

Office of the Child Advocate
Juvenile Justice Policy and Data Board
Data Subcommittee Meeting Minutes
Wednesday, May 15, 2024
10:30 AM -12:00 PM
Meeting held virtually

Subcommittee Members or Designees Present:

Rachel Wallack (Juvenile Court)
Michael Ames (CLM)
David Chandler (DYS)
Joe Mulhern (YAD)
Kim Occhiuti (DCF)
Sana Fadel (CfJJ)
Nancy Brody (DCF)
Patricia Bergin (EOPSS)
Laura Lempicki (Probation)

OCA Staff:

Kristi Polizzano
Morgan Byrnes
Arianna Turner
Daisy Perez
Jess Seabrook

Other Attendees:

Joshua Dankoff (CfJJ)
Lindsey Sagasta (DPH)
Juliet Anctil (Probation)
Kathleen Bitteti (OSA)
Jen Rocha (DYS)
Jennie Wang (Probation)
Sir Parrish (DYS)
Deb Bowen (DYS)
Indigo Kirsh (My Life My choice)
Noor Toraif (UPenn)
Katarina Bettencourt

Meeting Commenced: 10:31 AM

Welcome and Introductions:

Ms. Polizzano welcomed the attendees to the Data Subcommittee meeting. Members and attendees introduced themselves.

Approval of December Meeting Minutes

Ms. Polizzano asked if anyone had questions or feedback regarding the December 1, 2023, meeting minutes. The group did not offer any feedback or objections. Rachel Wallack, Kim Occhiuti, and Michael Ames all voted in the affirmative. Sana Fadel and Joe Mulhern abstained. No one voted against the meeting minutes.

The December meeting minutes were approved.

Ms. Polizzano then reviewed the agenda for the meeting and began presenting data on the pretrial phase project.

Pretrial Project: Data Discussion

Ms. Polizzano reviewed the research questions and methodology for the project, explaining that this meeting's focus would be data analysis and the interaction between youth on conditions of release (COR) and those who are detained pretrial as a result of bail/personal recognizance (PR) being revoked.

Ms. Polizzano then reviewed three key process points: arraignment/court proceedings, probation monitoring/supervision, and detention.

Pretrial Probation Conditions of Release

Ms. Polizzano then began presenting the data analyzed to date, highlighting the following:

- Between FY22 and FY23 there was a substantial increase in the number of youth being placed on pretrial supervision/monitoring and a slight increase in the number of pretrial detention admissions.
- In recent years, youth are being released on conditions of release (COR) more, and on personal recognizance (PR) less.
- Most pretrial cases do not require active supervision by probation.
- Based on estimated and point in time calculations, Suffolk County uses GPS at a higher rate than other counties.

Members then discussed limitations of these county level point-in time data, acknowledging that it could be beneficial to study annual data, if available. One attendee asked if there was data available on the percentage of youth who are on GPS and have exclusion zones or data on whether the number of youth placed on GPS was currently limited because of the limited number of bracelets. Members explained this data is not currently available.

Ms. Polizzano continued presenting the data, sharing that a little more than a third of violations of probation (pre- and post-adjudication) are for non-delinquency related reasons.

Ms. Polizzano shared a data summary on the conditions of release data and welcomed questions. None were raised.

Ms. Polizzano then began presenting demographic data on who conditions are released are used for, including the following key points:

- About one third of all cases with COR are for Black/African American youth, and about one quarter are for Latino youth.
- Pretrial cases with CORs were disproportionately Hispanic/Latino.
- Girls are the subject of 19% of cases with COR.
- Most cases are monitored at the statewide level, not supervised by the local probation office.
- Of the 43% of cases supervised at the county-level, most are supervised in Essex, Plymouth, Suffolk, and Worcester.

Ms. Polizzano then shared a data summary about the demographic information presented and welcomed questions.

One attendee asked if the data included youth released on any alternative, or if the data just included a comparison of conditions of release versus personal recognizance. Ms. Polizzano explained that the data presented was for youth with conditions of release.

One member asked if the increase in use of conditions of release was proportional to the overall increase in the number of youth involved in the justice system. Ms. Polizzano shared that some increase in conditions of release can be attributed to increase in arraignments, but there have also been decreases in the percent of cases for youth released on personal recognizance and/or detention.

One attendee asked about potential next steps on the county-level data on GPS usage, specifically because of the high number of youth on GPS in Essex County. Ms. Polizzano shared that the Board is trying to determine when 58A hearings are used in each county, and that the Board is still conducting interviews and compiling data for the Community Based Interventions (CBI) subcommittee.

One attendee asked if there is data available on how many youth who are given conditions of release have Individualized Education Programs (IEPs). Ms. Polizzano shared that the Board does not have IEP data for youth on probation.

Pretrial Detention Admissions as a Result of Revocations

Ms. Polizzano then began presenting data on youth held in detention, highlighting the following points:

- The majority of youth detained pretrial are held without the opportunity for bail. Many youth were detained without bail as a result of bail/PR being revoked.
- A little under half (49%, n=115) of youth detained without bail as a result of bail/PR being revoked were for underlying lower-level offenses.

One attendee asked if the youth who participate in administrative probation violation hearings were captured in the data. Ms. Polizzano explained that this group is not included.

One member asked if there is data on the outcomes for young people who are on pretrial probation and have their violation reported to the Assistant District Attorney (ADA). Ms. Polizzano shared that the ADA has discretion in that circumstance, and the Board does not have data on outcomes in those situations.

Ms. Polizzano then continued presenting the data on detention, sharing that most youth (58%, n=136) detained without bail as a result of bail/PR being revoked were for underlying person offenses.

Ms. Polizzano then shared a data summary on bail and PR being revoked and welcomed questions. None were raised.

Ms. Polizzano then welcomed Ms. Byrnes to present demographic and geographic data for youth held without bail.

Ms. Byrnes introduced herself and began presenting the data, highlighting the following points:

- Black and Latino youth are detained at higher rates than white youth, while white youth have higher rates of being released on conditions of release.
- About three-quarters of detention admissions for youth held without bail as a result of bail/PR being revoked are for Black or Latino youth.
- Boys make up the majority of detention admissions for youth without bail as a result of bail/PR being revoked.
- Youth who identify as LGBTQ+ make up 6% of the detention admissions for youth held without bail as a result of bail/PR being revoked.
- Youth with DCF involvement make up 57% of the detention admissions for youth held without bail as a result of bail/PR being revoked.
- Seven out of 11 counties hold youth without bail as a result of bail/PR being revoked more frequently than any other reason.

Ms. Byrnes then presented a data summary on youth held without bail as a result of bail/PR being revoked and welcomed questions. None were raised.

Ms. Byrnes then welcomed questions and takeaways from the presentation.

One attendee expressed concern about data availability and quality around GPS and would like to see more data in these areas.

One attendee expressed interest in learning more about the geographic differences in the use of GPS and bringing that discussion to the county level. Ms. Polizzano shared that the OCA will do more county level breakdowns of data when it is available. She mentioned that other stakeholders have expressed concern with GPS use during interviews.

One attendee asked if there was data broken down based on youths' LGBTQ+ status. Ms. Polizzano shared that the Board does not have that data for all juvenile justice system data points, but that the data will be presented whenever possible.

Data Subcommittee 2024 Work Plan

Ms. Polizzano then shared the 2024 work plan for the data subcommittee.

Concluding remarks:

Ms. Polizzano asked for final comments, questions, or concerns about the subcommittee's work. She asked that members fill out the scheduling poll for the upcoming meeting and adjourned the meeting.

Adjournment: 11:40 AM