

# Juvenile Justice Policy and Data Board

Data Subcommittee Meeting

May 15, 2024

# Agenda

1. Welcome and Introductions
2. Approval of December Meeting Minutes
3. Pretrial Data Discussion
4. Data Subcommittee 2024 Work Plan

# **Pretrial Project: Data Discussion**

# Pretrial Phase Research Questions

1. Can any of these youth be diverted (from detention or pre-arraignment) & served in the community?

2. What community-based interventions/supports need to exist in order to divert?

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

4. What do victims want during this phase?

5. What practices can help us improve long-term outcomes for kids *and* protect public safety?

## 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

# Methodology



**Today:** Focusing on the interaction between youth on conditions of release and those who “fail” and are detained pretrial as a result of bail/personal recognizance being revoked.

**Next time:** use of bail, pretrial probation as a disposition & 58a hearings

# Available Data

## Arraignment/Court Proceedings

- Total arraignments
- Total 58A hearings
- Totals can be broken down by offense type, offense severity (misdemeanor & felony), county, gender, race/ethnicity and age

## Probation Monitoring/Supervision

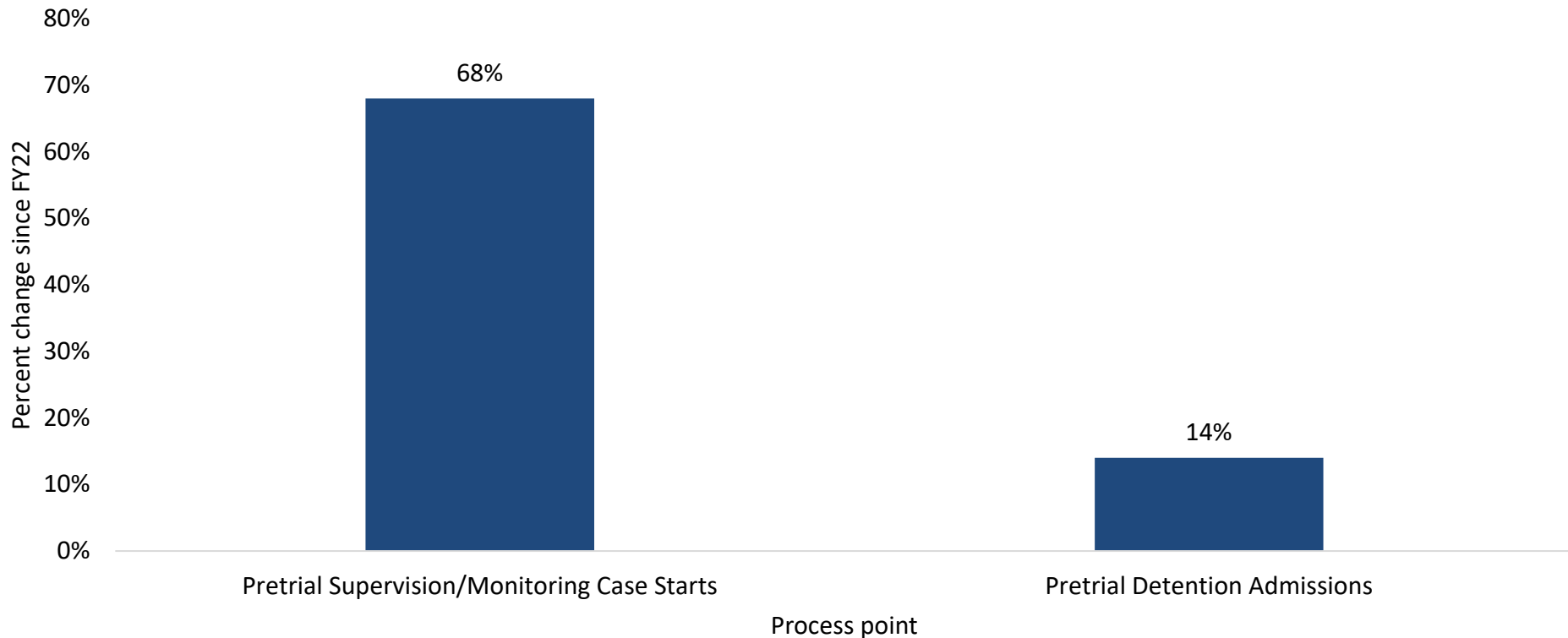
- Total cases with conditions of release ★
- Total pretrial probation as a disposition cases
- Totals can be broken down by supervision type, county, gender, race & ethnicity

## Detention

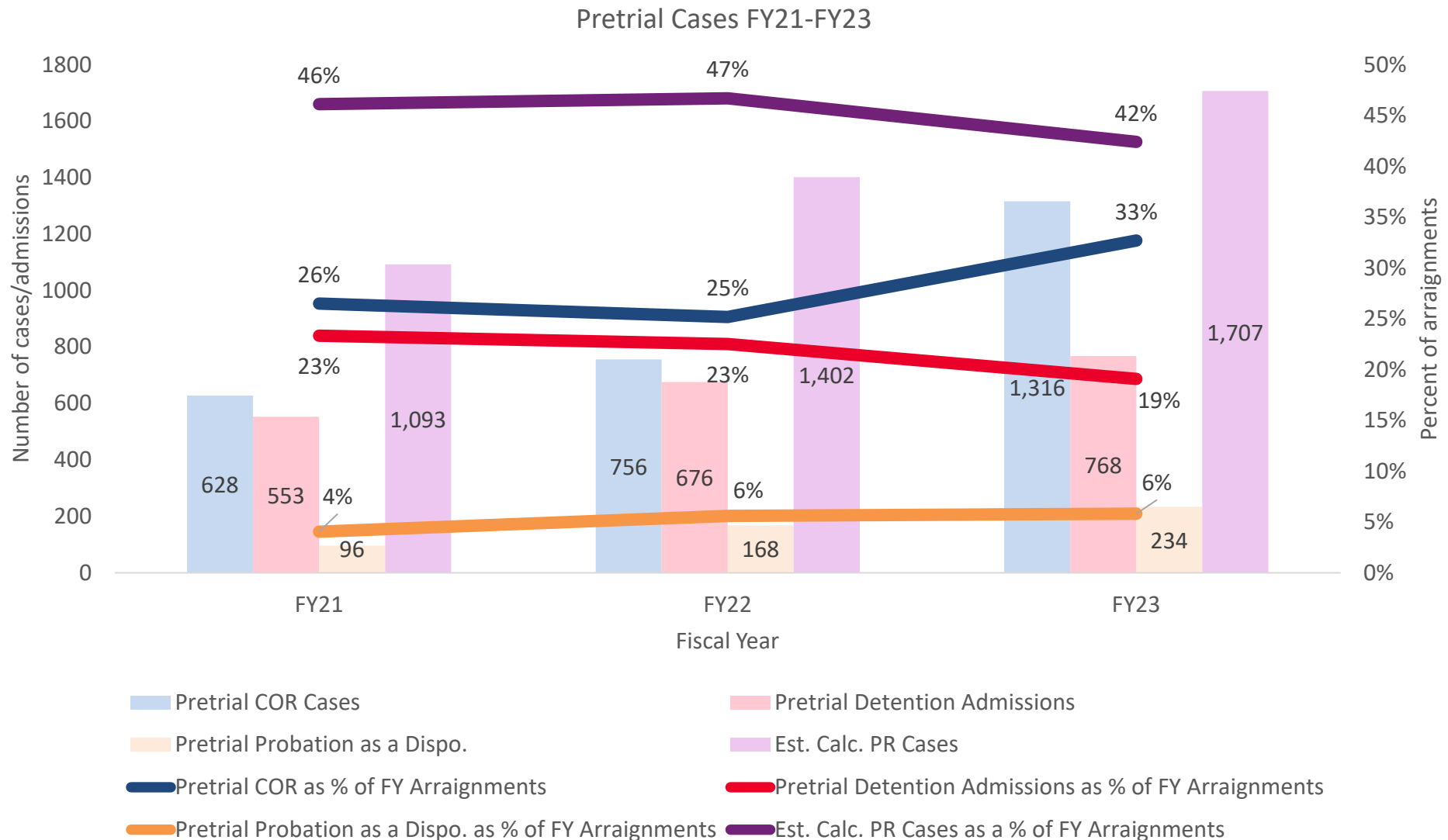
- Total detention admissions
- Total detention admissions by bail status
  - Held without bail: reason (e.g., bail revoked, 58A) ★
  - Bail set: amount and stipulation (e.g., release to parents)
- Total admissions and admissions by bail status can be broken down by offense type, offense severity (MSO grid level), offense type, sex assigned at birth, LGBTQ+ status, race/ethnicity, age, primary spoken language at home, county, DCF involvement

