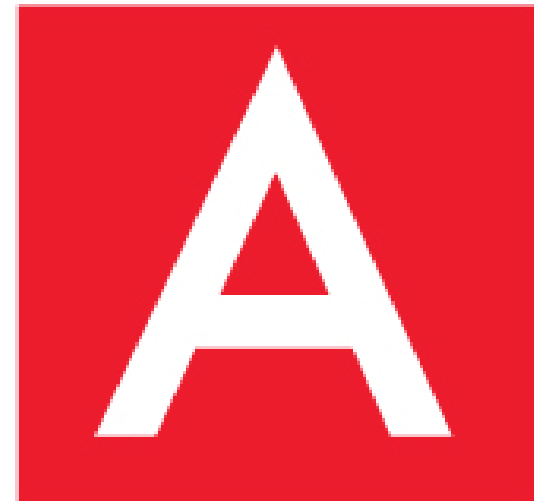
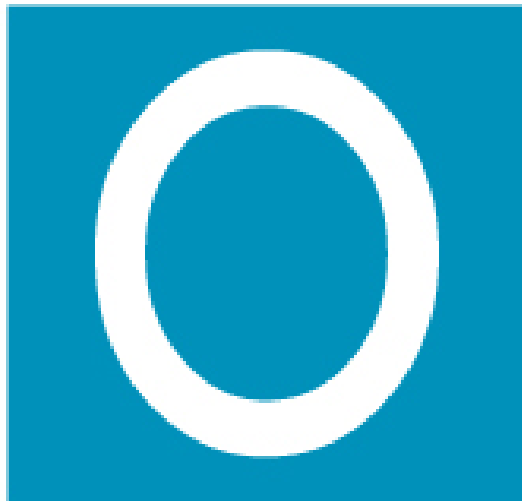


Massachusetts Juvenile Justice System Data

Presented By: The Office of the Child Advocate
Melissa Threadgill, Director of Strategic Innovation
Kristi Polizzano, Juvenile Justice Program Manager

Presentation Outline

- About the OCA & JJPAD
- FY21 juvenile justice system use
- Racial and ethnic disparities
- The impact of the 2018 Criminal Justice Reform Act
- The impact of COVID-19
- 2022 JJPAD Projects
- Q & A



MASSACHUSETTS

Office of the Child Advocate

The OCA is an independent state agency that serves children and families across the Commonwealth. Our goal is to ensure all children receive appropriate, timely and quality services. The OCA collects and analyzes data and makes recommendations to legislators and professionals to improve these services. We also take complaints and provide information to families who receive state services.

The Juvenile Justice Policy and Data Board (JJPAD)



Permanent commission created by the Legislature (2018).



Membership consists of representative of child-serving agencies from the Executive and Judicial Branches, members of the state House and Senate, advocacy organizations and parent representatives



Charged with evaluating juvenile justice system policies and procedures and making recommendations to improve outcomes



Collecting and reporting available aggregate juvenile justice system data



Studying the implementation of any statutory changes to the juvenile justice system



Making recommendations for any statutory changes to improve juvenile justice system

JJPAD Priorities

1

Improving
Aggregate Data
Collection and
Reporting

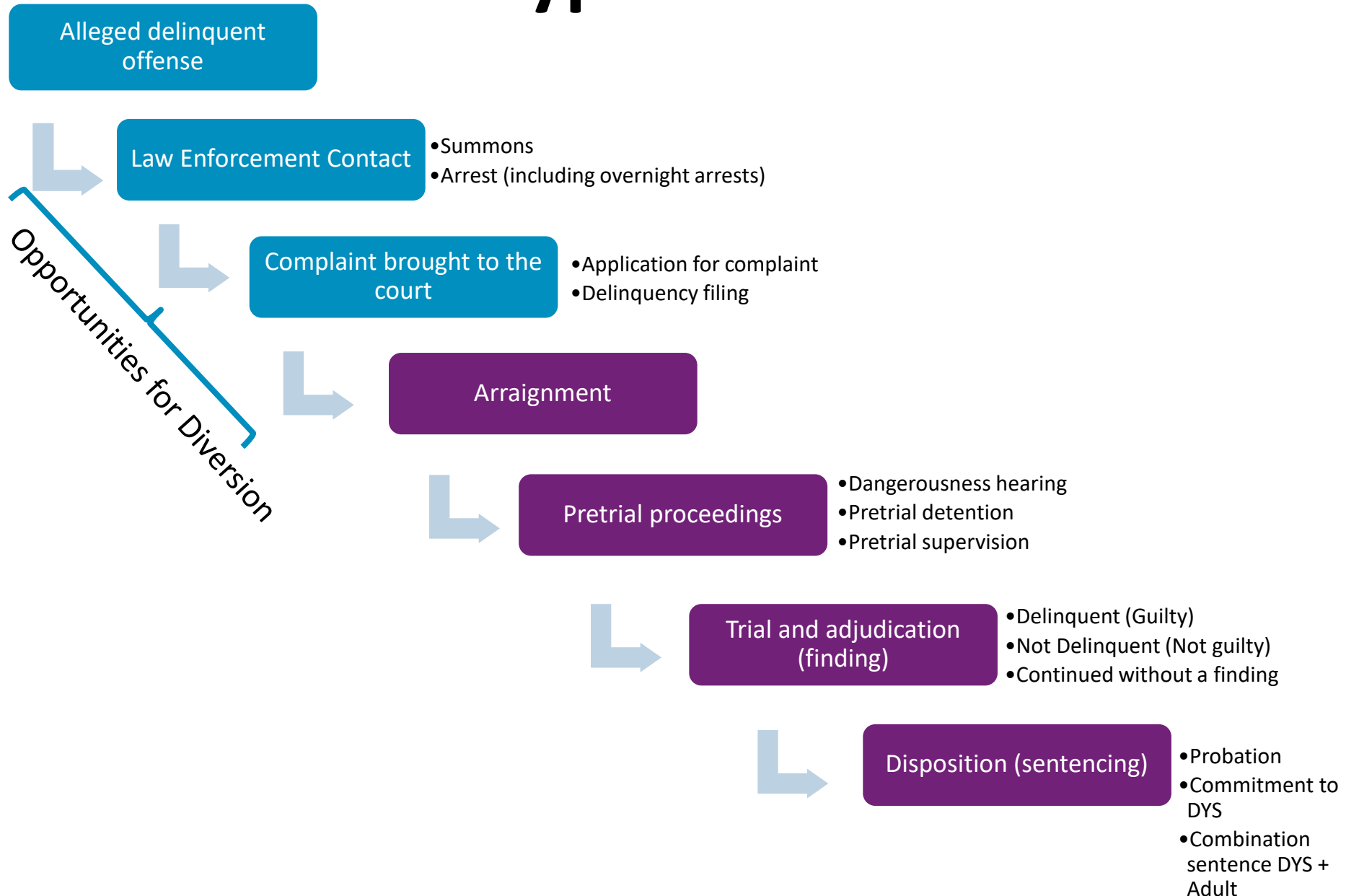
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Expanding and
Improving
Community Based
Interventions

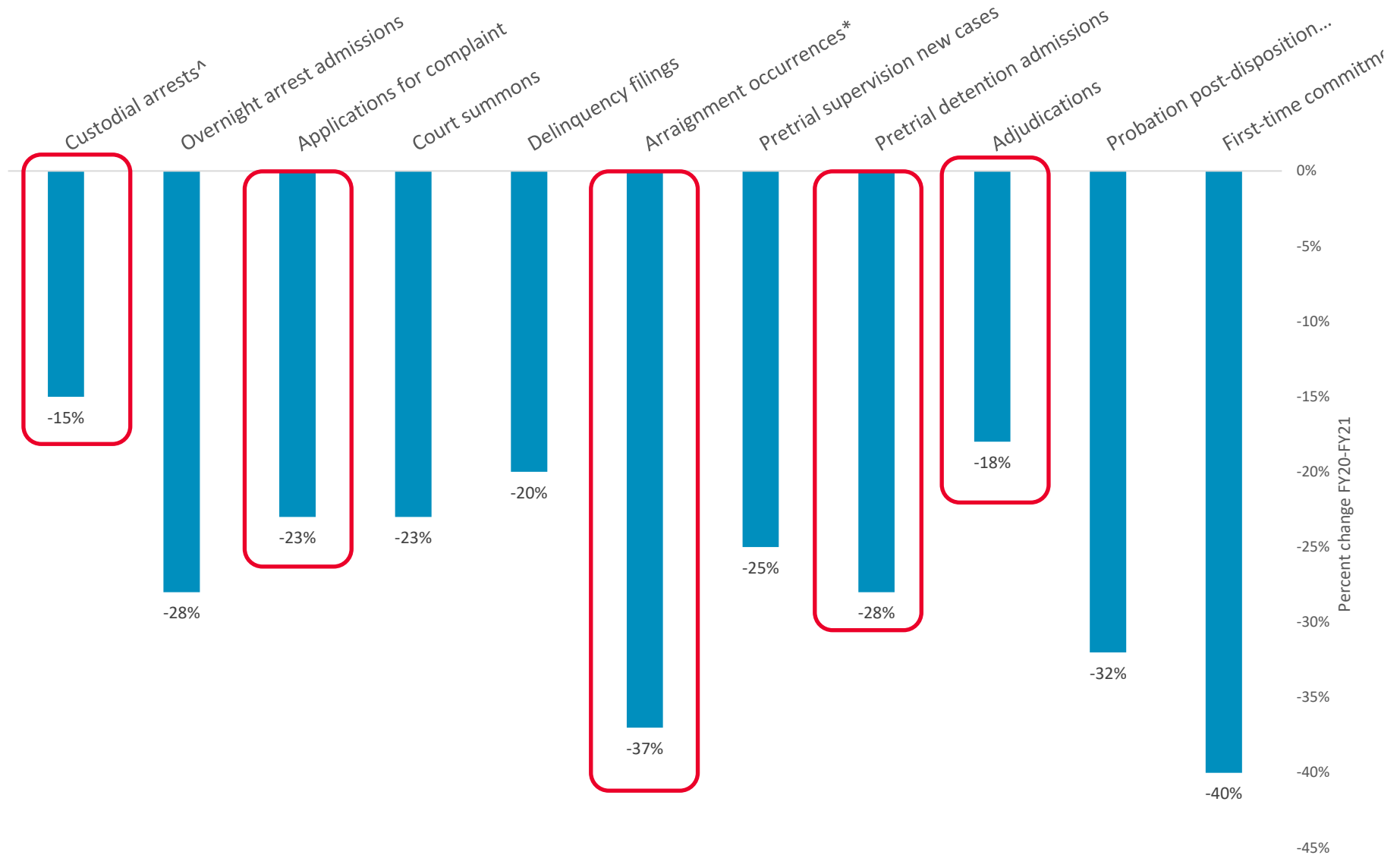
3

Identifying
Impacts of
Statutory Changes

The “Typical” Process



There was a decrease in use of the juvenile justice system at each stage in FY21 compared to FY20



Youth may be involved with the juvenile justice system for a variety of offense types

Person

- Assault and battery
- Home invasion
- Carjacking
- Robbery

Property

- Larceny
- Unarmed burglary
- Arson
- Breaking and entering
- Shoplifting

Motor Vehicle

- Receiving stolen motor vehicle
- Operating a motor vehicle with suspended license
- Reckless operation of motor vehicle

Weapons

- Carrying a dangerous weapon
- Possession of a firearm without license

Drug/Alcohol

- Possession of Class A or B drugs
- Distributing drugs or possession with intent to distribute
- Possession of alcohol under age 21

