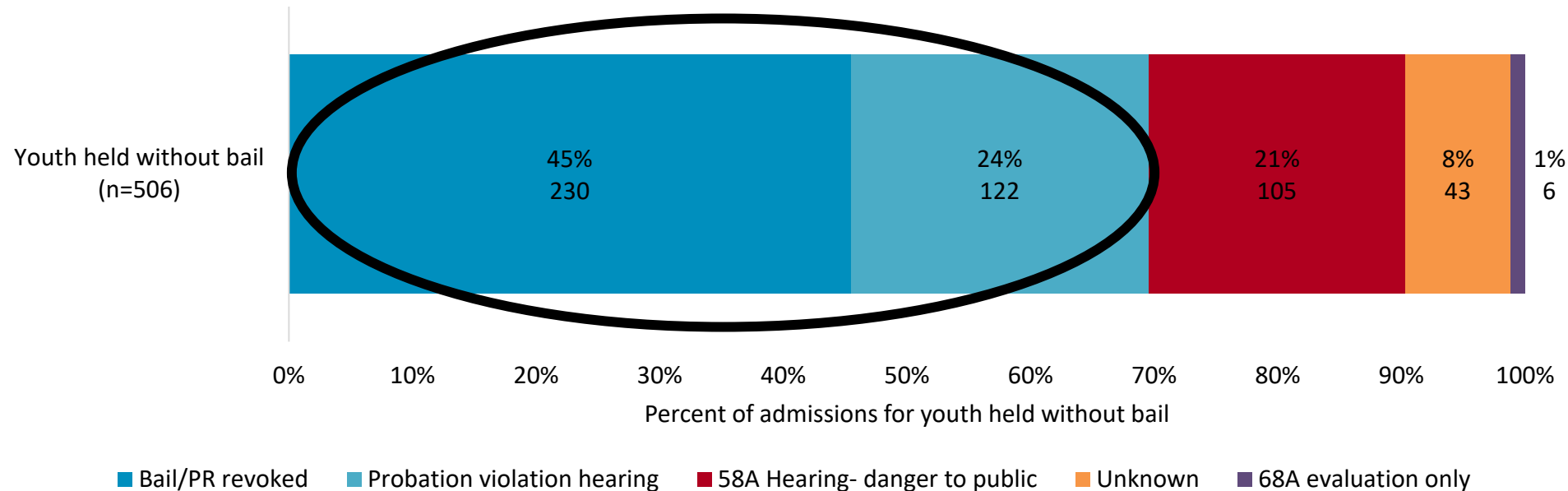


The number of cases with dangerousness hearings has *increased* 28% since FY18

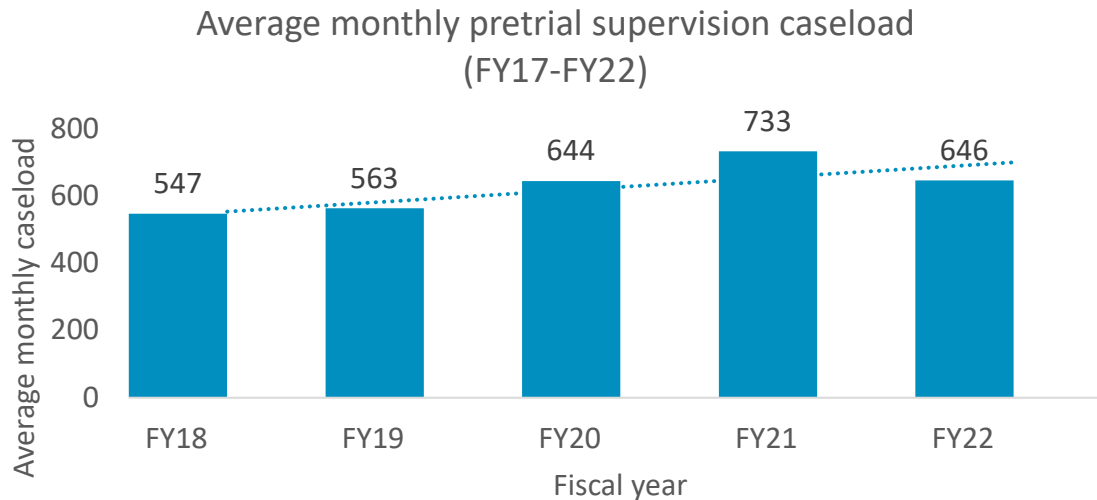


Still, the vast majority (69%) of youth held without bail are held as a result of bail revocations and probation violations

