

Office of the Child Advocate
Juvenile Justice Policy and Data Board
Data Subcommittee Meeting Minutes
Friday, September 27, 2024
11:30 AM -1:00 PM
Meeting held virtually

Subcommittee Members or Designees Present:

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

OCA Staff:

Kristi Polizzano
Morgan Byrnes
Kerin Miller

Other Attendees:

Jason Lewis (DYS)
Kathleen Bitetti (OSA)
Omar Irizarry (DMH)
Jen Rocha (DYS)

Meeting Commenced: 11:03 AM

Welcome and Introductions:

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

Approval of May and July Meeting Minutes

Ms. Polizzano asked if anyone had questions or feedback regarding the May 15, 2024, and July 1, 2024, meeting minutes. Michael Ames and Kim Occhiuti voted in the affirmative. Joe

Mulhern, Dana Bernson, Rachel Wallack, Laura Miller, and Sana Fadel abstained. No one voted against the meeting minutes.

The May and July meeting minutes were approved.

Ms. Polizzano thanked members for their feedback on the draft data section of the Board's forthcoming Pretrial Phase Report. She noted that the feedback received focused on contextualizing the data.

Ms. Polizzano welcomed additional feedback on the report. Hearing none, she began presenting edits to the report.

Draft Data Section of the Board's Pretrial Phase Report: Edits & Discussion

Ms. Polizzano initiated review of each section, highlighting any major feedback received or edits made.

Ms. Polizzano began with the "Key Takeaways" section. She noted how the pandemic impacts the data as detailed in a footnote of the report. The larger report contains an entire section that speaks to the pandemic's impact. Ms. Polizzano provided an overview of the "Key Takeaways" and opened the floor for comment. None were raised.

Ms. Polizzano then moved on to introduce the process points detailed within the report. She pointed out the formatting checks and edits applied to the data chart on "Delinquency Arraignments." She also mentioned feedback received from members regarding the need to be consistent when comparing data points for youth who are detained versus youth who are not detained. Members discussed whether youth can be placed on pretrial probation as a disposition at an initial arraignment. While it is rare, members acknowledged that it is possible to be placed on pretrial probation as a disposition at an initial arraignment. Members agreed it made sense to pull the process point from estimated outcomes at this stage. OCA will make that edit.

Ms. Polizzano next presented the section regarding "Pretrial Conditions of Release." Members requested a language edit from "violation of probation" to "notices of violation of probation." Ms. Lempicki noted that MPS has begun to disaggregate pretrial from post-disposition violations of probation. Members also suggested that acronyms are clearly defined throughout the report.

Ms. Polizzano reviewed the "Youth Detained at Initial Arraignment" and "Youth Detained with Bail Set" sections. No further comments or edits were discussed.

Ms. Polizzano covered the section on "58A Dangerousness Hearings." Ms. Polizzano noted that members made suggested edits to include the fact that dangerousness hearings can result in being found not dangerous and released on conditions of release, found dangerous and

released on conditions of release, and/or found dangerous and detained. Members discussed how the report measures offense severity using a seven-tiered grid, aggregated into three levels: low, moderate, and high. These details are contained within a footnote.

Ms. Polizzano continued to the report “Findings.” She noted that the findings continue to take shape per stakeholder interviews and discussion with the CBI Subcommittee. “Finding 3” highlights the difference in practices between counties. Within this section, charts containing counts were edited to include percentages. Members recommended adding language that only probation cases with “category A” conditions are monitored by the pretrial unit.

Ms. Polizzano moved on to discuss “Finding 4” which identifies disparities in decisions at key pretrial process points. Ms. Polizzano noted edits received to the data definition of youth with DCF involvement. This definition is included in a footnote. Additional edits were made to clarify that a judge can remove cash bail requirements when a placement becomes available.

Ms. Polizzano opened the floor for discussion. Members clarified that there can be multiple violation notices without an outcome of a probation violation. Members also discussed how the reason for a pretrial detention admission without bail can be unknown. This data relies on accurate and complete form submission. The DYS representative reported that JDAI is currently working to clarify this data.

Ms. Polizzano asked for final comments, questions, or concerns about the subcommittee’s work. None were raised.

Concluding remarks:

Ms. Polizzano discussed the timeline of the Pretrial Report and the JJPAD Annual Report. In November, the subcommittee will meet to discuss the data section of the JJPAD Annual Report to prepare for report release in early 2025.

Adjournment: 12:06 PM