Public Order

- Disorderly conduct

Offense types can be classified based on the severity of the offense

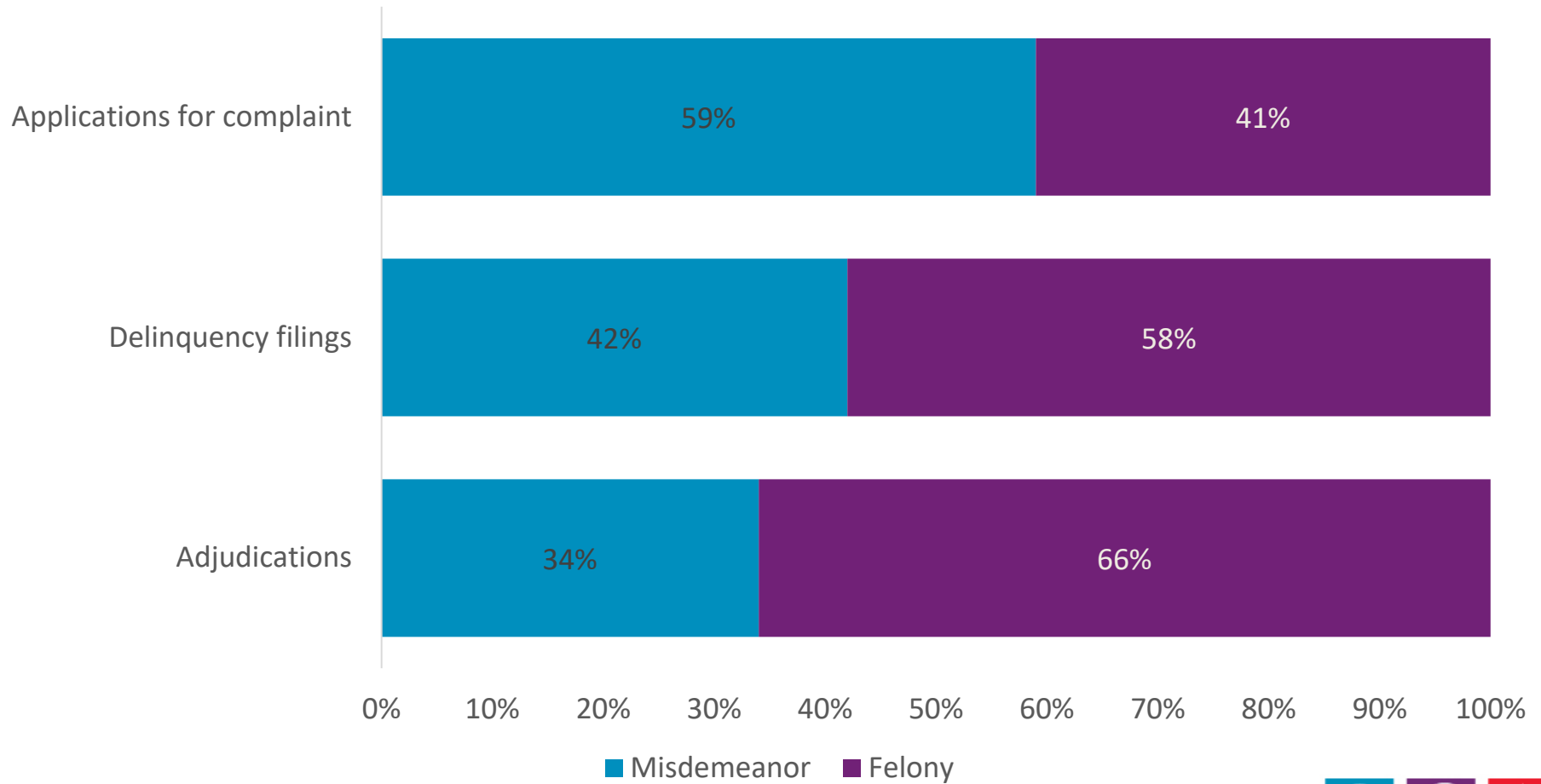
Misdemeanor

- Relatively lower severity offense types

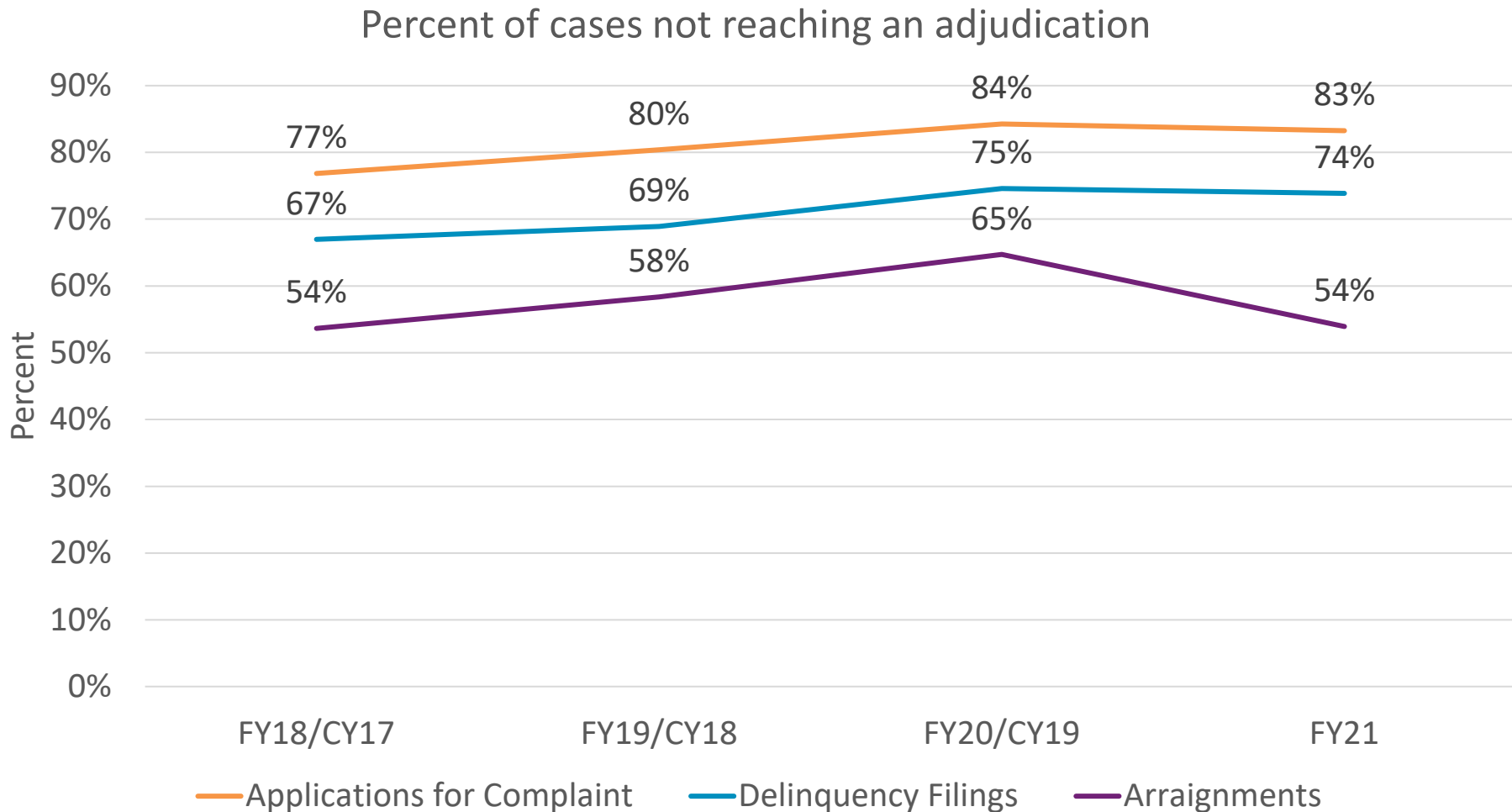
Felony

- Relatively more serious offense types

A significant portion of FY21 cases are for misdemeanors and lower-level offenses

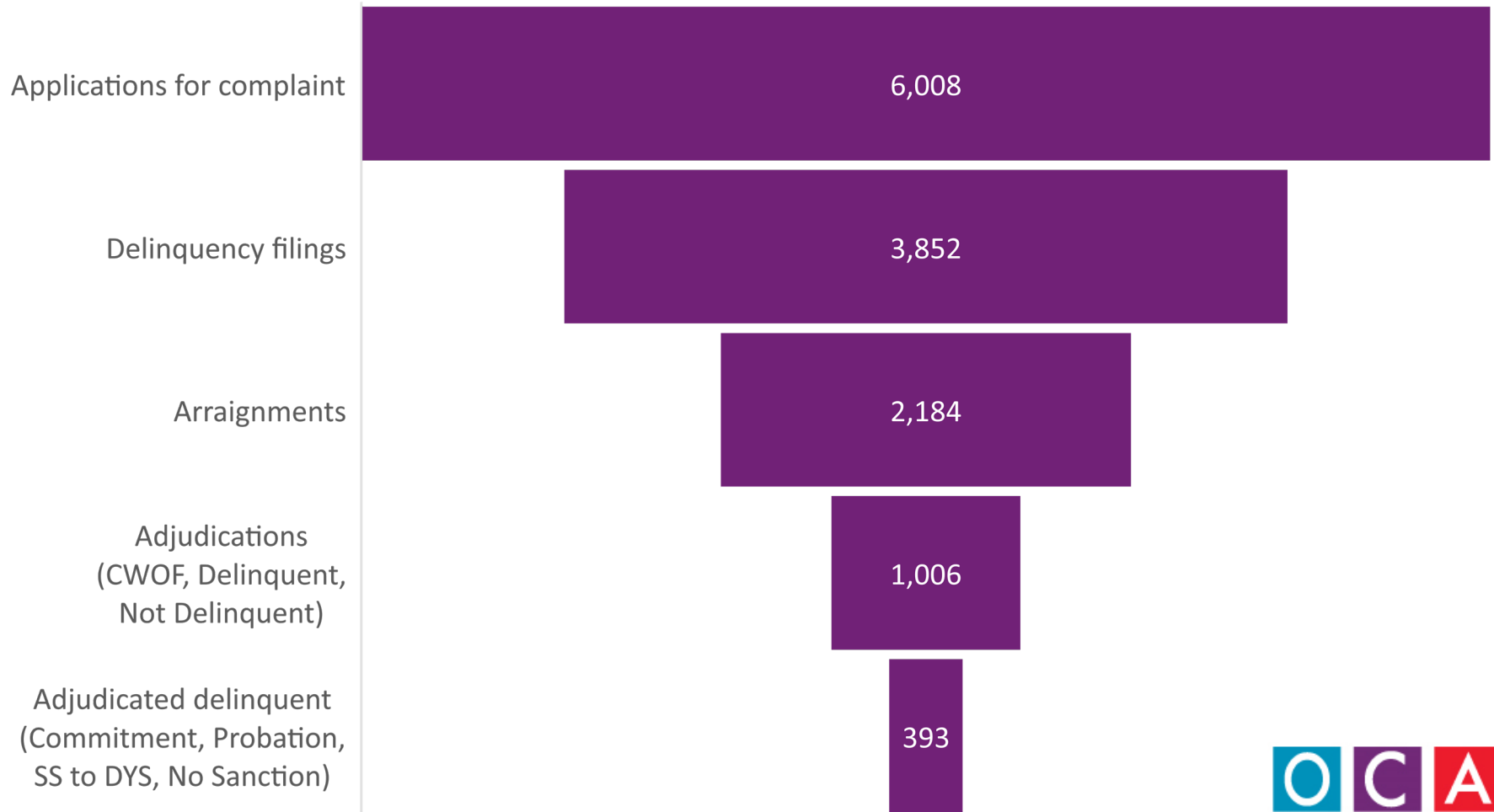


Of the cases that enter the juvenile justice system, most are dismissed/diverted before they reach an adjudication