# 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

Increases in Case Starts and Admissions across MA Juvenile Justice Pre-trial Process Points (FY22-FY23)



# 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

- Cases with COR *monitored* increased by 91% while cases *supervised* increased by 55%

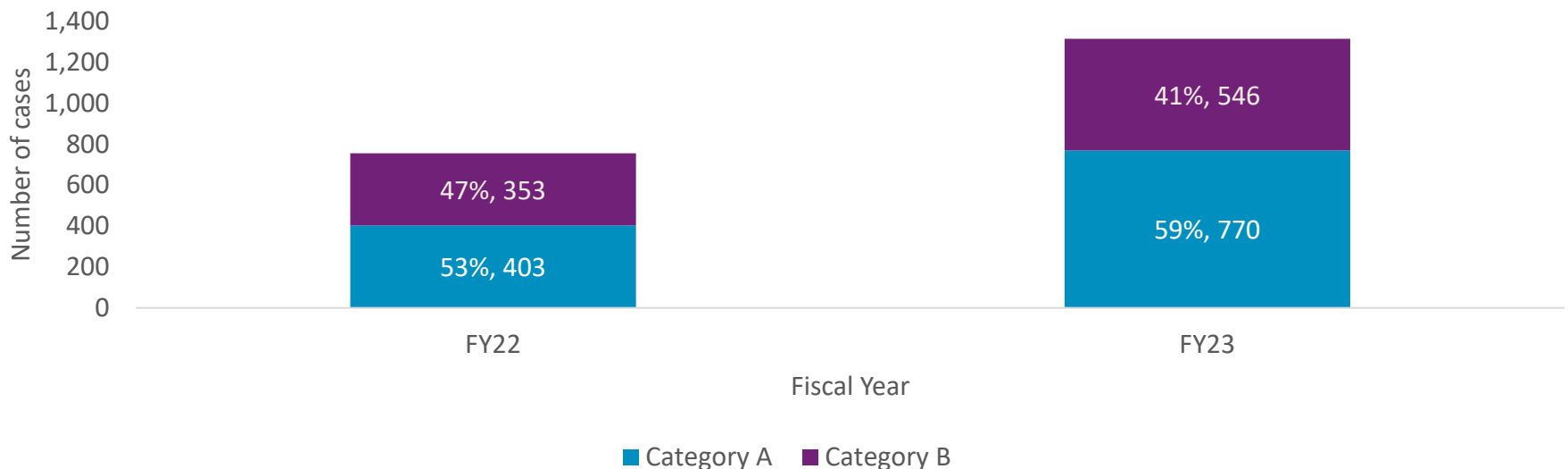
## Pretrial Conditions Type A:

- **Do not** require active probation supervision (e.g., obey all laws and court orders, no contact/stay aways)
- Supervised by the state Pretrial Unit, violations of probation are handled by local probation office

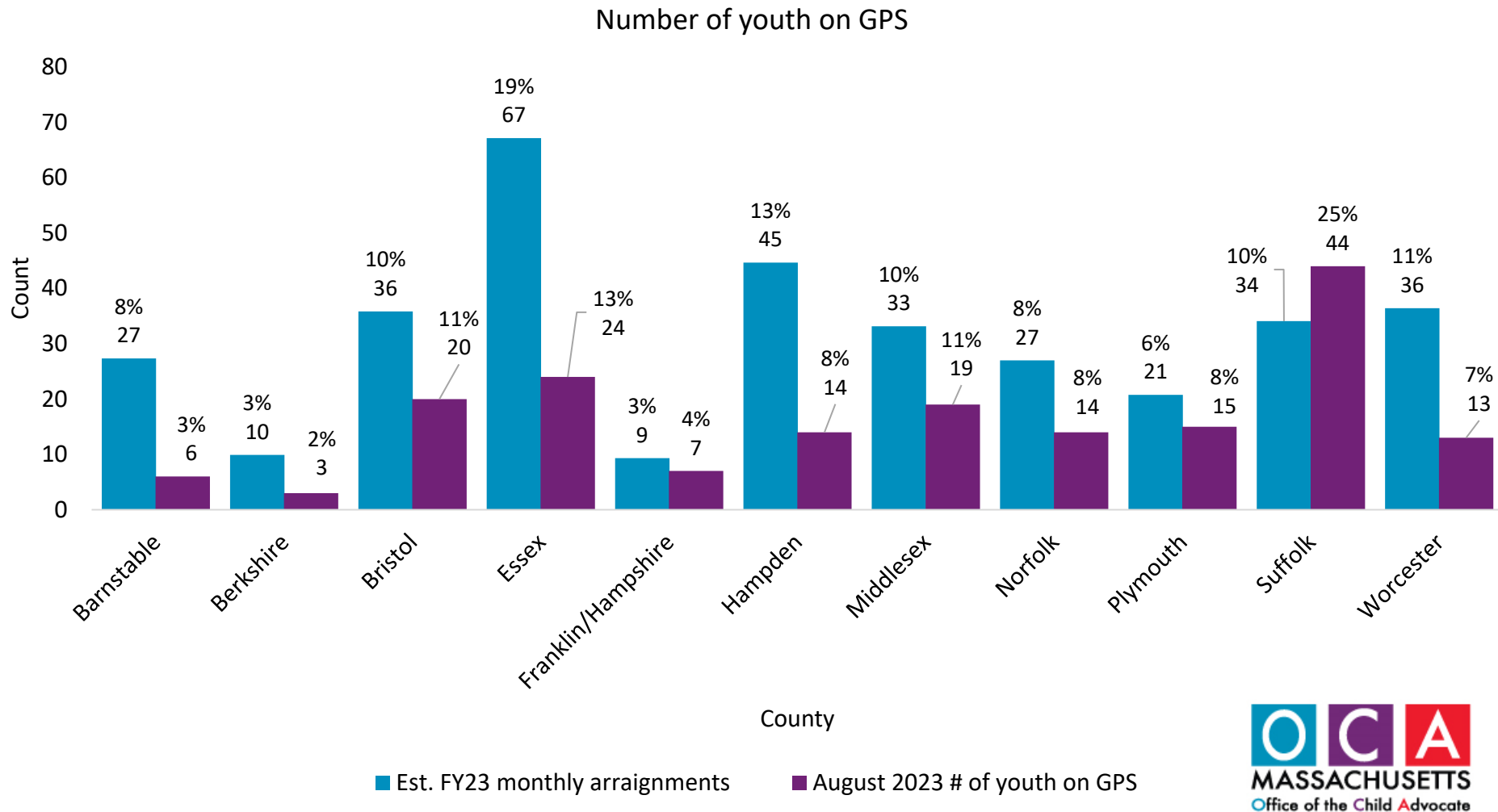
## Pretrial Conditions Type B:

- **Do** require active probation supervision (e.g., drug testing, report to probation, cooperate with MH/SUD treatment, GPS, home confinement, participate in programming)
- Supervised by local probation office