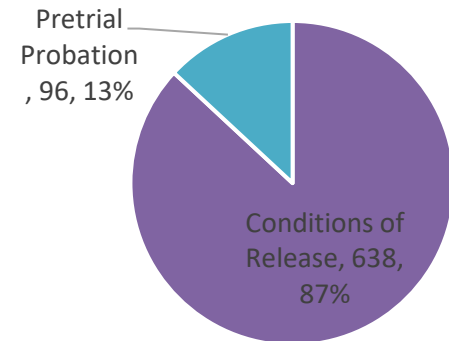
Reasons why youth are held without bail (FY22)



Average monthly pretrial supervision cases have increased 18% since FY18, and most (87%) cases are for youth being supervised on conditions of release from detention



New Pretrial Supervision by Type
FY21 (n=734)



Discussion Questions



What takeaways did you have?

Did any of the data surprise you?

What other data should we be analyzing?

Crossover Youth: JJPAD Leg. Mandate

Mandate

- an assessment of the number of juveniles who, after being or while under the supervision or custody of the department of children and families, are adjudicated delinquent or as a youthful offender;

Guiding Questions

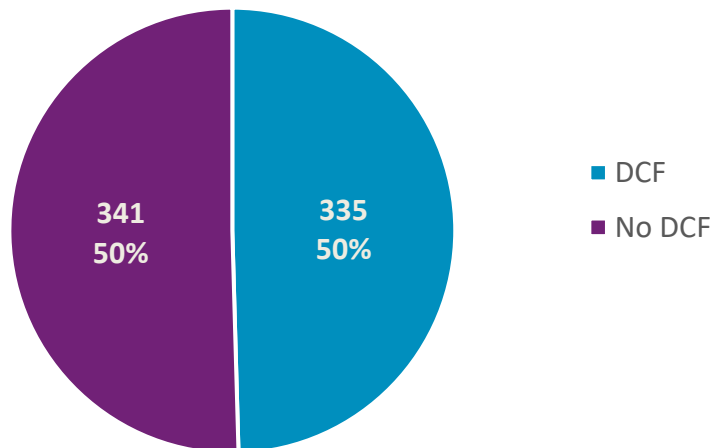
1. Who is crossing –over and why?
2. Are there policies & practices specific to MA that are contributing to crossover?
3. Can any of these youth be diverted?

Goal

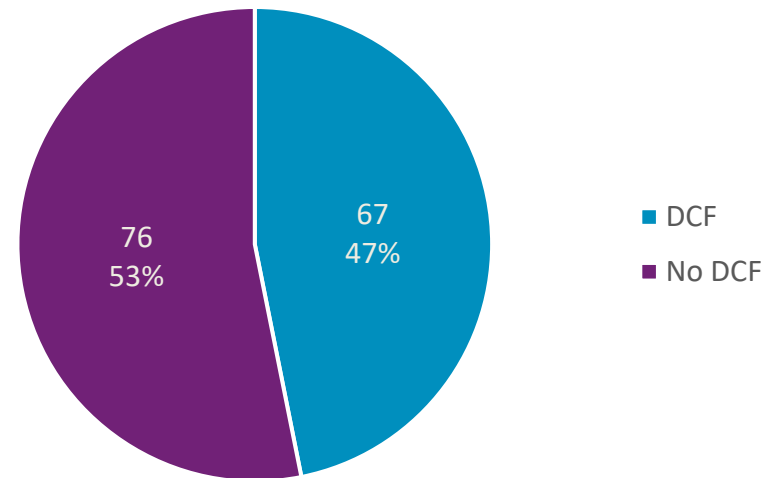
- Make recommendations to improve supports/service models for youth to prevent crossover or reduce harm
- Identify cohorts of youth that may benefit from being served in the community vs. detention
- Make recommendations to improve community-based supports/service models for youth at risk of crossover