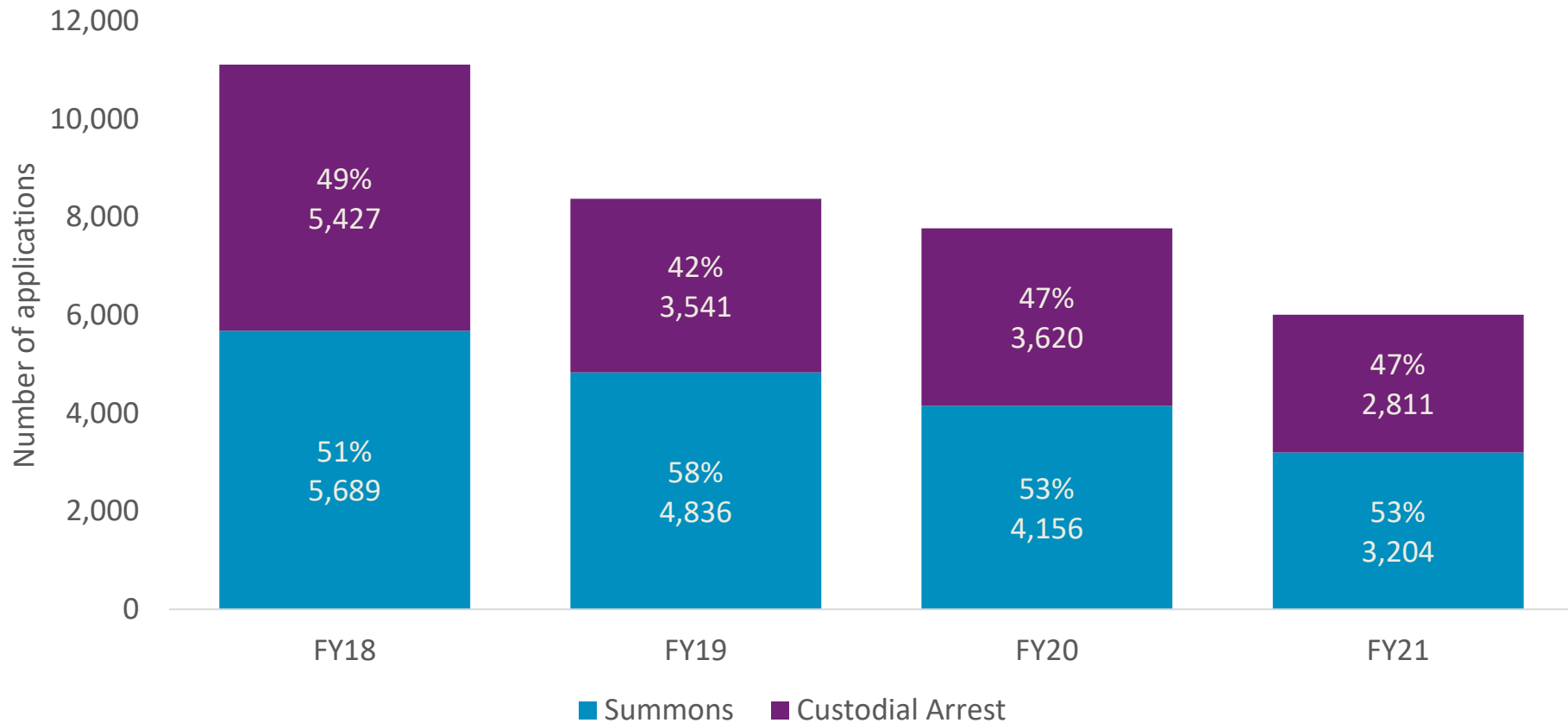
A higher rate of case dismissals/diversion mean fewer youth reaching “deep end” of system

FY21 Juvenile Justice System Use

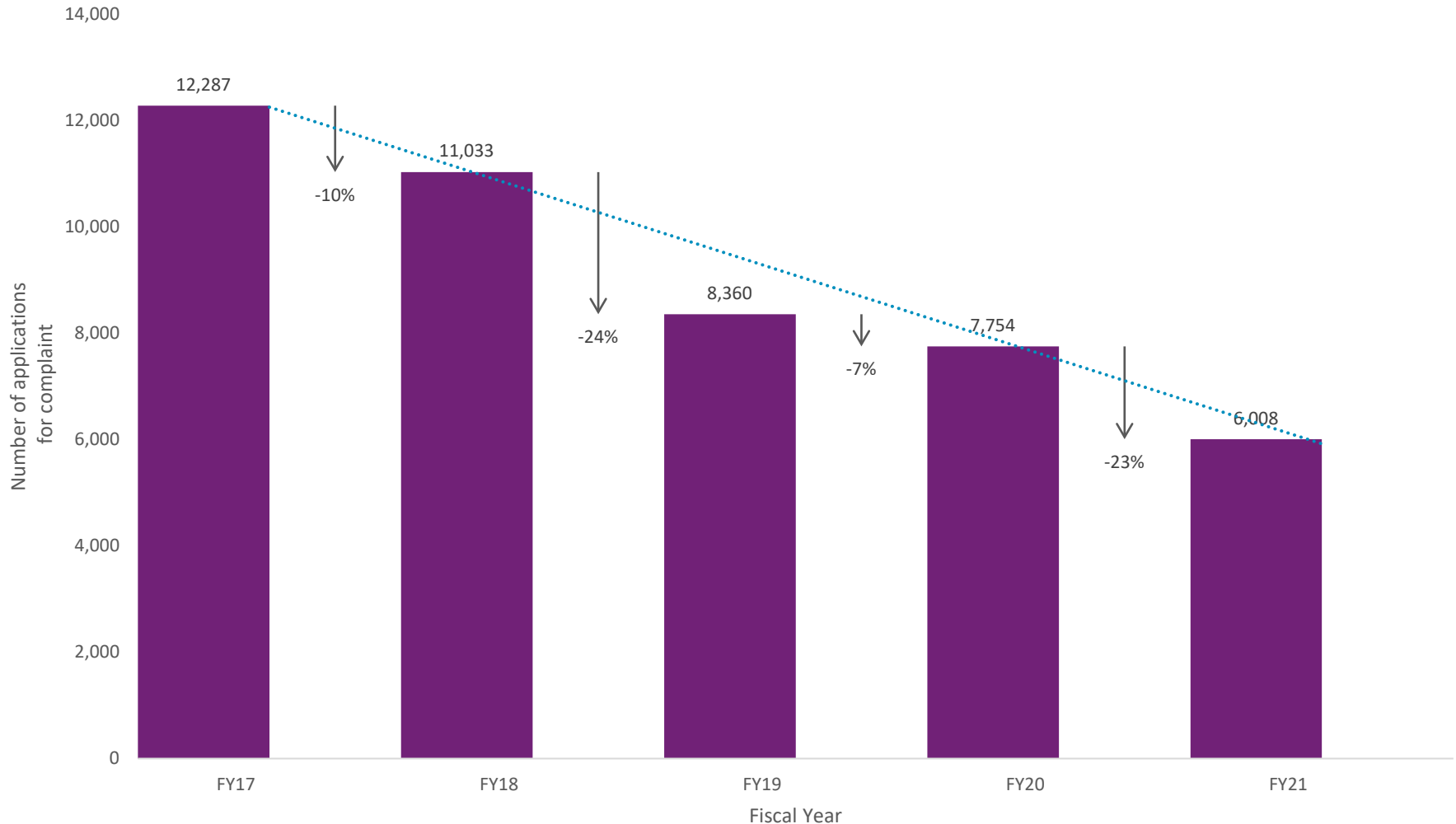


Police have made fewer arrests and issued fewer court summons each year over the past 5+ years

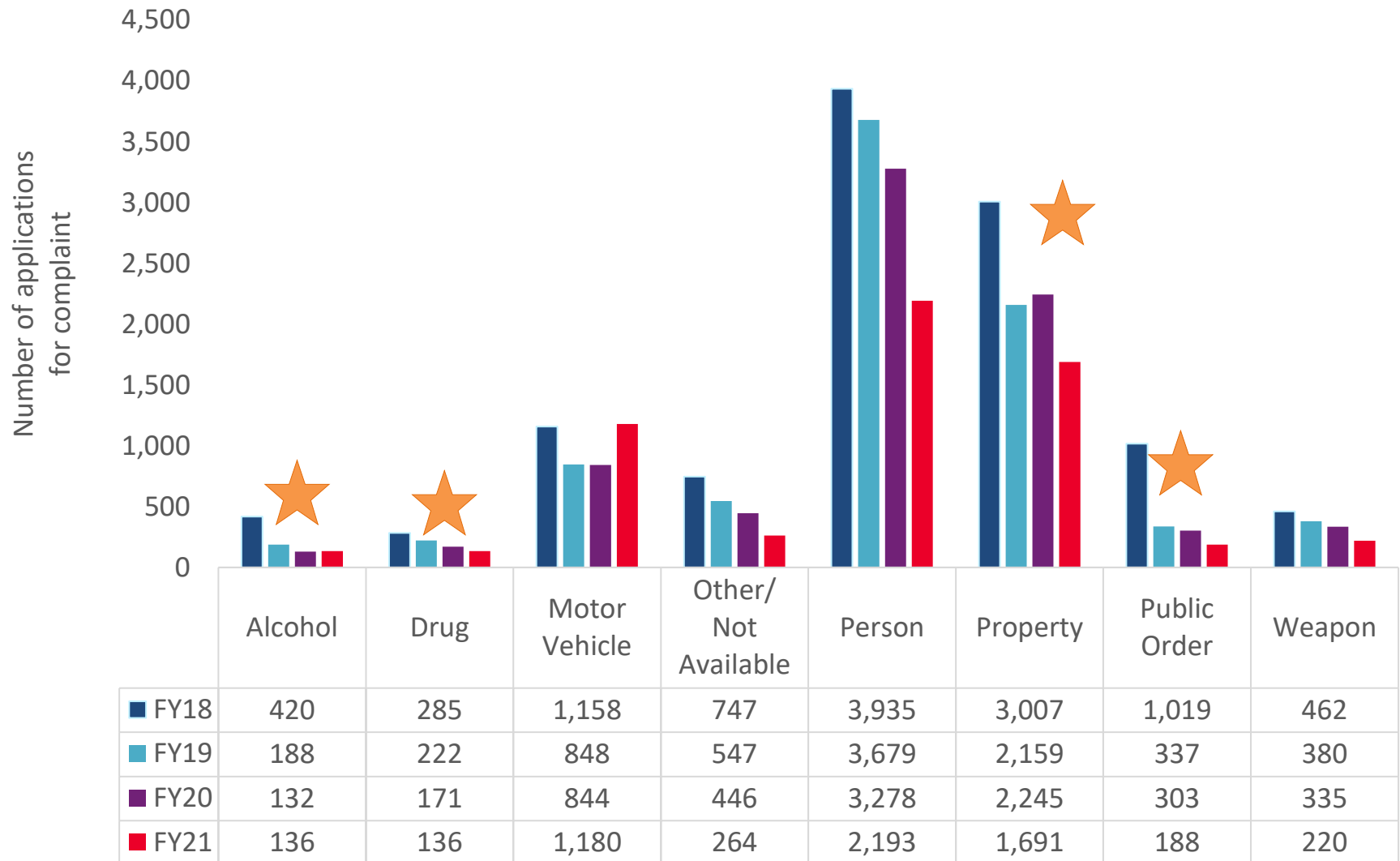
Applications by Case Initiation



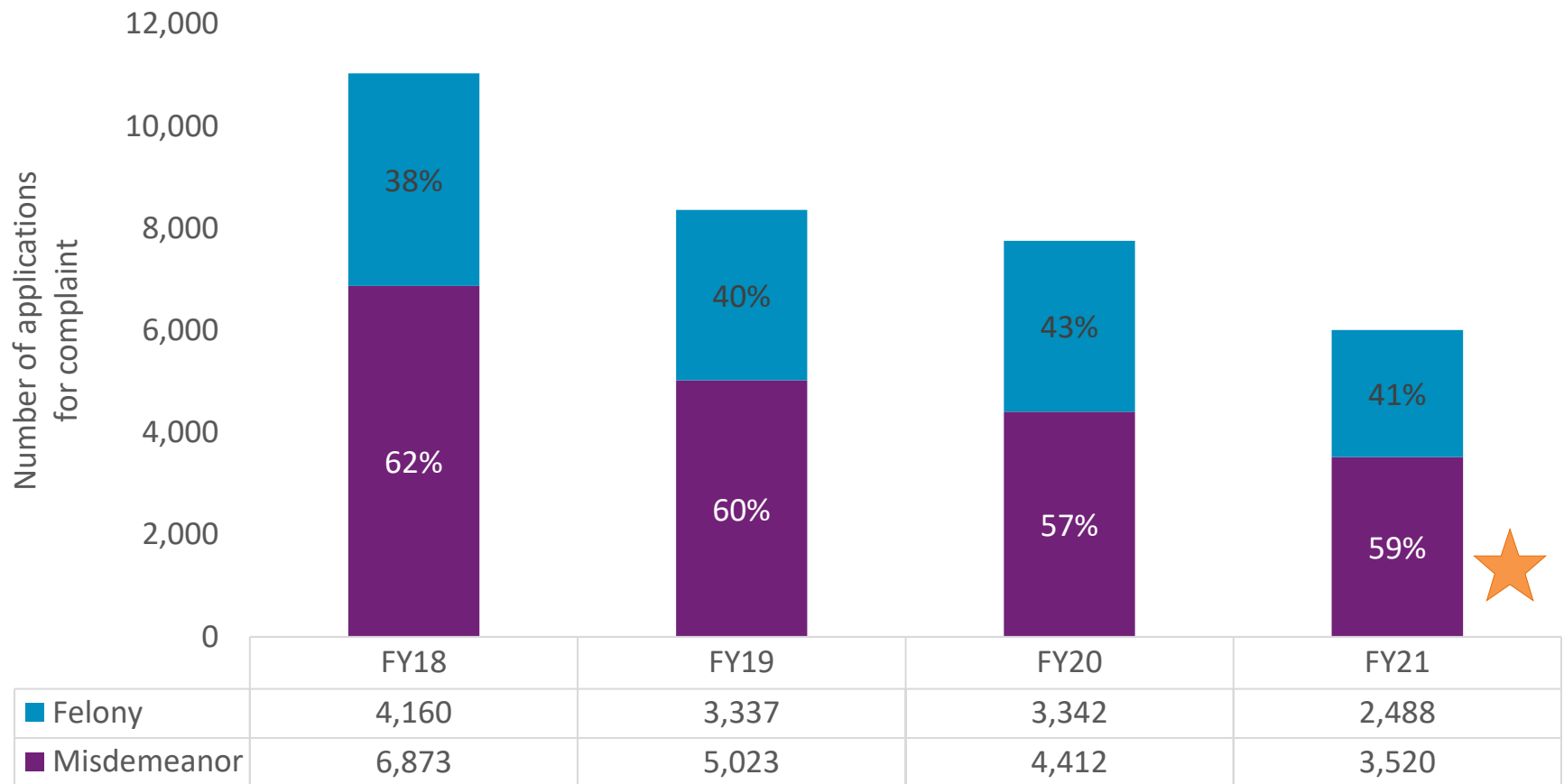
Leading to a decrease in applications for delinquency complaint – the point at which the Juvenile Court process begins