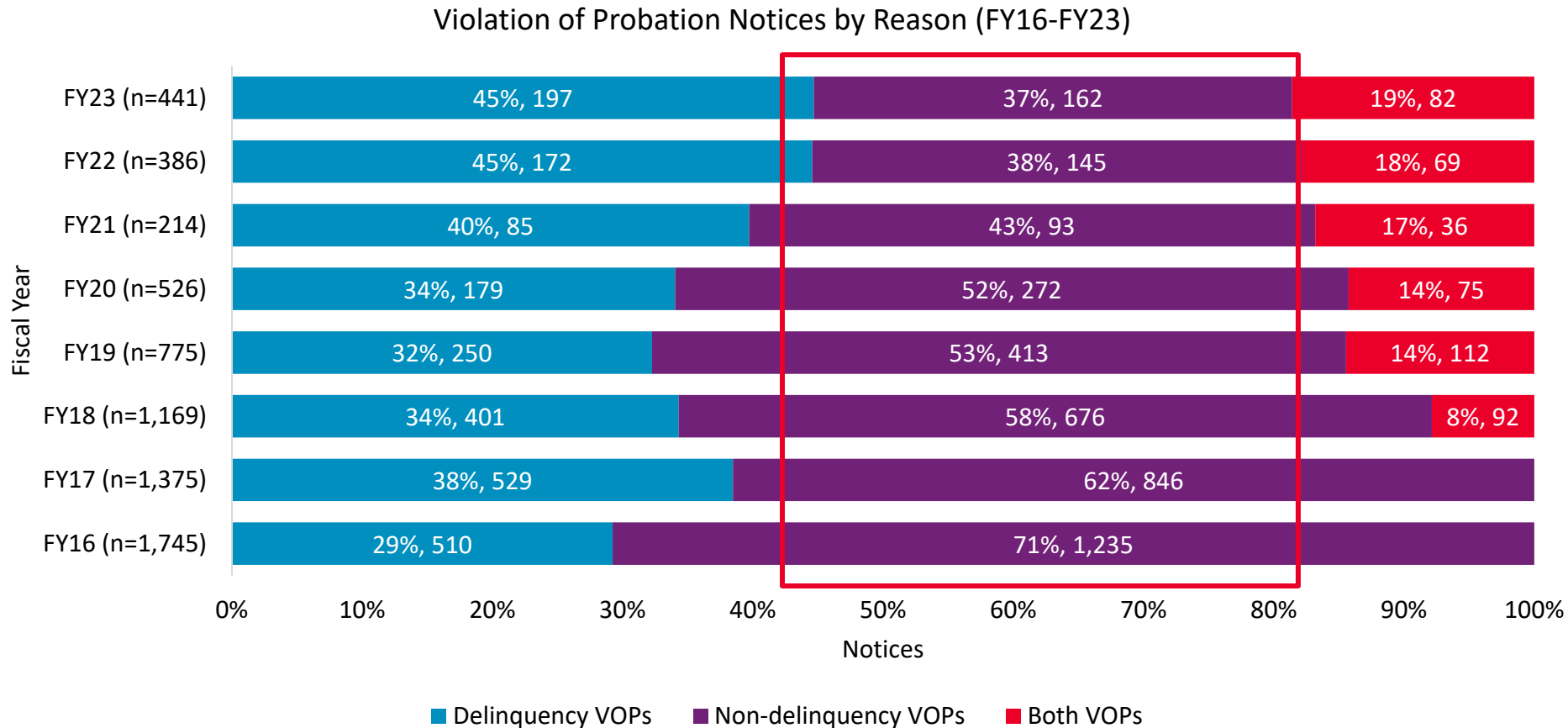
Pretrial Cases on COR by Supervision Type (FY22-FY23)



# Based on estimated & point in time calculations, Suffolk county uses GPS at a higher rate than other counties



# A little more than a third of violations of probation (pre- and post-adjudication) are for non-delinquency related reasons



This data includes violations for pretrial cases, cases “continued without a finding” as well as cases in which youth were adjudicated delinquent.

# Data Summary

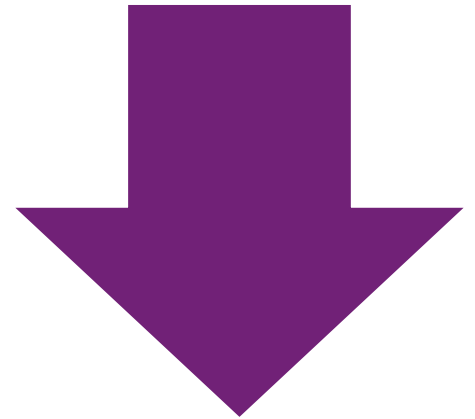


There has been a substantial increase (both in number and percent) of arraigned cases resulting in a youth being monitored/supervised on conditions of release. **Many of the pretrial cases with COR do not require active supervision.**

The data suggests some of the increase can be **attributed to using conditions of release as an alternative to detention.**

The data also suggests that some of the increase can be **attributed to a decrease in the percent of youth released on personal recognizance.**

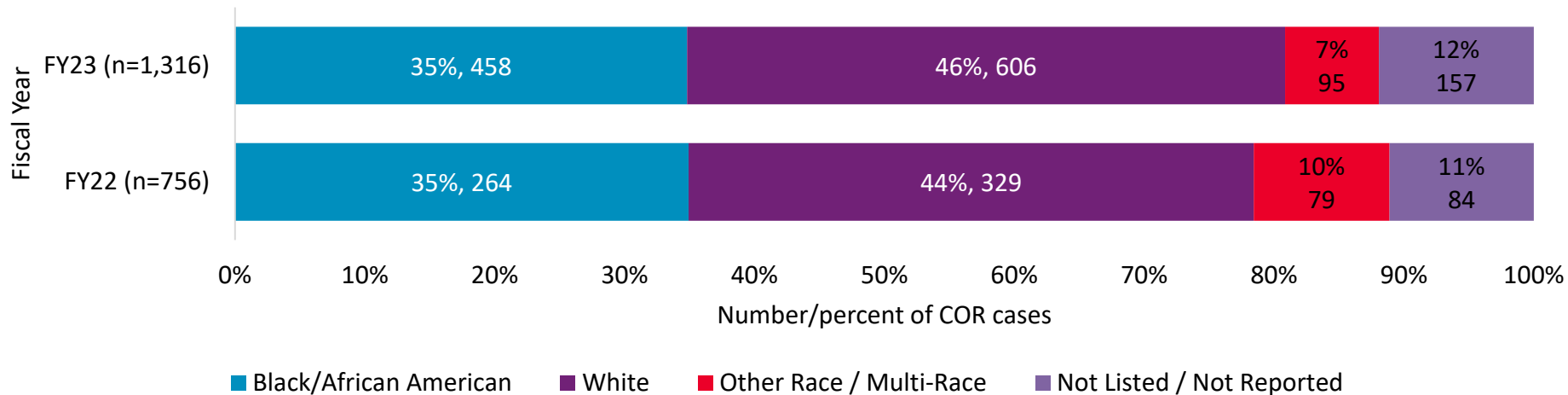
Based on the data, we cannot discern what pretrial conditions youth violate during this phase and whether they are for new arrests or non-delinquency/technical in nature.



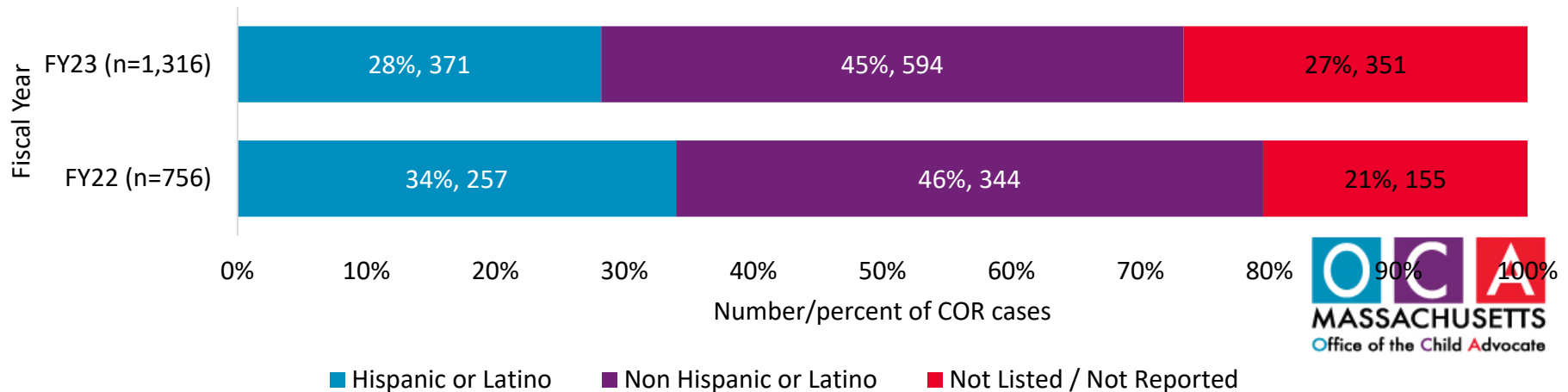
- Are there any other alternative explanations?
- What other takeaways do you have?
- Questions?

