

The Massachusetts Youth Diversion Program: Year Three Impact Report

JANUARY – DECEMBER 2024



OCTOBER 2025

THE COMMONWEALTH OF MASSACHUSETTS

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About the Office of the Child Advocate

The [Office of the Child Advocate \(OCA\)](#) is an independent executive branch agency with oversight and ombudsperson responsibilities, established by the Massachusetts Legislature in 2008. The OCA’s mission is to ensure that children receive appropriate, timely and quality state services, with a particular focus on ensuring that the Commonwealth’s most vulnerable and at-risk children have the opportunity to thrive. Through collaboration with public and private stakeholders, the OCA identifies gaps in state services and recommends improvements in policy, practice, regulation, and/or law. The OCA also serves as a resource for families who are receiving, or are eligible to receive, services from the Commonwealth.

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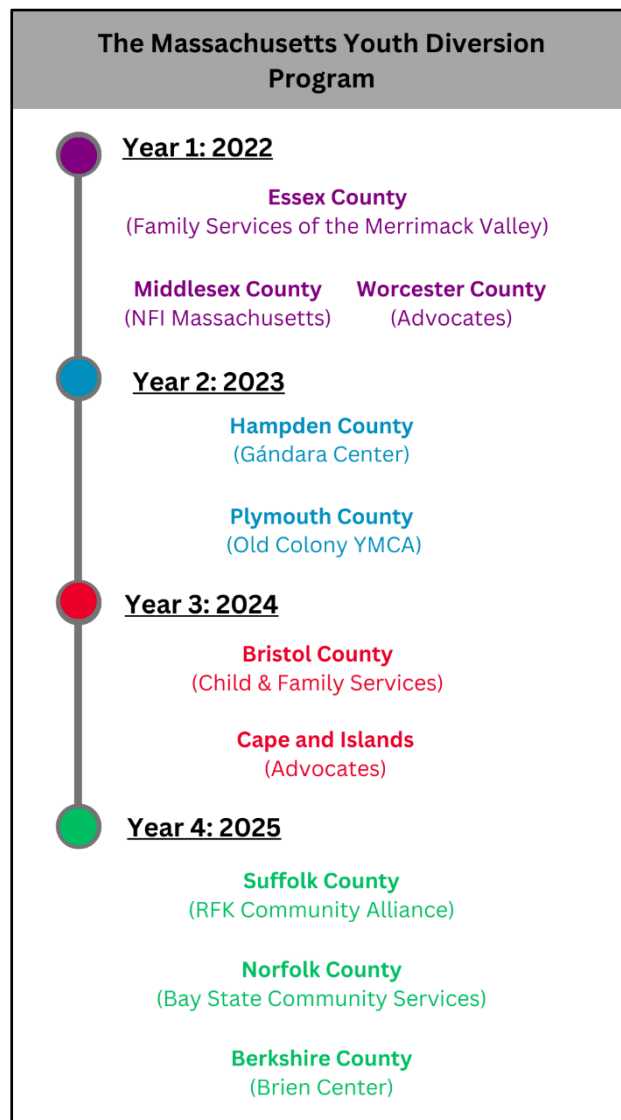
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Introduction

The Massachusetts Youth Diversion Program (MYDP) is a multiphase state-funded youth diversion initiative that provides high-quality, evidence-based programming as an alternative to arresting youth or prosecuting them through the Juvenile Court. Currently, the MYDP is in the process of expanding, with the end goal of providing programming statewide. In year three of programming (January 2024 – December 2024), the program launched two new sites and ramped up operations at its five established sites. This data brief analyzes program data from year three, and when applicable, makes comparisons to the previous year's data (CY2023).^{1,2} **The goal of this brief is to report on the impact the program has had in year three and to continue to inform efforts for statewide expansion.**

Background

Historically, access to evidence-based youth diversion programming has varied widely across the Commonwealth. In its [2019 report on diversion](#), the state's [Juvenile Justice Policy and Data \(JJPAD\) Board](#) found that there were no statewide standards or guidelines in Massachusetts regarding the use of diversion and recommended the creation of a statewide diversion program to ensure that youth across the Commonwealth had equitable access to high quality, state-funded diversion programming.



¹ For more information on year one of implementation, see the OCA's report *The Massachusetts Youth Diversion Program: Impact Report Year One of Implementation* <https://www.mass.gov/doc/o-ca-report-on-the-massachusetts-youth-diversion-program/download>

² This report does not include information on the MYDP's program model or structure, as this was covered at length in the OCA's [report on year one of implementation](#).