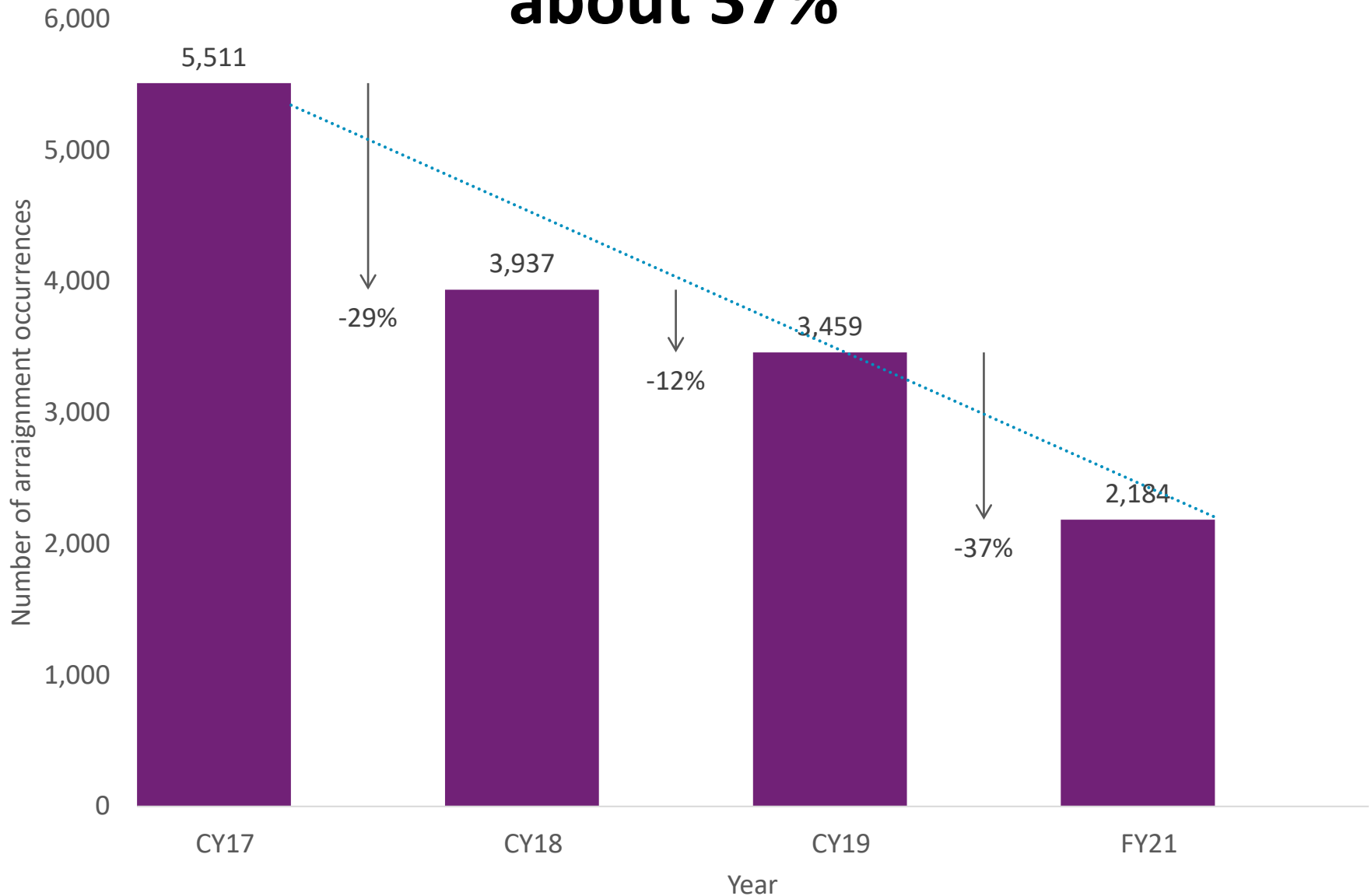
Complaint applications are down across most offense types



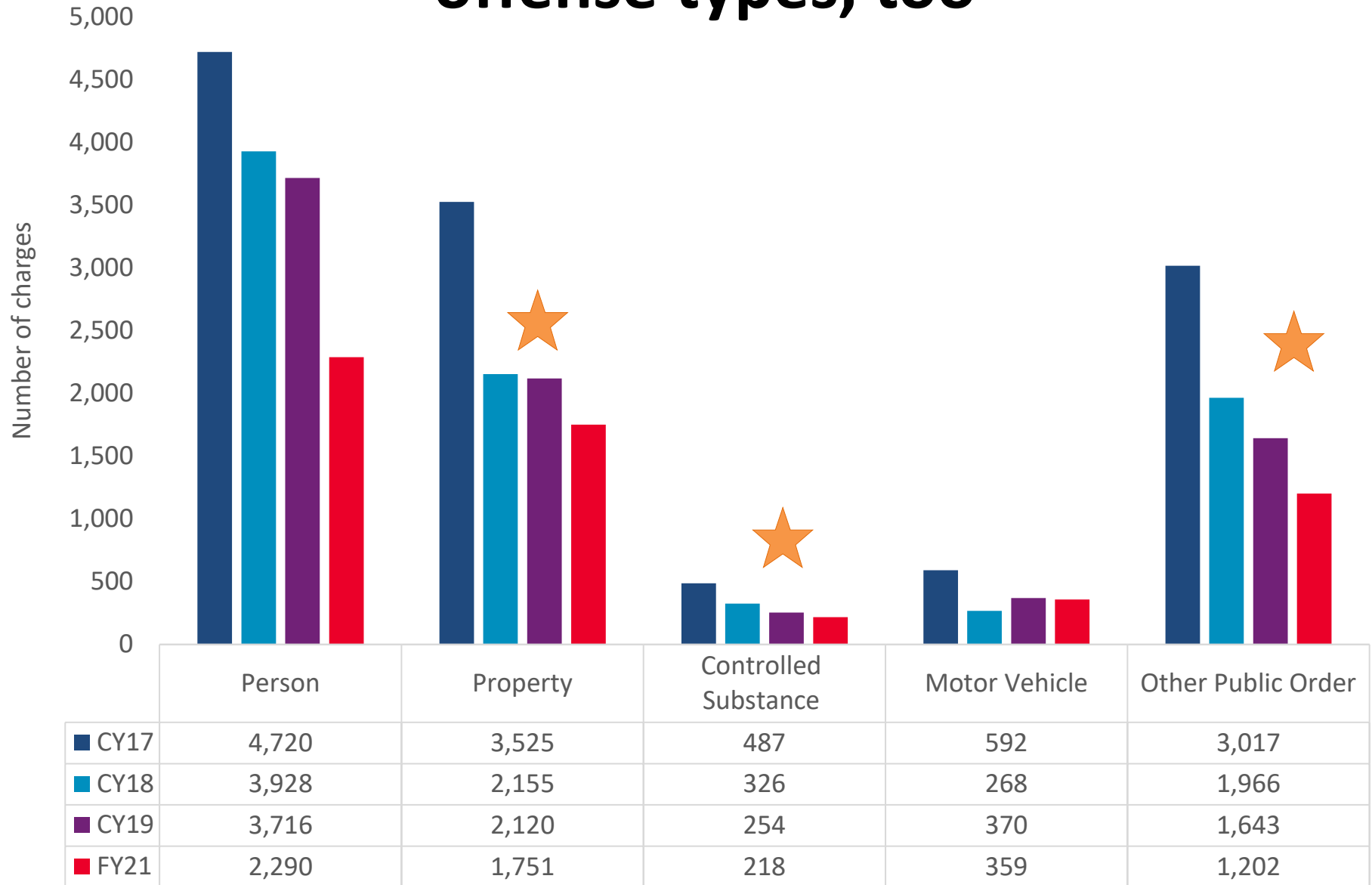
Misdemeanors made up more than half of all complaint applications



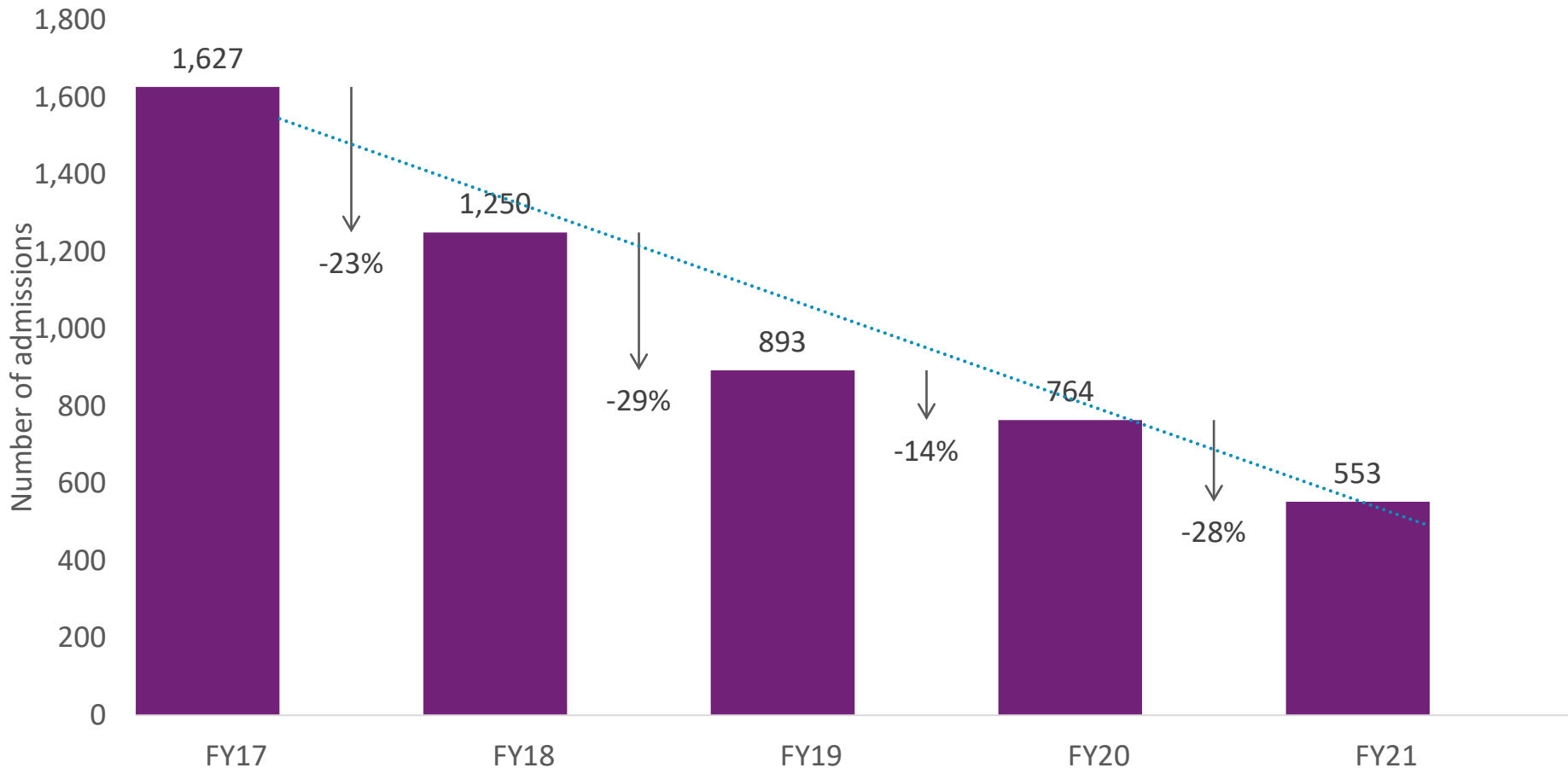
The number of arraignments declined about 37%