# About one third of all cases with COR are for Black/AA youth, and about one quarter are for Latino youth

Pretrial Cases with COR by Race (FY22-FY23)



Pretrial Cases with COR by Ethnicity (FY22-FY23)



# Pretrial cases with CORs were disproportionality Hispanic/Latino

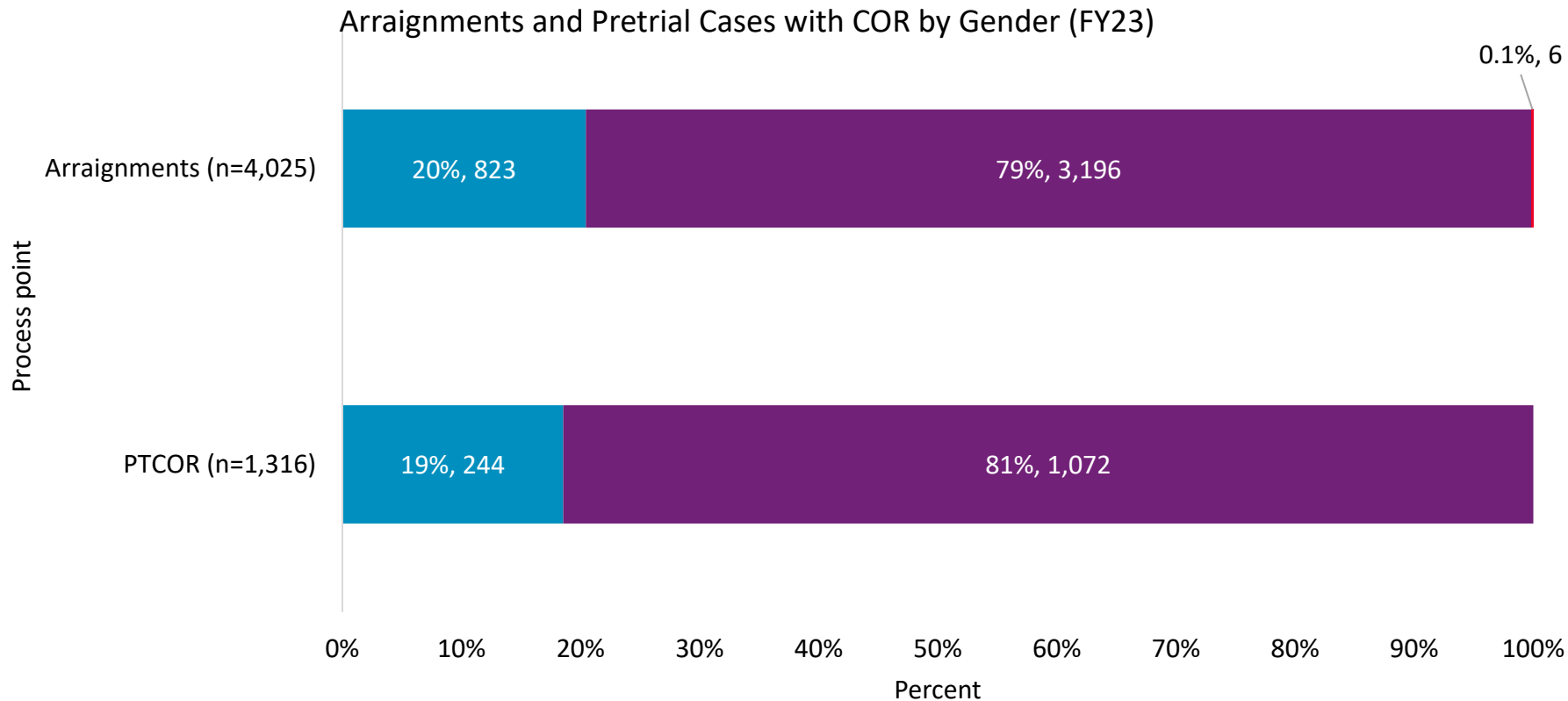
Relative Rate Index (RRI) of Black/African American, and other race / multi race youth pretrial CORs compared to white youth using arraignments as the base population

Fiscal Year	Black/African American	Other Race / Multi-Race
FY23	0.96	1.34
FY22	0.91	2.12

Relative Rate Index (RRI) of Hispanic/Latino youth pretrial CORs compared to Non-Hispanic youth using arraignments as the base population