Half of all detention admissions & first-time commitments to DYS in FY22 were for youth with DCF involvement at the time of their admission

FY22 Detention Admissions by DCF Involvement (N=676)

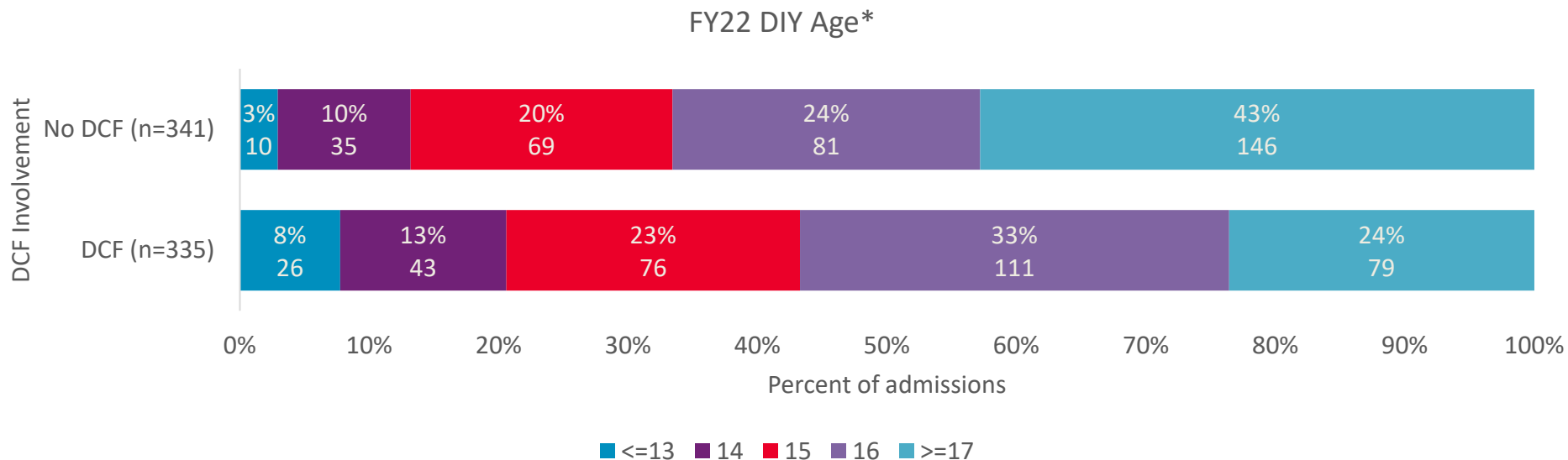


FY22 First-time commitments by DCF Involvement (N=143)



DIY Age at Detention

- There is a significant association between age and DCF status at detention admission.
- DCF involved youth are younger than non-DCF youth on average ($p<.001$).