Arraignments are down across offense types, too

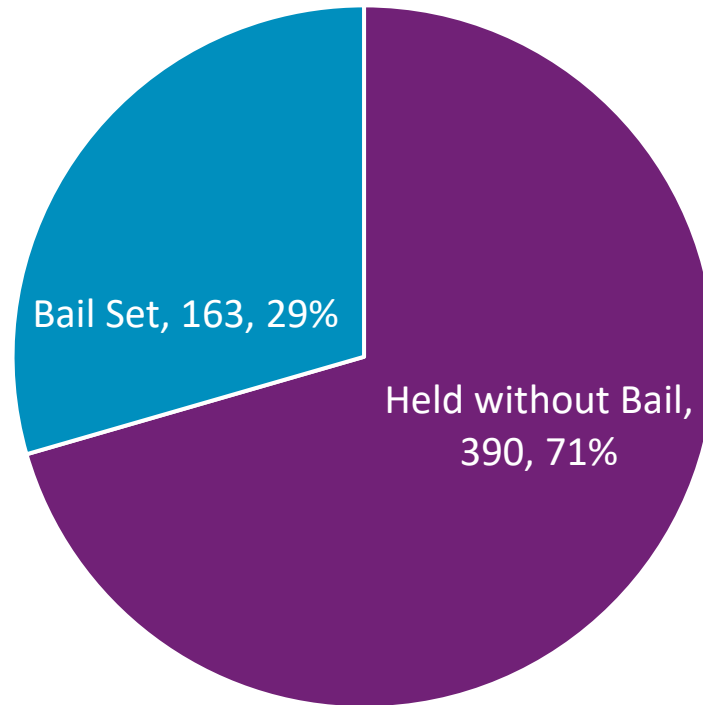


Youth were admitted to pretrial detention 553 times



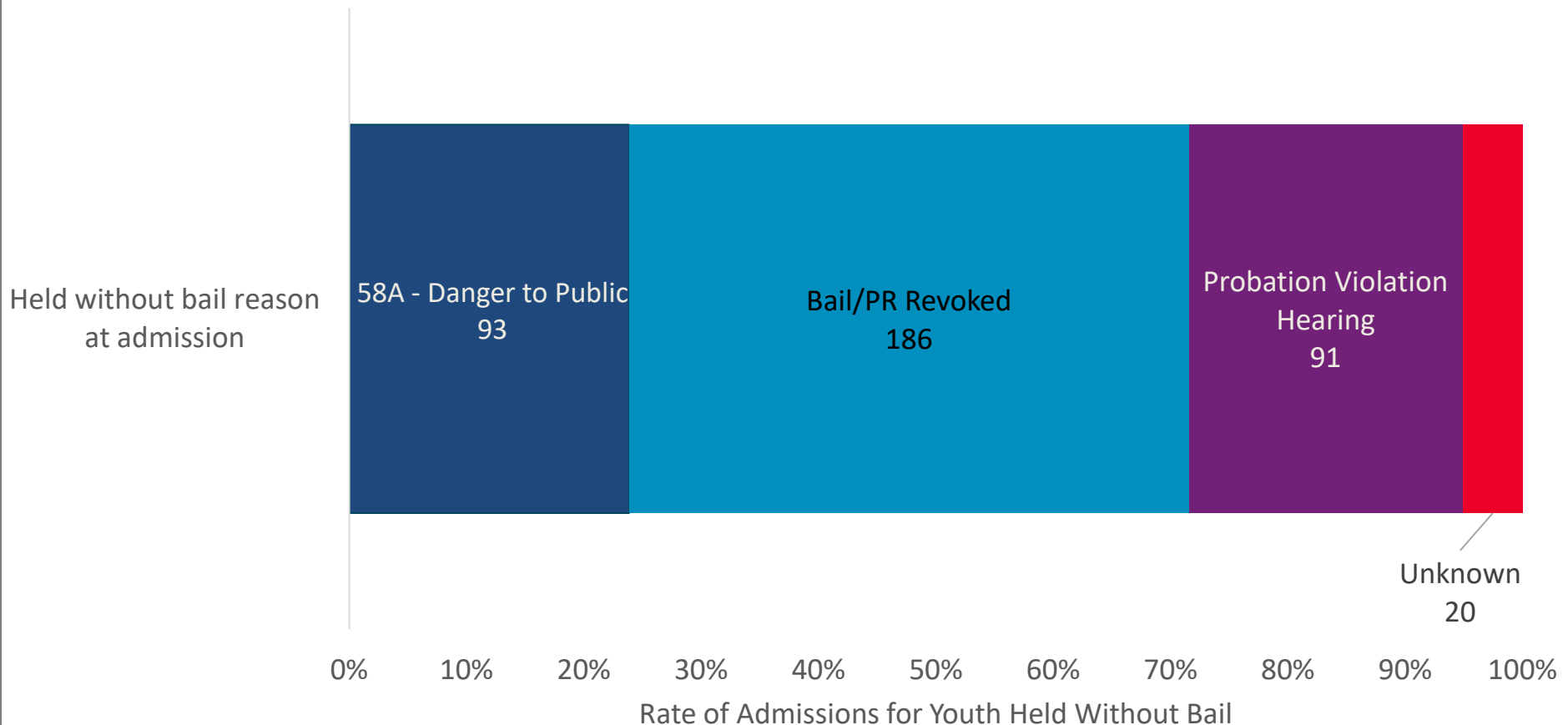
Youth were held without bail 71% (n=390) of the time

FY21 Detention Admissions



For youth held without the opportunity for bail, most were held because they violated bail requirements