Fiscal Year	Hispanic or Latino
FY23	1.29
FY22	1.52

# Girls are the subject of 19% of cases with COR

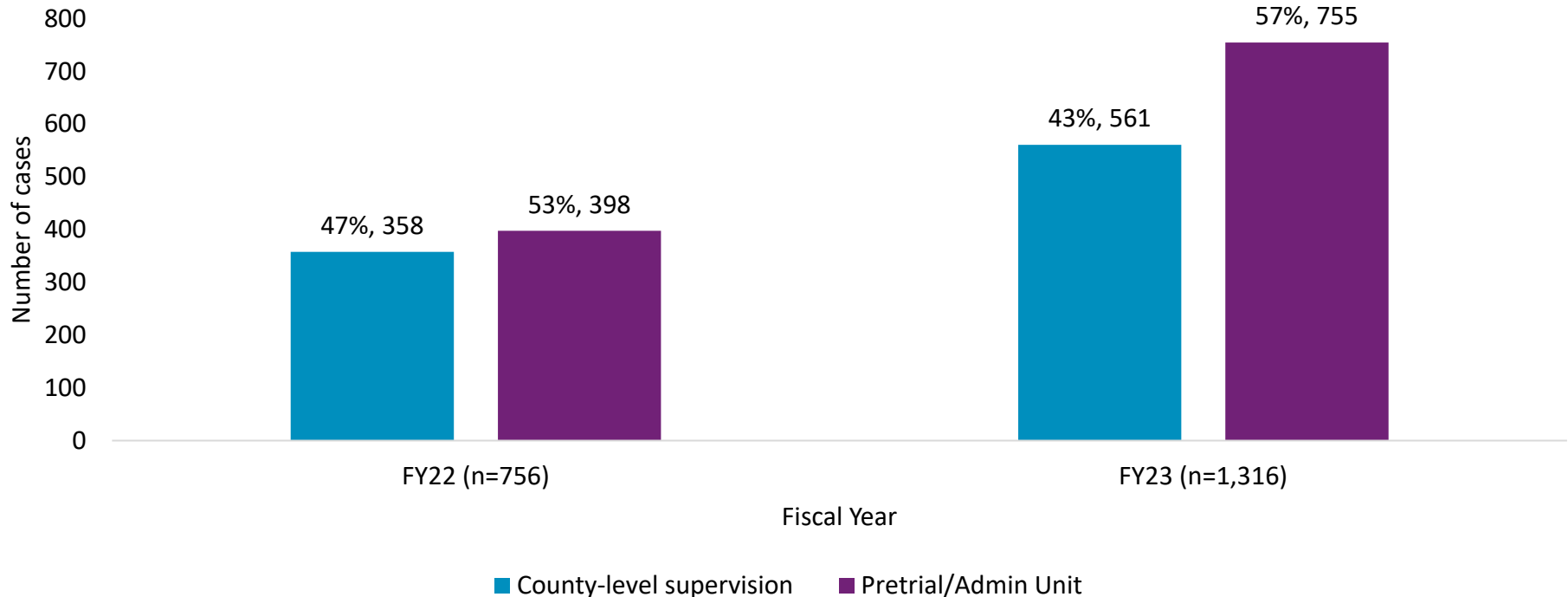


Female Male Not Listed / Not Reported

# Most cases are monitored at the statewide level, not supervised by the local probation office

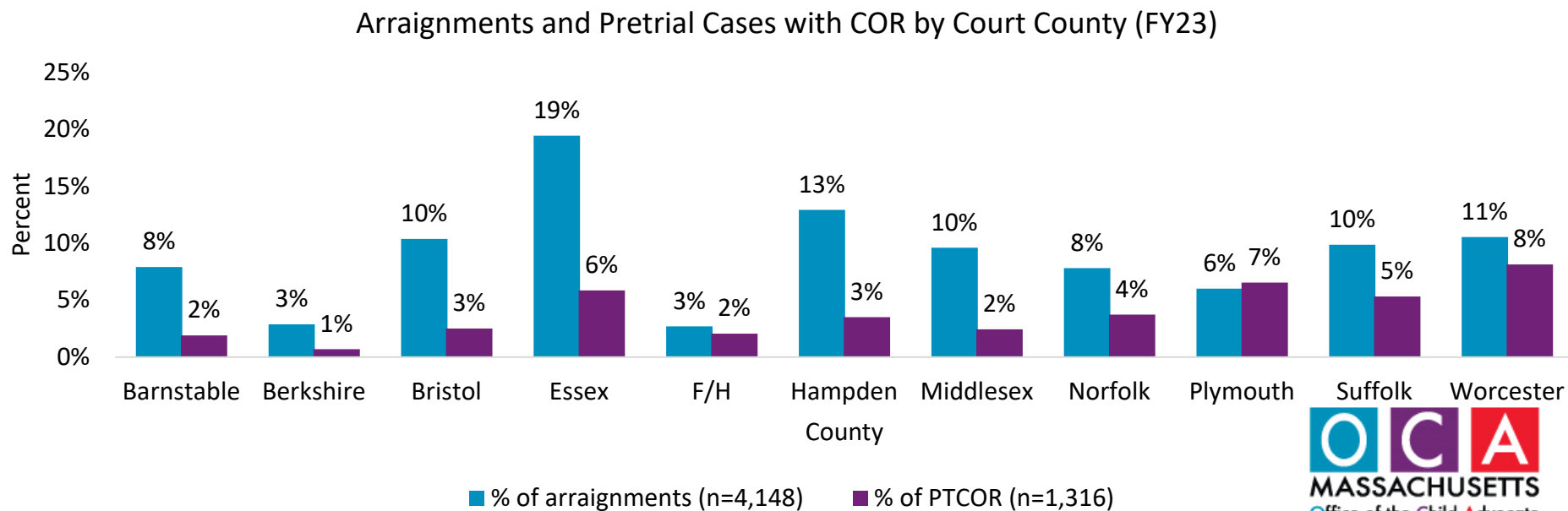
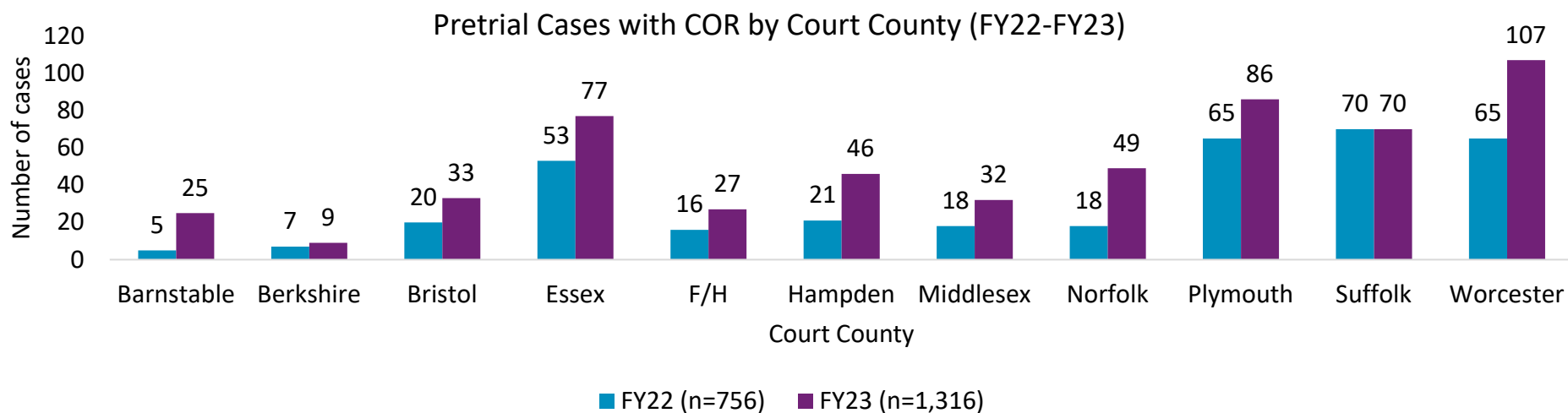
- Between FY22 and FY23, there was a 90% increase in the number of cases with COR monitored by the statewide pretrial unit

Pretrial Cases with COR by Supervision Office (FY22-FY23)





# Of the 43% of cases supervised at the county-level, most are supervised in Essex, Plymouth, Suffolk and Worcester



# Data Summary

- About one third of a cases are for Black/AA youth, and about one quarter are for Latino youth; Hispanic/Latino youth are more likely to have COR than non-Hispanic/Latino youth; Black/AA youth are less likely to have COR than white youth
- Boys make up most of these cases; girls make up about one-fifth of cases
- Most cases are monitored at the statewide level, not supervised by the local probation office
- Of the cases supervised at the county-level, most were supervised in Essex, Plymouth, Suffolk and Worcester

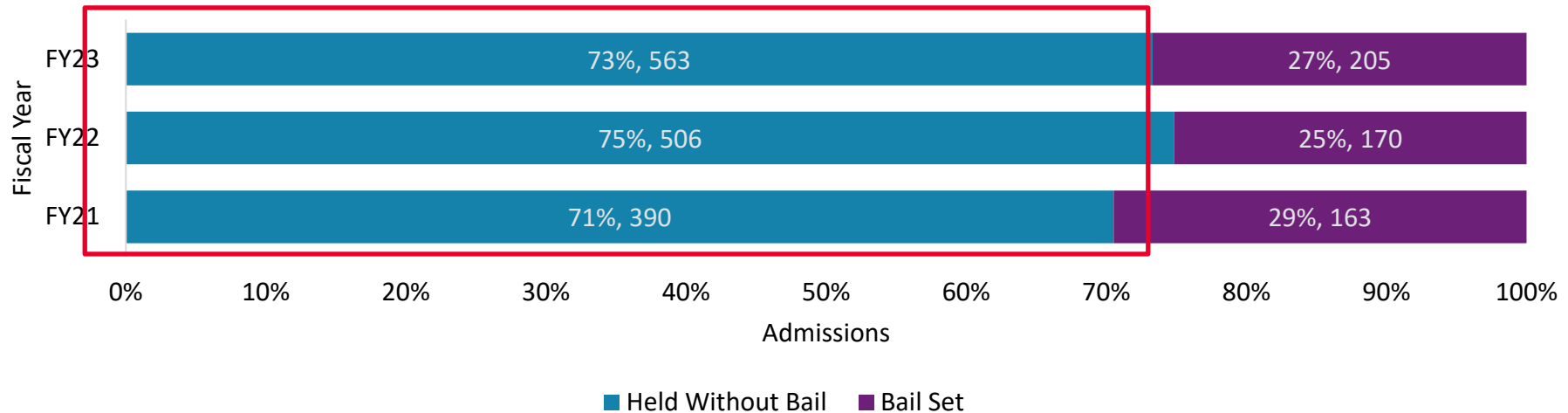


- What takeaways do you have?
- What questions do you have?

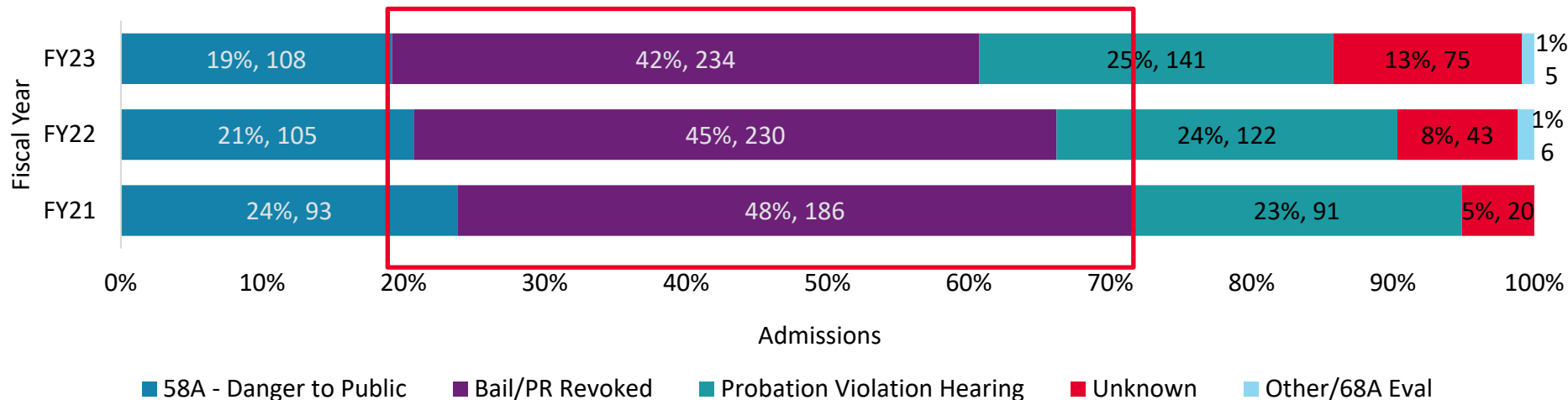
**While we don't know who violated  
their conditions of release, we can see  
who ultimately is detained pretrial as a  
result of bail or personal recognizance  
being revoked...**

# The majority of youth detained pretrial are held without the opportunity of bail. Many youth were detained without bail as a result of bail/PR being revoked

Pretrial Detention Admissions by Reason Held (FY21-FY23)