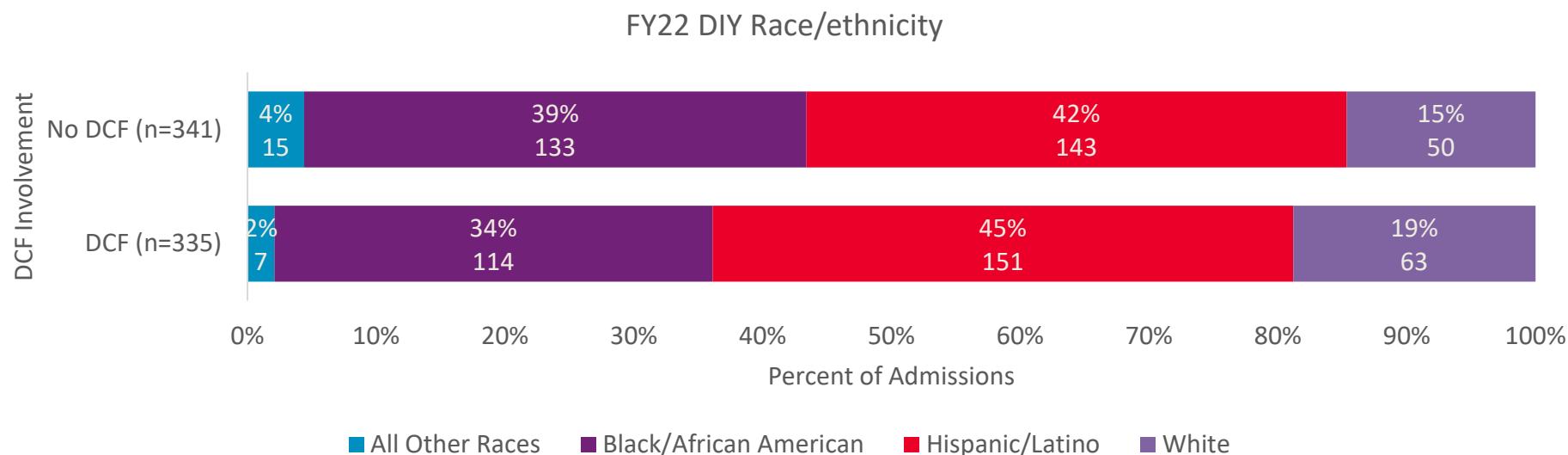


*Statistically significant at the $p<0.05$ level

DIY= Dually Involved Youth = youth with an open DCF case at the time of a pretrial detention admissions to DYS

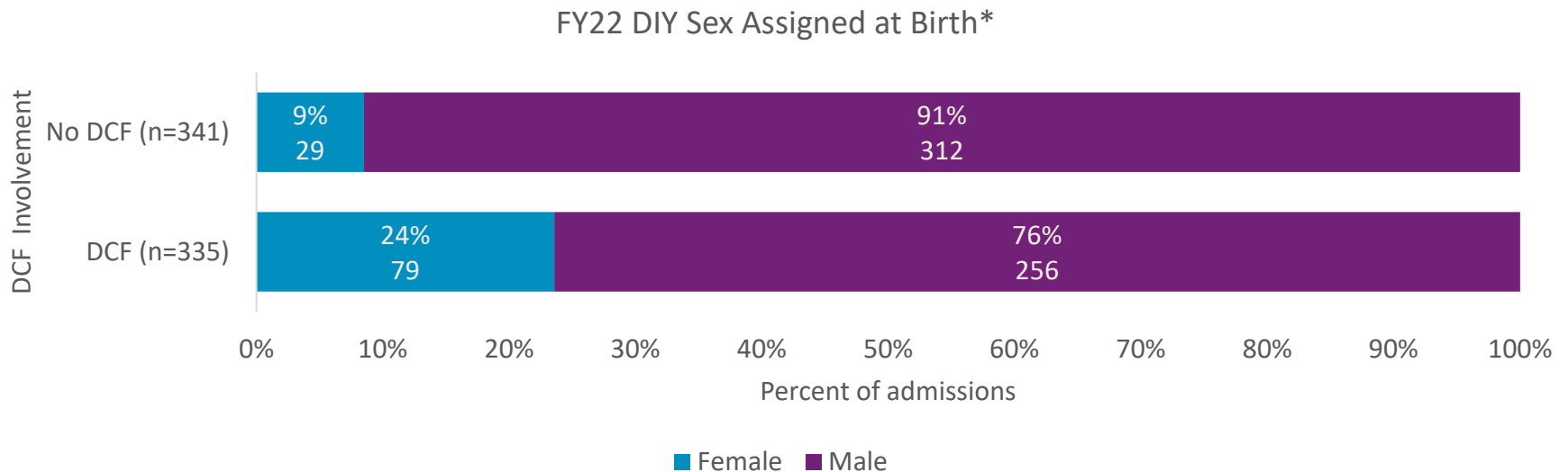
DIY Race/Ethnicity

- No statistically significant association between Race/Ethnicity and DCF status at detention



DIY Sex Assigned at Birth

- There is a statistically significant association between DCF involvement and gender.
- Girls are more likely than boys to be DCF-involved upon admission ($p < .001$).