FY21 Detention Admissions

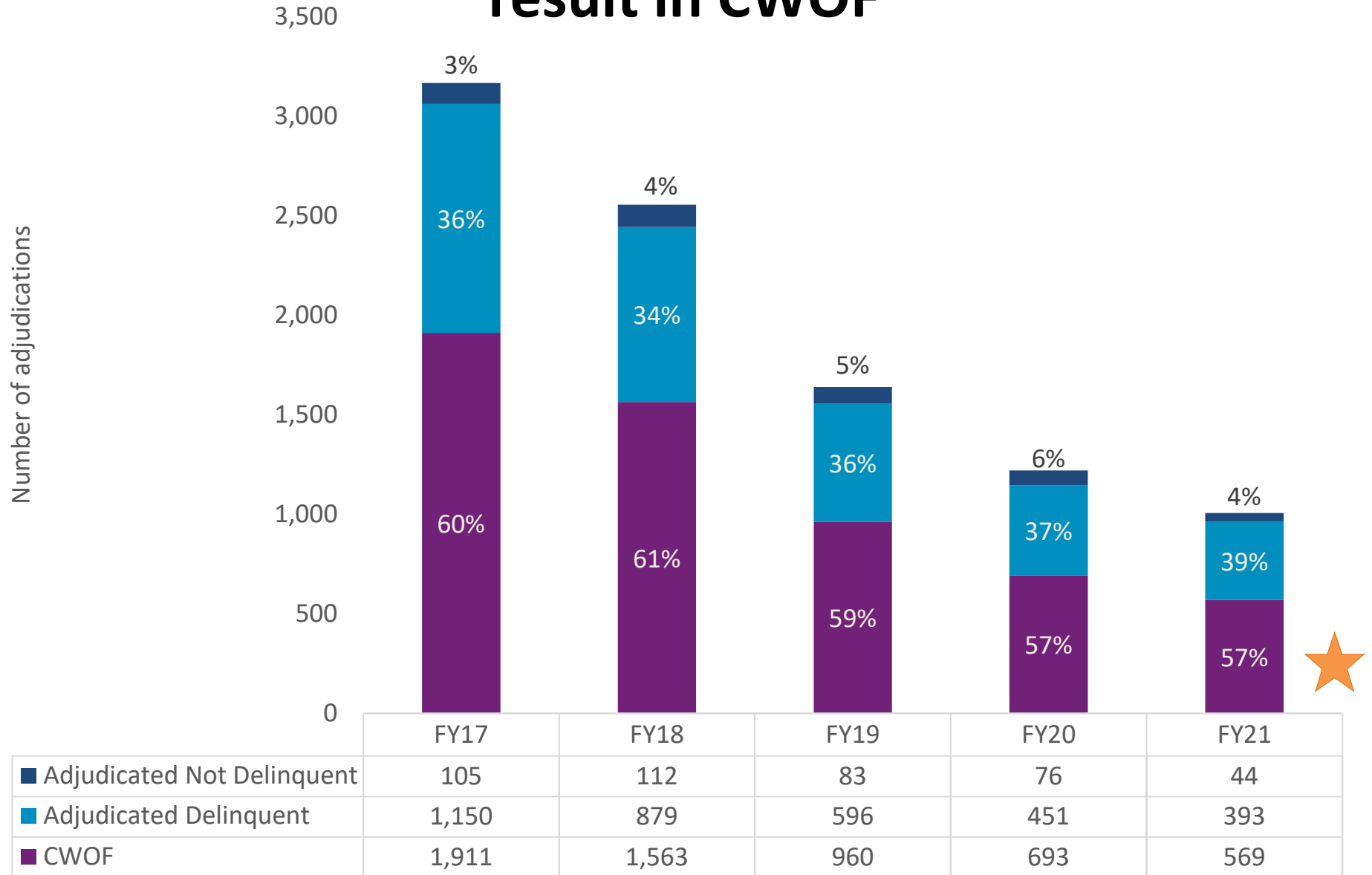


Most youth had bail set below \$100 or above \$10,000

FY21 Detention Admissions

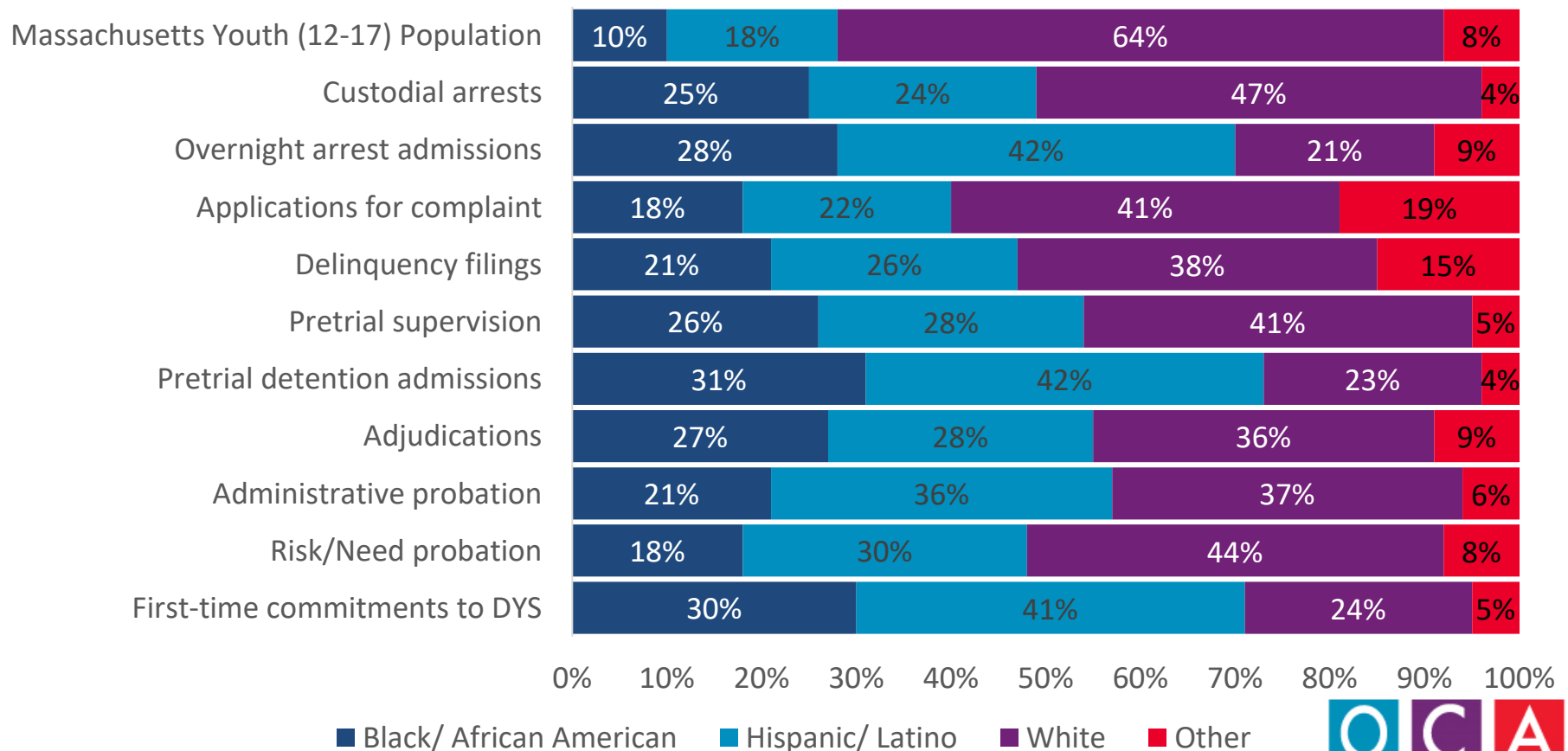


Adjudications declined 18%; most cases still result in CWOFF



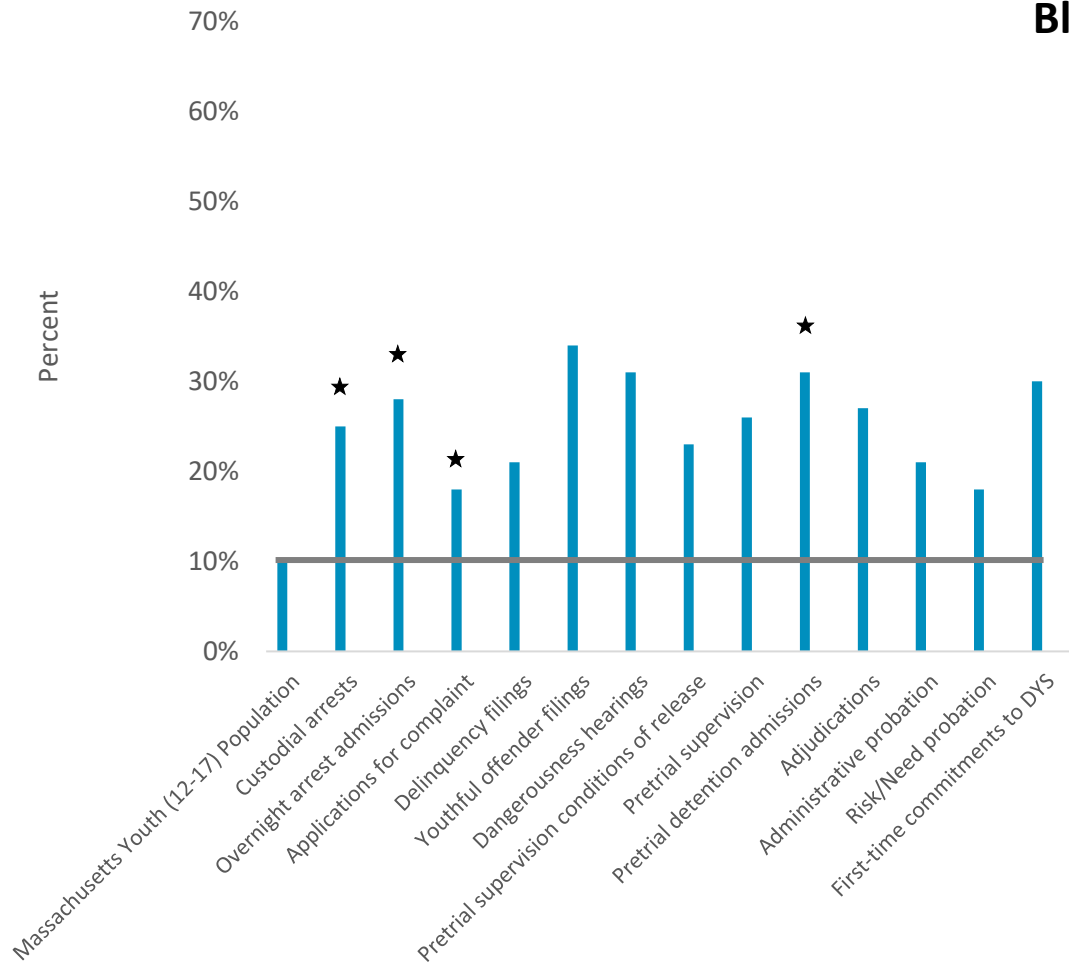
Racial and ethnic disparities remain a significant problem in our Juvenile Justice system

Percentage of Youth at Each Juvenile Justice Process Point by Race/Ethnicity (FY21)



Black/African American youth are overrepresented

FY21 Racial Distribution by Process Point

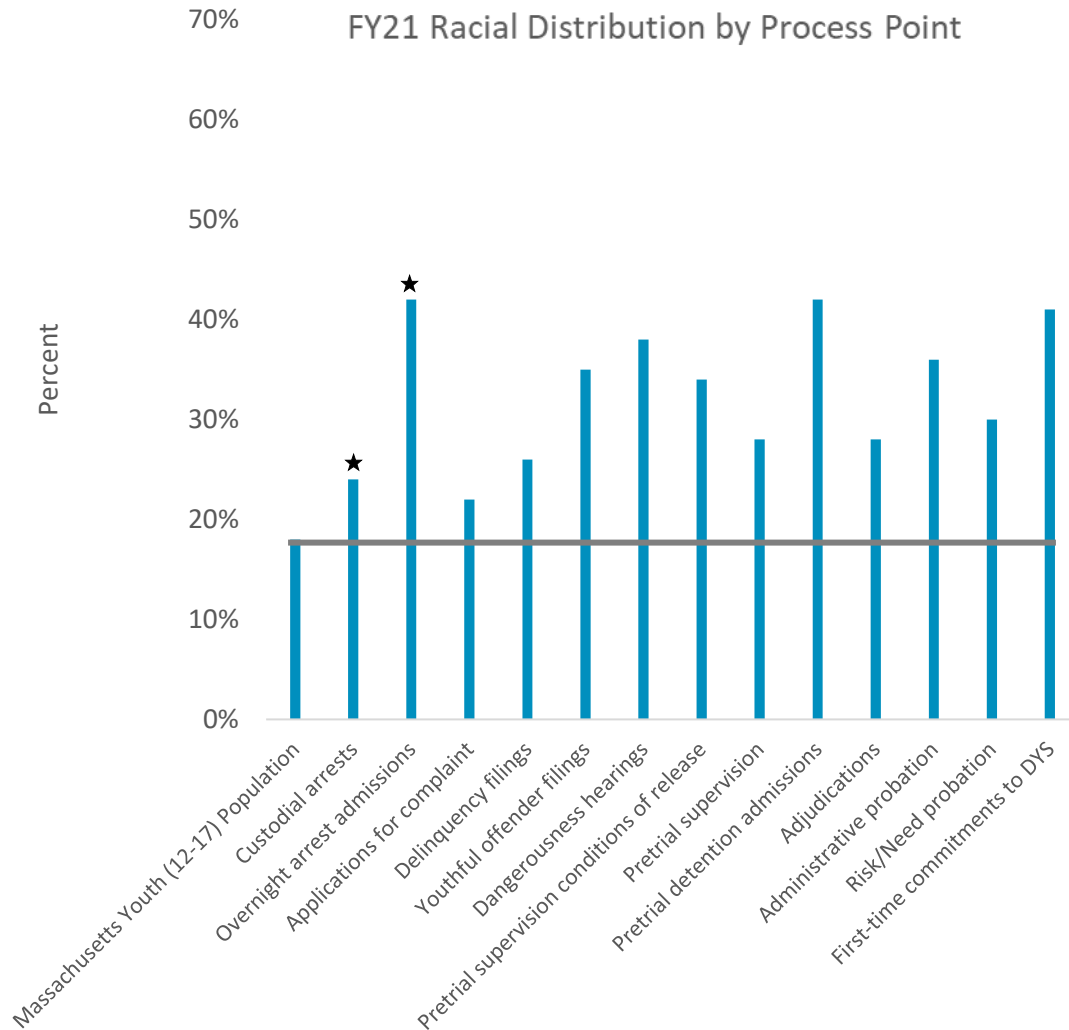


**Compared to white youth,
Black/African American youth were:**

- over 3 times more likely to be arrested (a custodial arrest)
- almost 9 times more likely to be admitted for an overnight arrest
- almost 3 times more likely to be the subject of an application for complaint
- almost 3 times more likely to be detained pretrial

Hispanic/Latino Youth are overrepresented

FY21 Racial Distribution by Process Point



Compared to white youth, Hispanic/Latino youth were:

- almost 2 times more likely to experience a custodial arrest
- over 7 times more likely to be admitted on an overnight arrest

Recap of Major Data Findings from 2021 Annual Report

- 1 Massachusetts continues to use the juvenile justice system less
- 2 Of the cases that enter the juvenile justice system, most are dismissed/diverted before they reach an adjudication
- 3 *Person & Property* offenses account for most of the FY21 cases
- 4 A significant portion of cases are for *misdemeanors* and *lower-level* offenses
- 5 There are still opportunities to divert more youth
- 6 Racial and ethnic disparities remain a significant problem in our juvenile justice system

Policy Changes in the 2018 Criminal Justice Reform Act (CJRA)

Goal of law was to reduce the “**number of incidents resulting from children’s unlawful or problematic behavior [resulting] in a response from the juvenile justice system**”