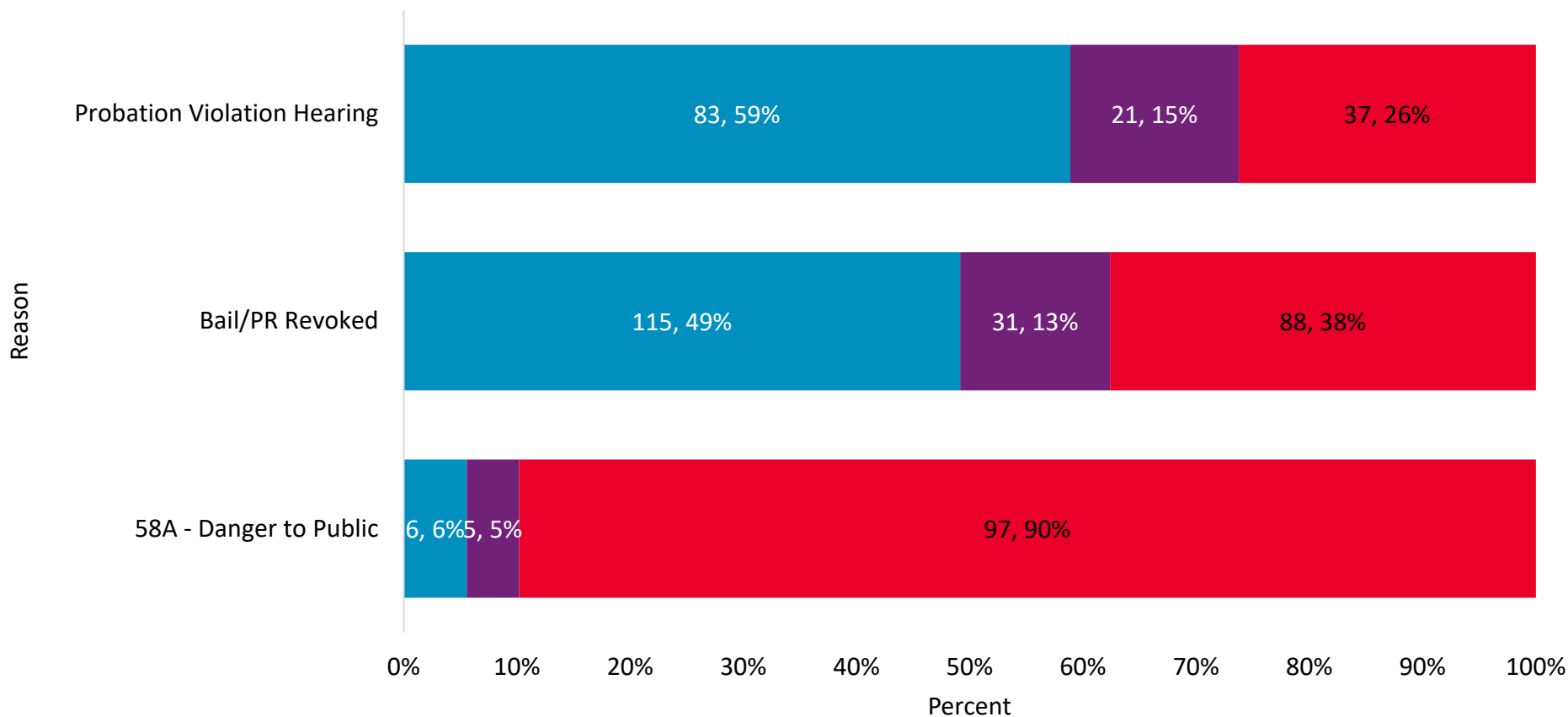


Pretrial Detention Admission by Held Without Bail Reason (FY21-FY23)



# 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

Held without bail detention admissions reason\* by DYS grid level (FY23)



\* Data for 68A Hearings and unknown was omitted due to cell suppression

Low Mod High

# Most youth (58%, n=136) detained without bail as a result of bail/PR being revoked were for underlying person offenses

Reason for Detention Admissions for Youth Held w/o Bail by Offense Type (FY23)					
MSO Offense Type	58A - Danger to Public	Bail/PR Revoked	Probation Violation Hearing	Unknown	Total
Drugs	*	*	*	*	1%, 8
Motor Vehicle	*	*	*	*	3%, 18
Person	56%, 60	58%, 136	60%, 84	39%, 29	55%, 312
Property	*	12%, 28	17%, 24	17%, 13	12%, 70
Public Order	*	6%, 15	5%, 7	*	5%, 29
Weapons	38%, 41	18%, 42	14%, 20	31%, 23	22%, 126
Total	100%, 108	100%, 234	100%, 141	100%, 75	100%, 563
*omitted due to cell suppression					

# Data Summary

- Despite the increase in the percentage of arraigned cases resulting in conditions of release being set, there has not been an increase in the percent of detention admissions resulting from bail (or personal recognizance) being revoked.
- However, the most frequent reason why youth are detained pretrial without the opportunity of bail is a result of bail/PR being revoked.
- Most of these revocations are for youth with underlying lower-level & persons offenses.

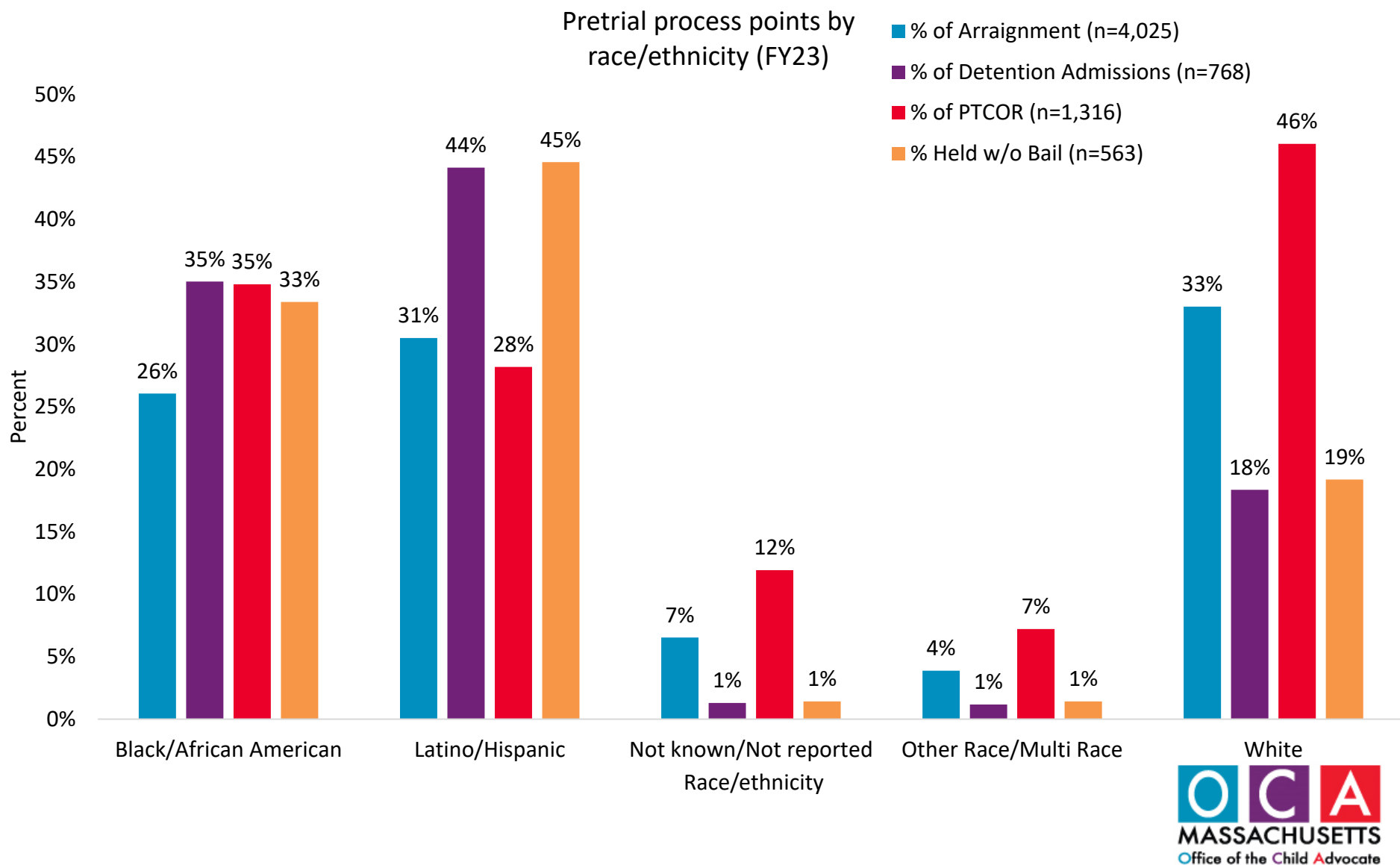


- What takeaways do you have?
- What questions do you have?