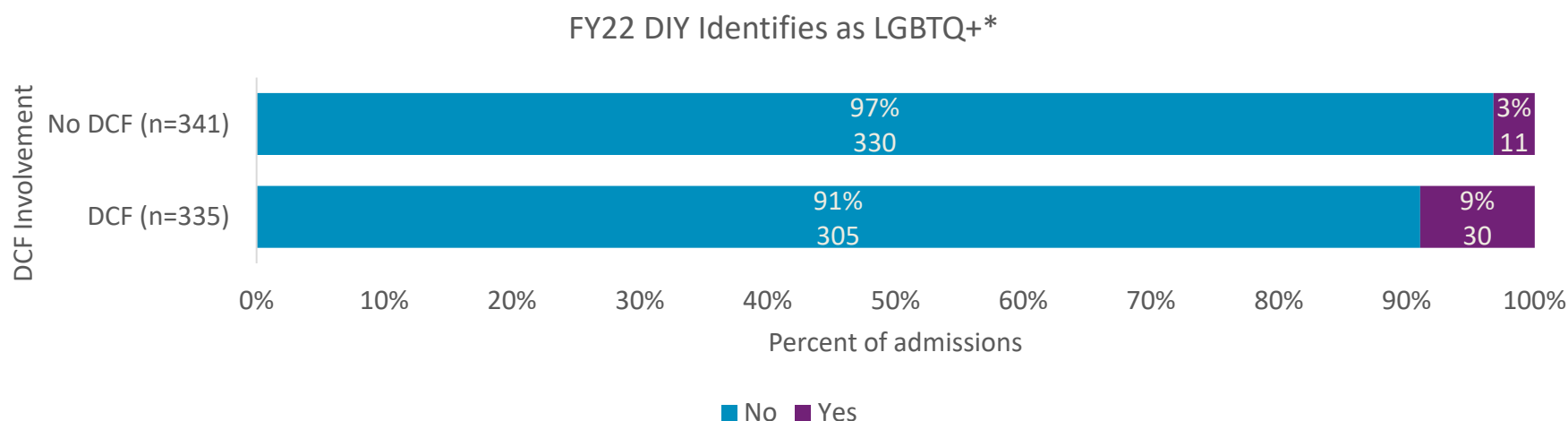


*Statistically significant at the $p < 0.05$ level

DIY= Dually Involved Youth = youth with an open DCF case at the time of a pretrial detention admissions to DYS

DIY LGBTQ+ Status

- There is a statistically significant association between DCF involvement and LGBTQ+ status.
- Those who identify as LGBTQ+ are more likely to be DCF-involved upon admission ($p=.011$).



*Statistically significant at the $p<0.05$ level

DIY= Dually Involved Youth = youth with an open DCF case at the time of a pretrial detention admissions to DYS