Raise the age from 7 to 12



Removal of Juvenile Court jurisdiction for first-time, lower-level offenses



Allowed judicial diversion pre-arraignment

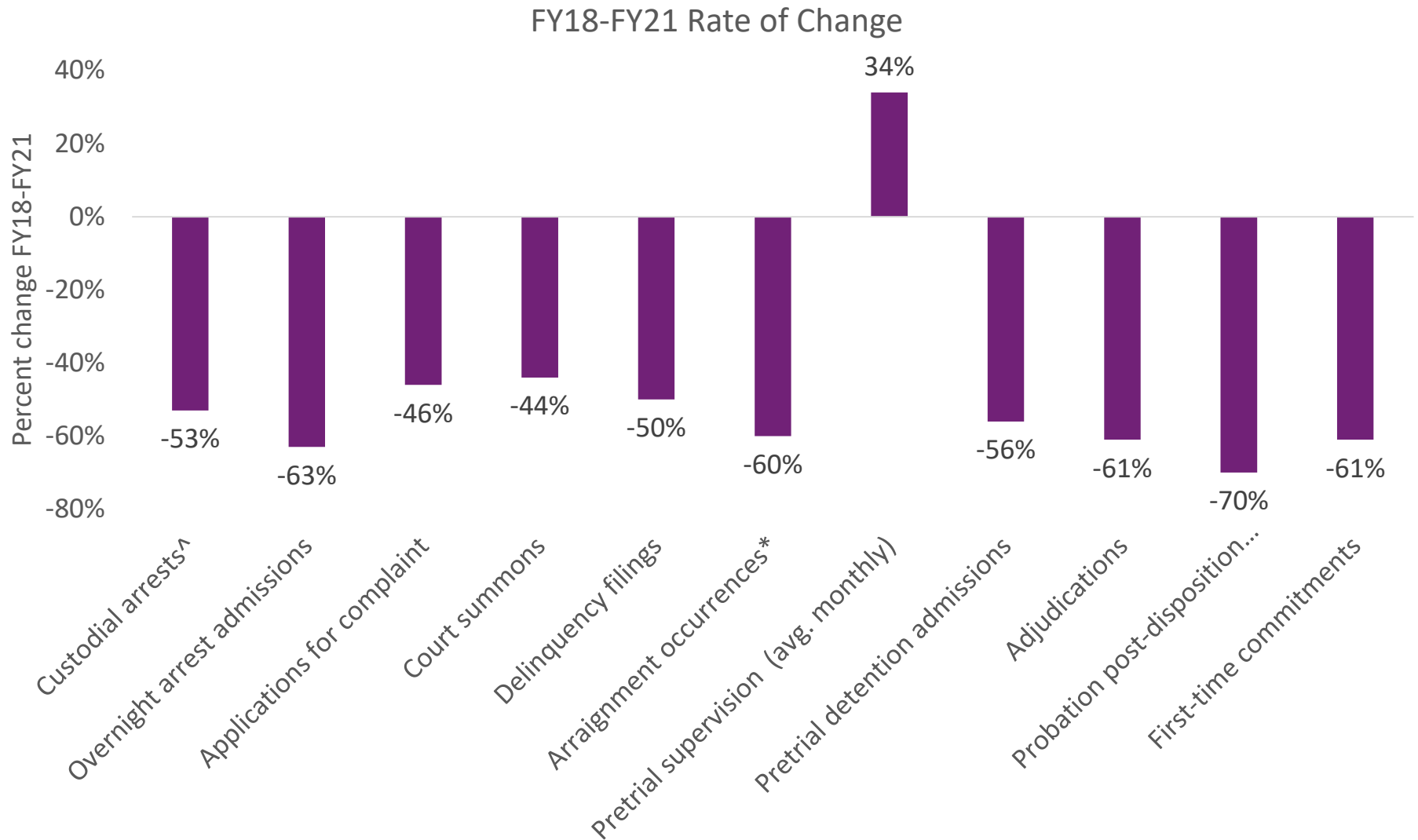


New requirements for SRO’s, police and school districts

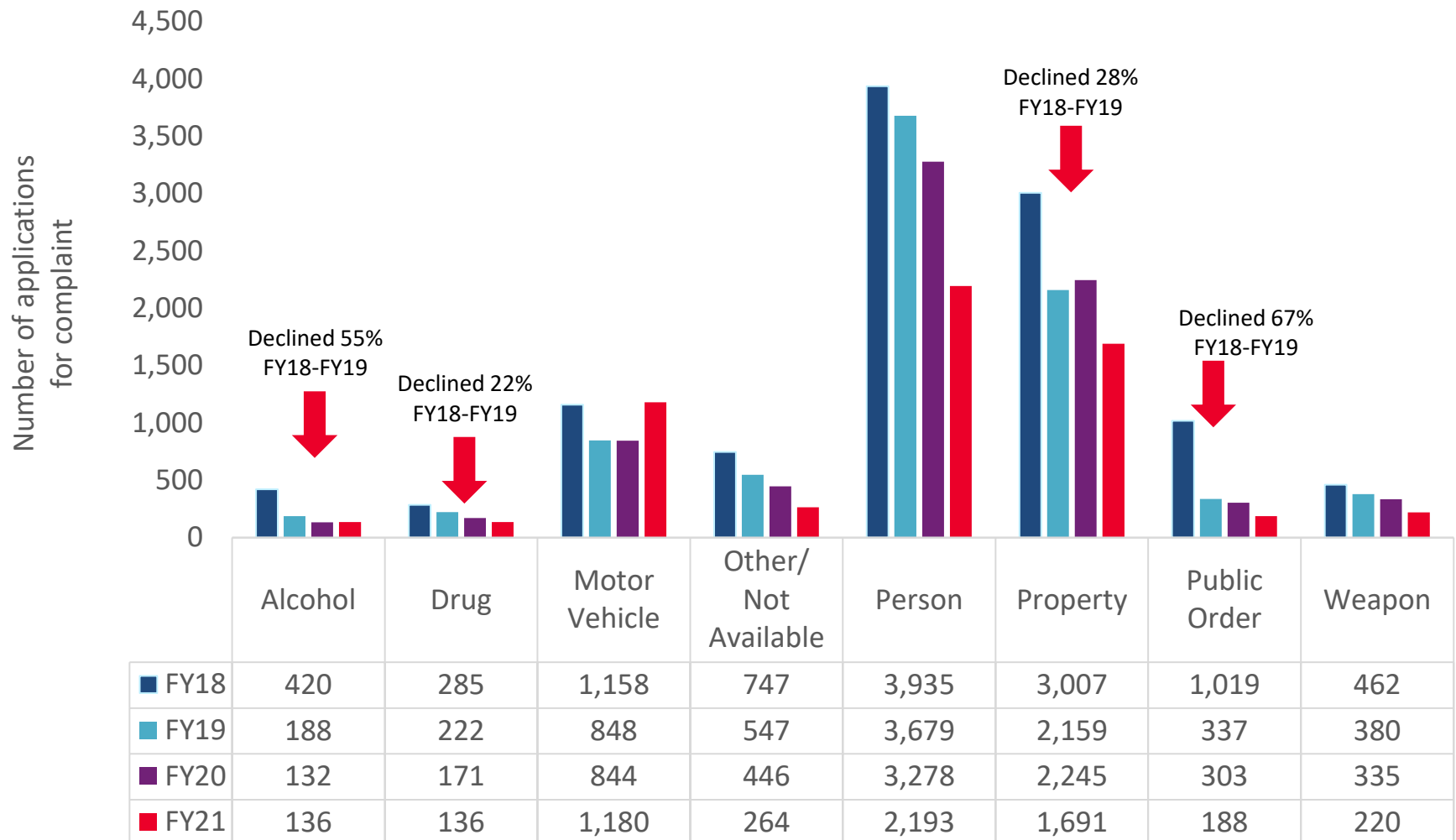


Revising juvenile overnight arrest lock-up procedures

Size of juvenile justice system in MA cut roughly in half from FY18 to FY21



Biggest declines in first year after passage of CJRB, focused in certain offense types



What impact did the COVID-19 pandemic have on the juvenile justice system?

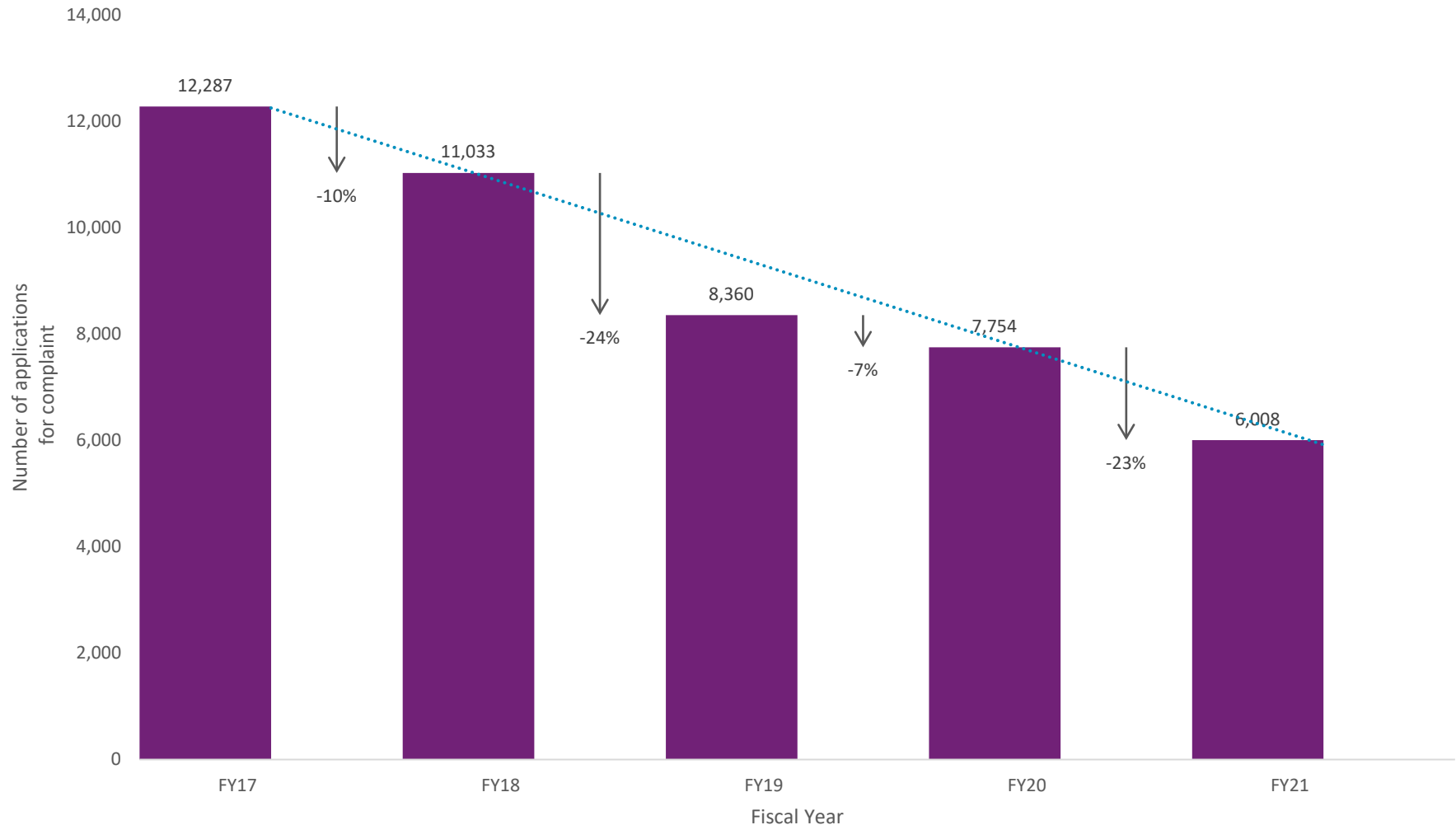
Shifts in youth behavior

- Changes in circumstances (e.g., limited contact with peers) that are tied to decreased likelihood of delinquent behavior → **likely contributed to the decrease in youth entering system**

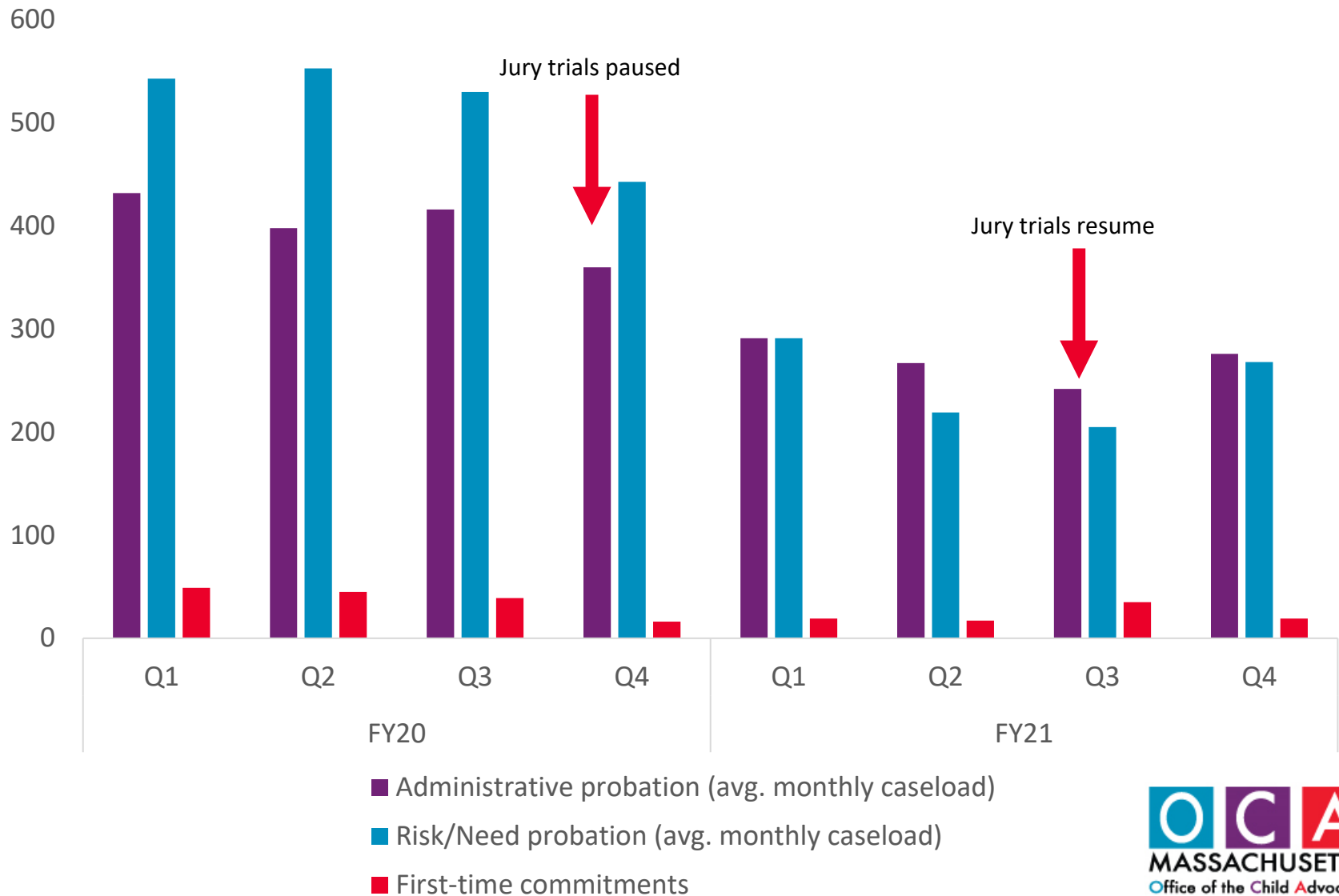
Changes in JJ system practice

- **Policy/practice shifts to limit youth contact** with the juvenile justice system, especially custodial settings