# **YOUTH HELD WITHOUT BAIL BY DEMOGRAPHICS & GEOGRAPHY**

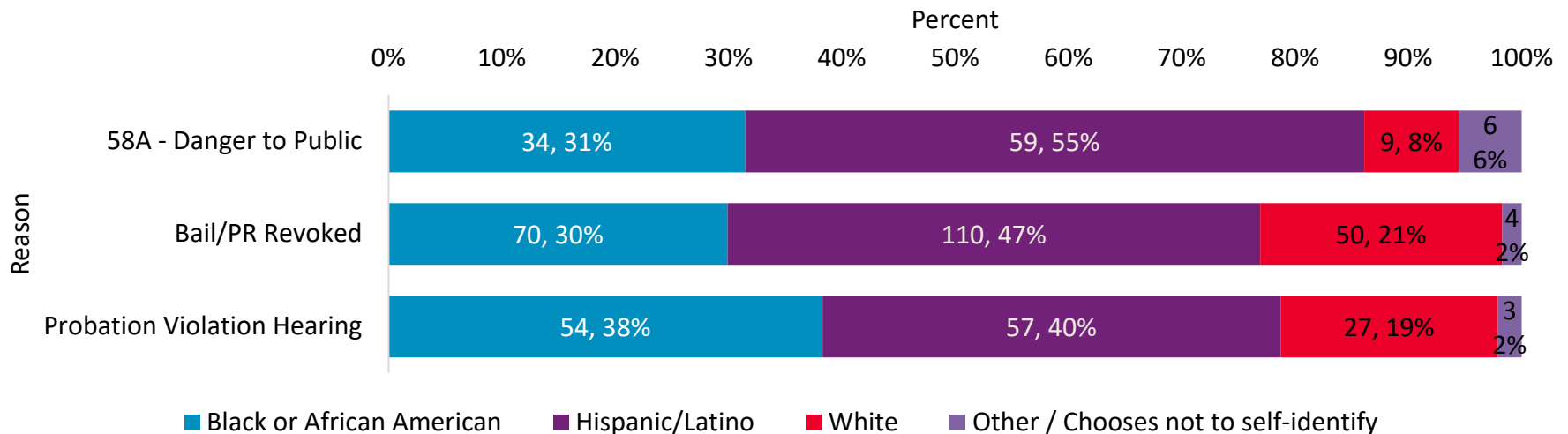


# Black and Latino youth are detained at higher rates than white youth, while white youth have higher rates of being released on COR

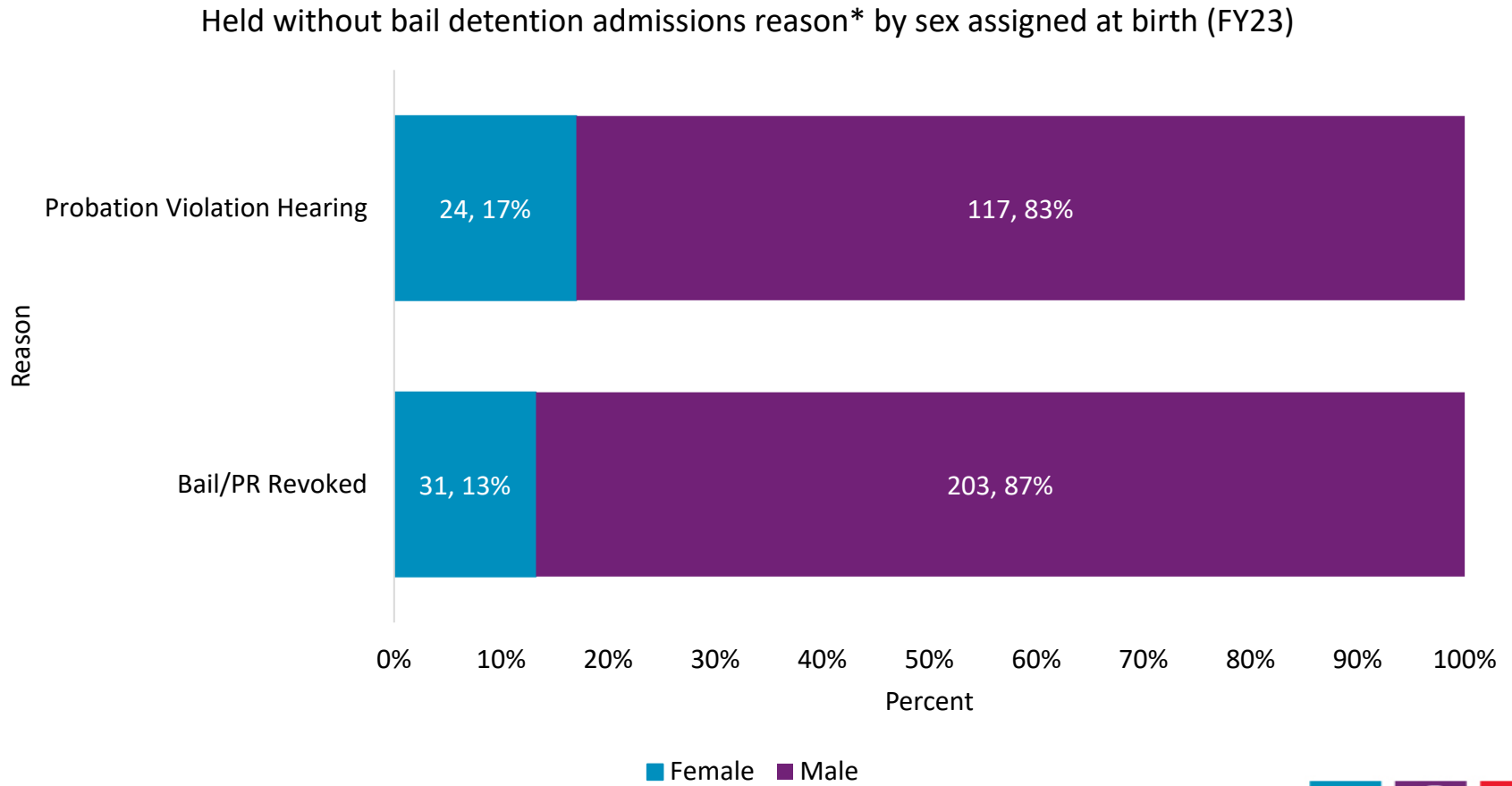


# About three-quarters of detention admissions for youth held without bail as a result of bail/PR being revoked are for Black or Latino youth

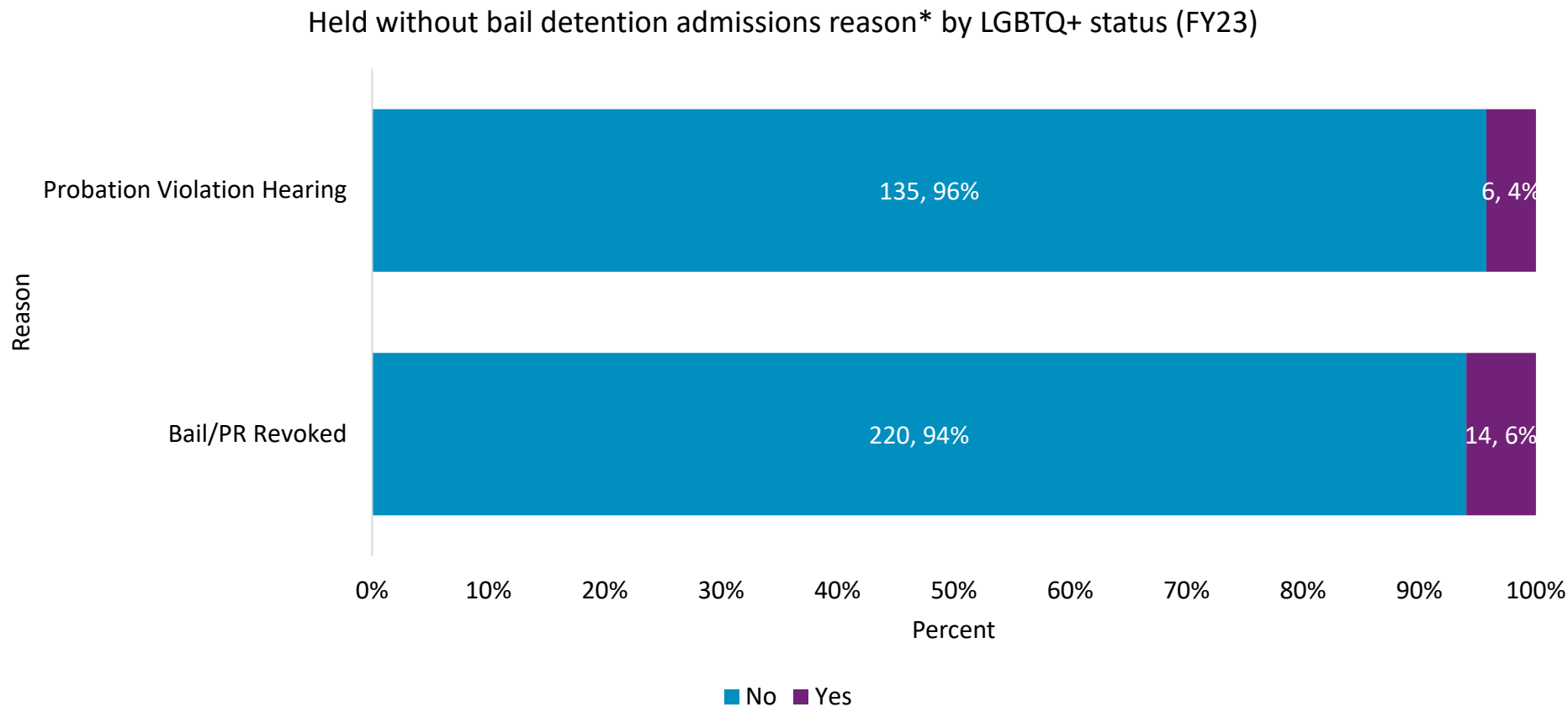
Held without bail detention admissions reason\* by race/ethnicity (FY23)