DIY Geography

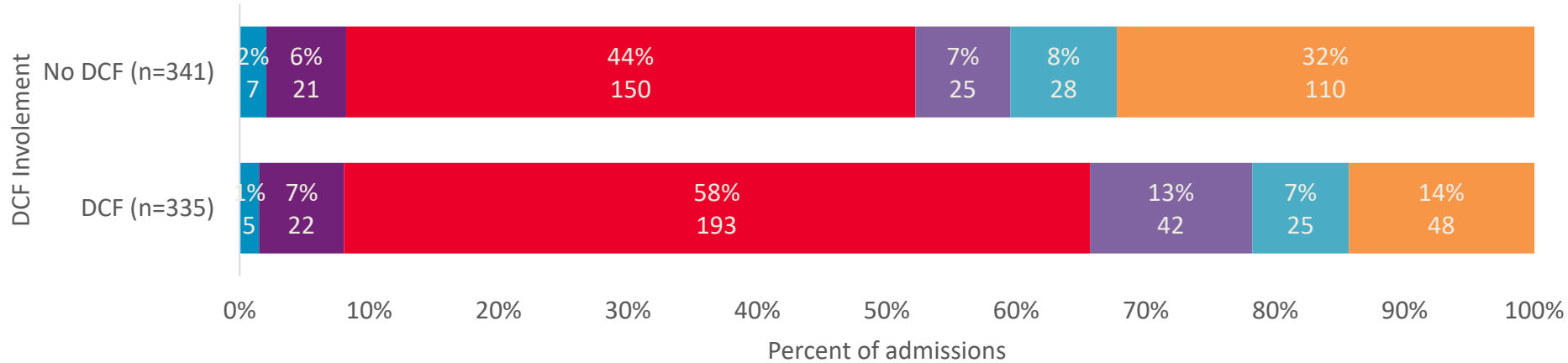
Sending Court County	DCF (n=335)	No DCF (n=341)
Barnstable	52%	48%
Bristol	42%	58%
Essex	52%	48%
Franklin/Hampshire + Berkshire	50%	50%
Hampden*	66%	34%
Middlesex	44%	56%
Norfolk	48%	52%
Plymouth	49%	51%
Suffolk	38%	62%
Worcester	55%	45%
Massachusetts Total	50%	50%

- There is a statistically significant association between DCF involvement and geography.
- Youth in **Hampden county** are more likely to be DCF-involved than not upon admission ($p=.009$).