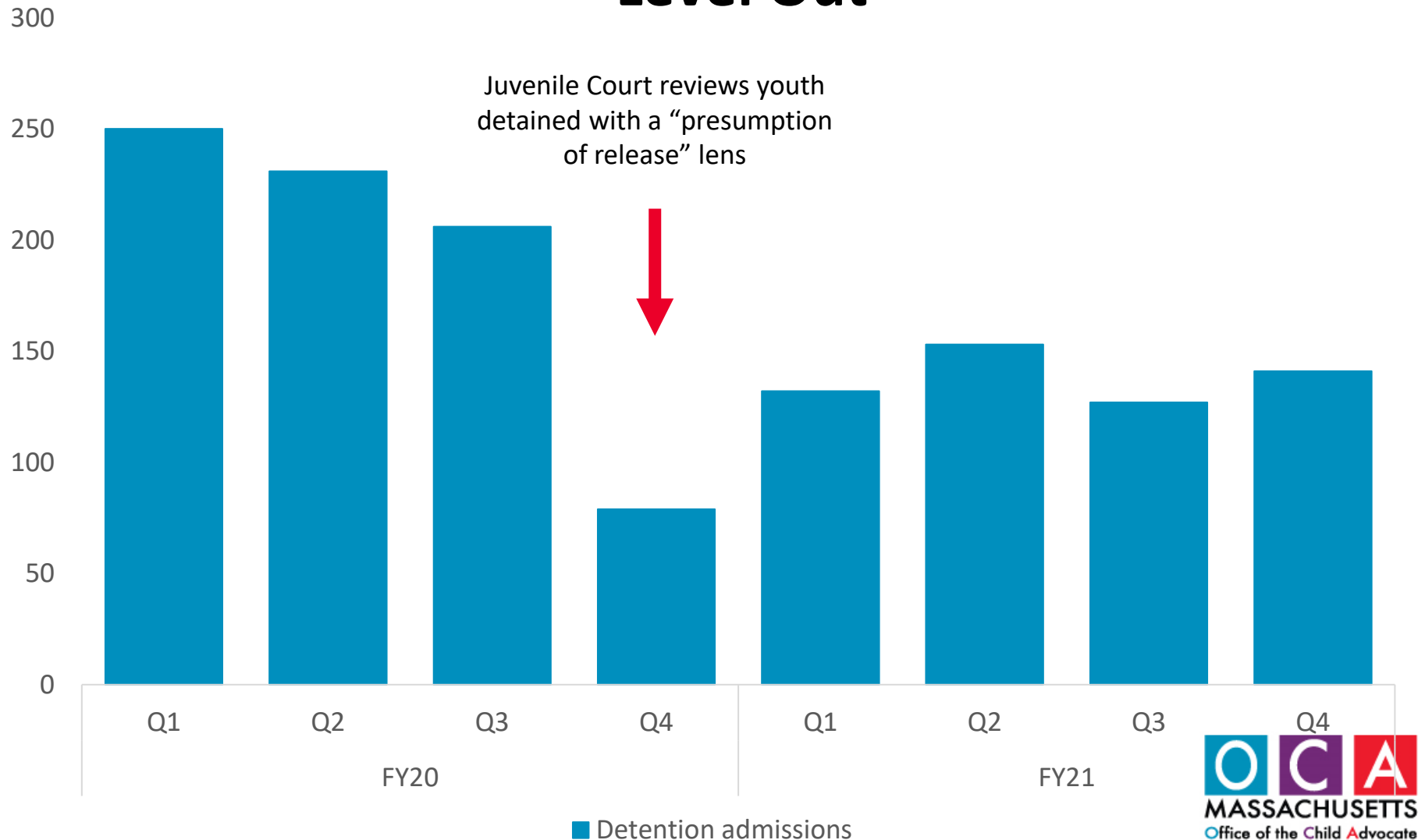
The COVID-19 pandemic likely accelerated decline from FY20 to FY 21 – but should be viewed in context of overall trends



Impacts of the Pandemic: Delays in Juvenile Court Process



Impacts of the Pandemic: Initial Declines in Detention Admissions Eventually Increase and Level Out

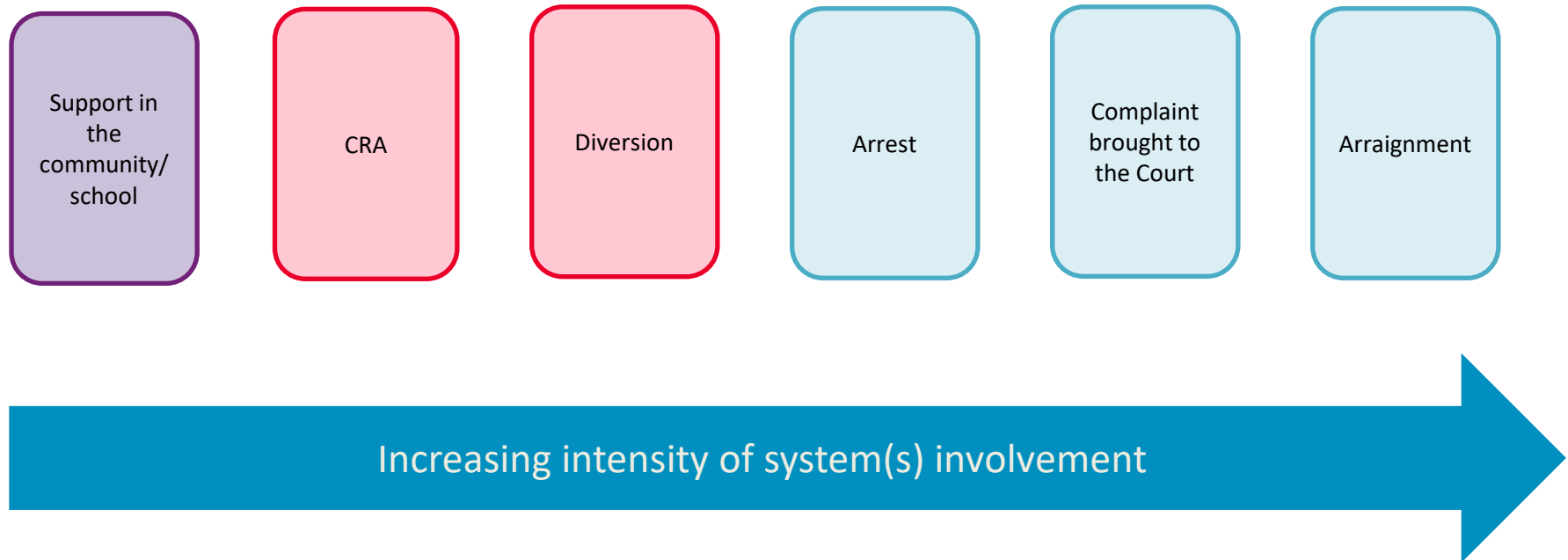


There *may* be a future increase in the number of youth with juvenile justice system involvement compared to FY20 and FY21

- There is still a backlog of cases processing through the Court
- The pandemic impacted many aspects of youth and families' lives that could increase risk for delinquency and juvenile justice system involvement.
- As youth return to their pre-pandemic routines and schools/businesses open back up certain related offenses (e.g., school-based arrests, shoplifting from a store, etc.) will likely increase as a result of youth (and all individuals) no longer isolating.



Expanding Community-Based Interventions: JJPAD Projects on Diversion and Child Requiring Assistance System



Development of the Diversion Learning Labs

JJPAD Board recommends development of Diversion Learning Lab to pilot state-operated (and funded) diversion service model

DYS launches with funding from OCA. Three Learning Lab sites are selected in Worcester, Essex, and Middlesex

2018

2019

2020

2021

2022

JJPAD Board charged with studying community-based interventions and diversion in Massachusetts

JJPAD Board develops Model Program Guide for a state-level diversion program.

Learning Labs start taking referrals from police, clerks, district attorneys and judges.

MA Youth Diversion Program



- **Designed...**
 - **For youth with first-time and/or lower-level** offenses, & cases where a youth's **unmet needs** may be driving the delinquent behavior
 - To accept **referrals from police, clerks, DAs and judges**
- **Program includes...**
 - Evidence-based intake and assessment process
 - Program requirements and services tailored to individual needs of youth
 - Case management provided by community-based organizations
- **Where we are headed...**
 - Collecting qualitative & quantitative data
 - Learn & refine model with goal of expanding statewide

Program Goals

Reduce the likelihood of future offending by youth in the program and increase public safety

Support positive youth development

Hold youth responsible for their actions

Promote and ensure equity in the process

Studying the Child Requiring Assistance System

The Child Requiring Assistance (CRA) System is a civil Juvenile Court process in which parents or school officials seek support for youth (6-18) who:

- fails to obey the lawful and reasonable commands of the youth's parents/guardians or school
- repeatedly misses school (i.e., truancy)
- repeatedly runs away
- is sexually exploited

Studying the Child Requiring Assistance System

2021

- In 2021, the JJPAD Board launched CRA study:
 - Presentations by agencies/professionals that interact with CRAs
 - OCA interviewed > 100 stakeholders & conducted focus groups for caregivers to learn about their first-hand experiences with the system

2022
(Spring/Summer)

- Presentations from other states that have reformed their CRA system recently
- Analysis from a case file review on services youth need
- Discussion of recommendations for improvement

2022 (Fall)

- Report with recommendations for improvements to the system
- Will likely include recommendations for *reducing CRAs* as well as for *improving process for when CRAs are filed*

Learn More

JJPAD Reports:

<https://www.mass.gov/lists/jjpadcttf-legislative-reports-and-key-documents>

- 2021 JJPAD Annual Report
- 2021 JJPAD COVID Report
- 2019 JJPAD Report on Diversion

Juvenile Justice Data Website:

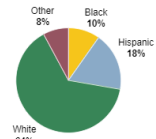
<https://www.mass.gov/resource/massachusetts-juvenile-justice-system-data-and-outcomes-for-youth>

Youth Arrest Data: Demographic and Geographic Breakdowns

"Demographics of youth arrests", below, shows **total arrests and the demographics** of the youth who were arrested over time. From the drop down menu, you can select a demographic variable (race/ethnicity, gender, or age) of interest and see the breakdown of that variable in youth arrests over time. You can also look at data by calendar year or fiscal year, and look at either the total number of arrests in a given category, or the percent change in arrests in that category year over year.

You can also look at the demographic data over time of youth arrested in cities with a population over 50,000 by selecting a city from the drop down menu.

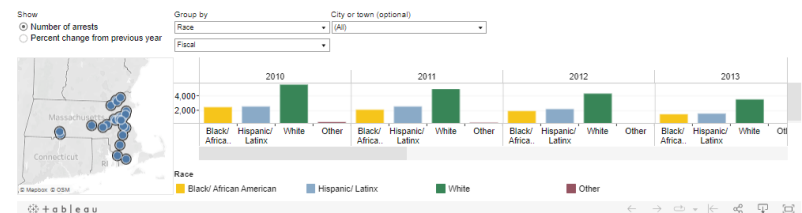
As a point of comparison, this page also includes a visualization showing the racial distribution for **all Massachusetts youth** (not just those in the juvenile justice system) based on U.S. Census data.



Estimated percentages for the race of all Massachusetts youth, ages 12 to 17, in 2020 (Source: [EZAPOP](#))

[Download this data.](#)

Demographics of youth arrests, statewide and by selected cities



Statewide youth arrests are shown by race, gender, and age group for each fiscal year since 2010. Arrests by demographics can be viewed for selected cities with a population above 50,000. Beginning in FY19, youth under 12 can no longer be arrested or prosecuted in the juvenile justice system as a result of "An Act Relative to Criminal Justice Reform." ([Download this data](#))



Questions? Ideas?

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Website

<https://www.mass.gov/orgs/office-of-the-child-advocate>