# Boys make up the majority of detention admissions for youth without bail as a result of bail/PR being revoked

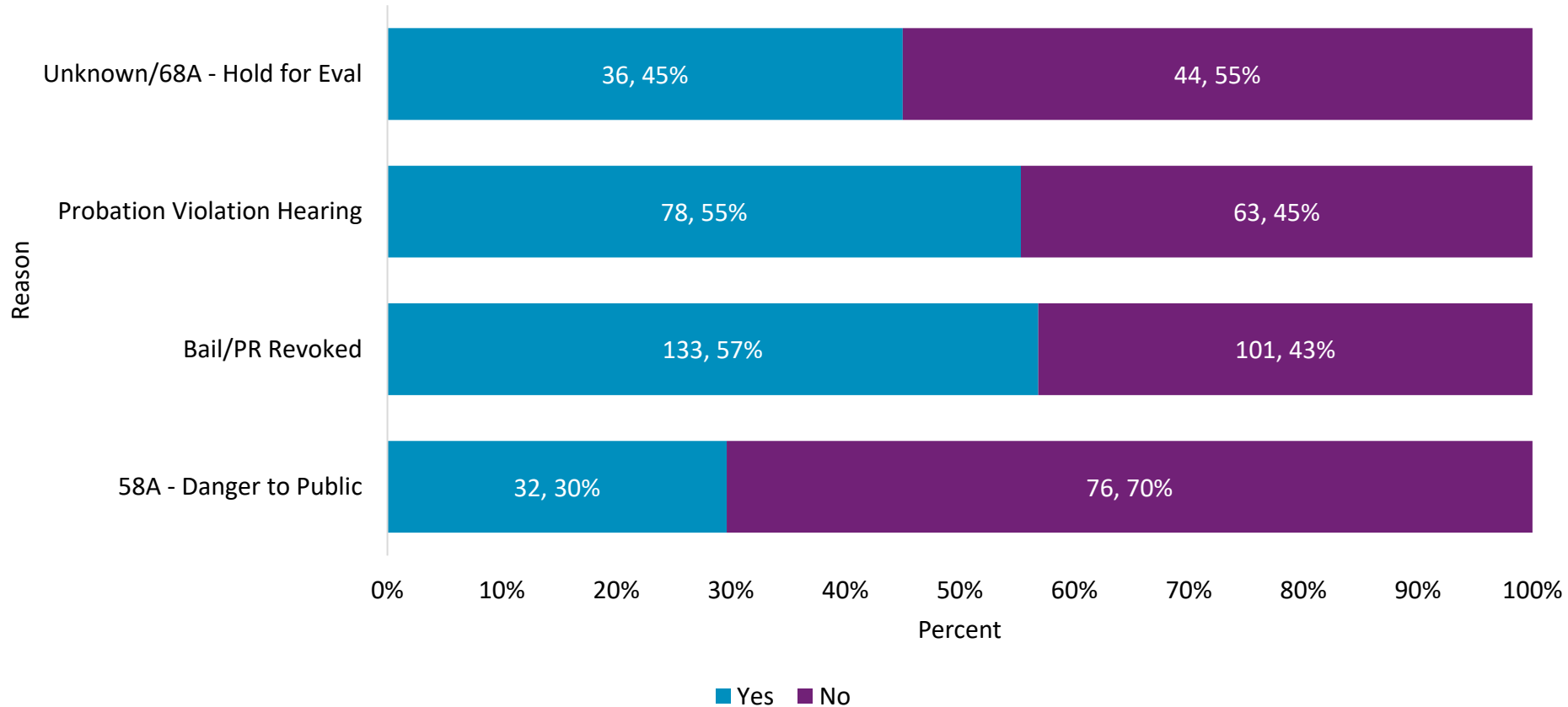


# Youth who identify as LGBTQ+ make up 6% of the detention admissions for youth held without bail as a result of bail/PR being revoked



# Youth with DCF involvement make up 57% of the detention admissions for youth held without bail as a result of bail/PR being revoked

Held without bail detention admissions reason by DCF involvement (FY23)



# Seven out of 11 counties hold youth without bail as a result of Bail/PR being revoked more frequently than any other reason

**Youth Detained Pretrial Without Bail Reasons by Sending Court County (FY23)**

Sending Court County	58A - Danger to Public	68A - Hold for Eval	Bail/PR Revoked	Probation Violation Hearing	Unknown	Total
Barnstable	*	*	32%	26%	23%	100%
Berkshire	*	*	89%	0%	0%	100%
Bristol	22%	0%	32%	*	32%	100%
Essex	25%	0%	48%	12%	14%	100%
Franklin/Hampshire	0%	0%	100%	0%	0%	100%
Hampden		0%	93%	0%	*	100%
Middlesex	38%	0%	50%	*	*	100%
Norfolk	*	*	29%	32%	25%	100%
Plymouth	*	0%	44%	26%	21%	100%
Suffolk	24%	0%	7%	49%	20%	100%
Worcester	24%		24%	47%	4%	100%
<b>Total</b>	17%	0%	42%	24%	12%	100%

\*Omitted due to cell suppression

# Data Summary:

## Youth Held W/O Bail as a Result of Bail/PR being Revoked

- 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 more than half 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



- What takeaways do you have?
- What other questions do you have?



# Discussion Questions

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

**What data-related questions do you still have in order to inform the goals of the Board's project?**

**What else should we be considering?**

## Project 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



# Data Takeaways

There has been a **substantial increase (both in number and percent) of arraigned cases resulting in a youth being monitored/supervised on conditions of release.** Many of the pretrial cases with COR do not require active supervision. Those that do require supervision at the local level.

The majority of youth detained pretrial are held without the opportunity of bail. Many youth were detained without bail **as a result of bail/PR being revoked.** The data shows that most youth detained as a result of bail/PR being revoked were so for **underlying lower-level offenses.**

A little more than a third of violations of probation (pre- and post-adjudication) are for **non-delinquency related reasons** which could be contributing to number of youth being detained as a result of bail/PR being revoked.

Youth held without bail as a result of bail/PR being revoked are more likely to be Black or Latino youth, boys and have DCF involvement at time of admission. At the same time, Black/AA youth are less likely to be released on COR than white youth.

There **is county variance** in the number of pretrial cases being supervised (Cat. B) at the local level and the amount of youth being detained as a result of bail/PR being revoked.

# **JJPAD Data Subcommittee: 2024 Work Plan**

# Data Subcommittee

July

- Pretrial data analysis (pt. 2: bail, ptp. as a dispo. and 58A hearings)
- *Annual data requests go out*

Early Fall

- Reviews analysis of dually- involved youth data deep dive and case file review

Late Fall

- FY24 Data Analysis

Winter

- 2024 Annual Report Data Review

# Next Meeting:

TBD

Please fill out the scheduling poll in the  
post-meeting email!



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

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