*Statistically significant at the $p<0.05$ level

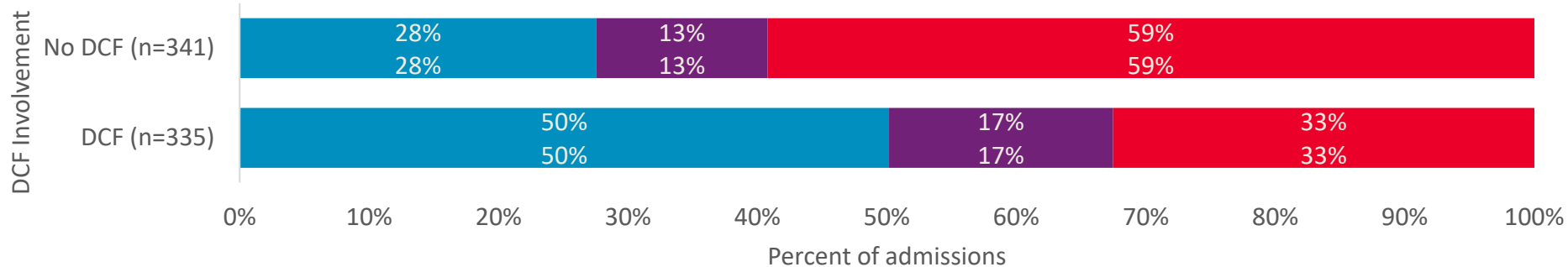
DIY Offense Type/Severity

FY22 DIY Offense Types*



Drugs Motor Vehicle Person Property Public Order Weapons

FY22 DIY Offense Severity*



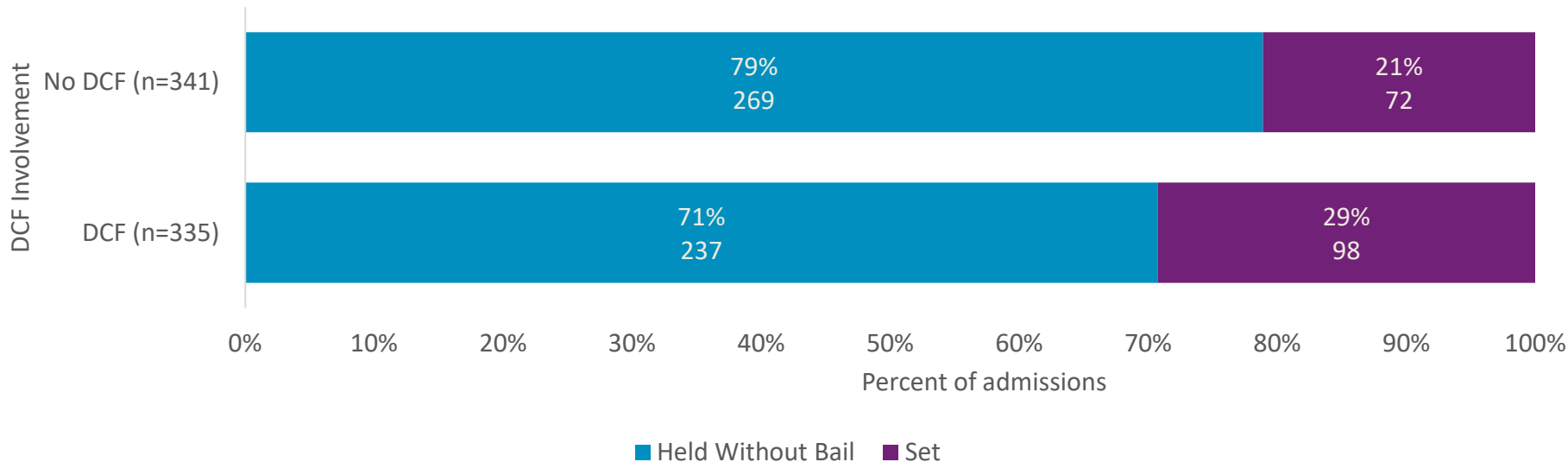
Low Med High

*Statistically significant at the $p < 0.05$ level

DIY= Dually Involved Youth = youth with an open DCF case at the time of a pretrial detention admissions to DYS

DIY Bail Status

FY22 DIY Bail Status*



Bail Amount	DCF (n=98)	No DCF (n=72)
Under 50	69%	31%
\$50-99	83%	17%
\$100-499	81%	19%
\$500-999	67%	33%
\$1,000-9,999	42%	58%
\$10,000-99,999	25%	75%
Total	58%	42%

Measure	# of days (DCF)	# of days (All)
Mean LOS	69.3	63.3
Median LOS	43.0	32

*Statistically significant at the p<0.05 level

DIY= Dually Involved Youth = youth with an open DCF case at the time of a pretrial detention admissions to DYS

Data Trends Summary

Compared to youth admitted to detention without DCF involvement, youth with DCF involvement were:

- Younger*
- Somewhat more likely to be Latino or white
- More likely to be female *
- More likely to identify as LGBTQ+ *
- More likely to be held on a DYS “low” grid level offense *
- More likely to be held on a persons offense (and less likely on a weapons offense) *
- More likely to be held due to bail being set (rather than held without bail, such as on dangerousness) * and are being held on lower bail amounts

Discussion Questions



**What takeaways
from the data did
you have?**

**What surprised
you about the
data?**

**What other data
should we be
analyzing?**

Crossover Youth: Methodological Discussion

Research Questions from Members

- Are there commonalities in the circumstances surrounding an arrest for youth involved with DCF? If so, what are those commonalities?
- Are any of these youth good candidates for diversion? What diversion services would be needed to meet the needs of this population?
- What practices are contributing to crossover?
- What policies can help prevent crossover?

Possible Methodologies

- Data analysis (DCF+DYS, Juvenile Court)
- Case file review
- Interviews
- National landscape review

Crossover Youth: Case File Review

- Topic of the July Data Subcommittee meeting
- Case file review of youth detained/ committed at DYS who have DCF involvement:
 - @ time of admission to DYS
 - w/in a year of admission to DYS
 - in their lifetime
- Goal of the case file review is to answer the questions around:
 - *why*
 - *what can Massachusetts do through policy or practice shifts to reduce crossover from DCF to detention and commitments*
- Explore case practices that are already being used to support “high risk” kids at DCF that’s likely preventing crossover
- Identify gaps in services/community-based supports for these youth

Data Subcommittee

Summer

- Methodology discussion: crossover youth case file review

Fall

- FY23 Data Analysis
- Pretrial and Crossover youth data to date

Winter

- 2023 Annual Report Data Review

Next Meeting:

July 27, 2023

2:00pm- 3:00pm

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



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