As a result of that report, with funding allocated by the Legislature in the state budget, the [Office of the Child Advocate \(OCA\)](#) partnered with the [Department of Youth Services \(DYS\)](#) to launch the MYDP in the Fall of 2021. In year one of the program (January – December 2022), three pilot sites, collectively called the “Learning Labs”, were launched in:

- Essex County (with diversion services provided by [Family Services of the Merrimack Valley](#))
- Middlesex County (with diversion services provided by [NFI Massachusetts](#))
- Worcester County (with diversion services provided by [Advocates](#))

In year two (January – December 2023), the Learning Lab phase ended, with the program expanding to provide services in:

- Plymouth County (with diversion services provided by [Old Colony YMCA](#))
- Hampden County (with diversion services provided by [Gándara Center](#))

In year three, the program expanded to provide services in:

- Barnstable/Cape & Islands County (with diversion services provided by [Advocates](#))
- Bristol County (with diversion services provided by [Child and Family Services](#))

MYDP Impact

In 2024, ForHealth Consulting at the UMass Chan Medical School [evaluated](#) the MYDP program and found that in its first two years of operation:

- There were high levels of program fidelity across all sites evaluated
- Staff, leadership, and referrers reported high levels of satisfaction and felt as though the program was working
- **Diverted youth reported high levels of satisfaction with the program**, reported feeling supported throughout the process, and felt as though the program was meaningful

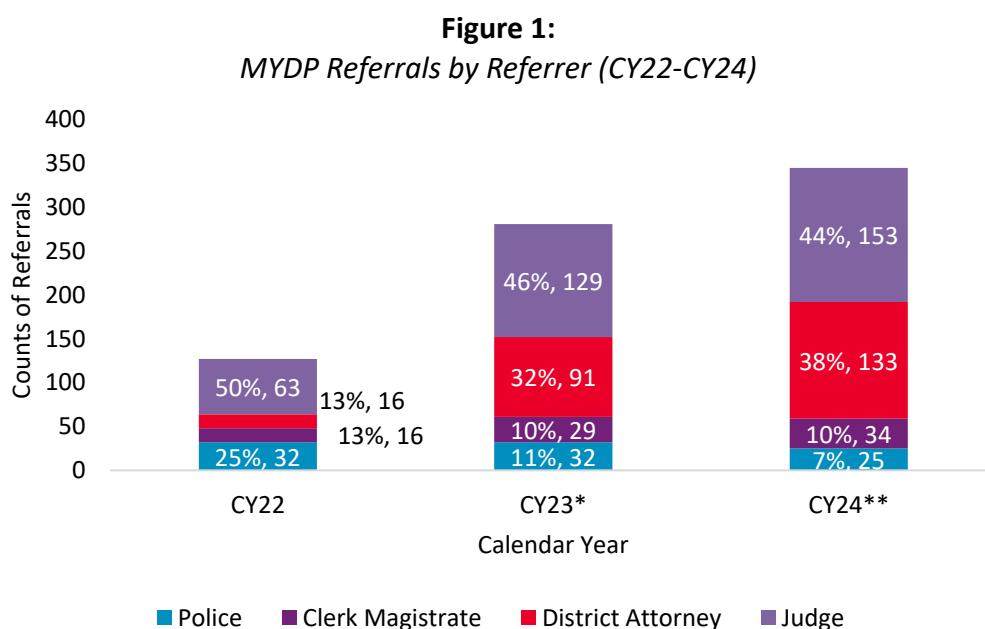
Program Data

The data presented in this memo is from Calendar Year 2024 (January 1, 2024-December 31, 2024). The data was collected monthly by the Diversion Coordinators and submitted to DYS. Data is presented by process point and includes state totals and comparisons to the prior calendar year (2023).³ Not all measures for all youth were available, therefore, **some totals differ from measure to measure**. Further, DYS is currently in the process of moving program data into their data management system, therefore, counts may change slightly in future public reports.

Referrals

In year three of programming, 348 youth were referred to the program, representing a 23% increase from CY23 referrals and a 174% increase from CY22. There were 757 total program referrals over the first three years of operation.

After the passage of the 2018 Criminal Justice Reform Act, which created a judicial diversion option, practitioners reported that many judges stated that they had difficulty finding suitable local diversion services. The MYDP fills that gap, with 44% (n= 153) of CY24 referrals and 46% (n=345) of referrals across all three years initiated by a judge.



*One referral was missing referral source information. **Three referrals were missing referral source information. Source: Data provided to the OCA by DYS' Department of Research

³ Data from the program's first two years of implementation (CY22 and CY23) have been continuously updated as part of the program's commitment to quality data tracking. Therefore, year one and two totals presented in this report may be different than those reported previously.

Between CY23 and CY24, the number of referrals coming from District Attorney (DA) offices increased 46% (42 additional referrals). While many DA offices have their own diversion programs, it appears in the MYDP counties, the state program offers additional opportunities to divert youth and supplement local efforts.

However, the number of DA referrals decreased in two MYDP counties, contributing to declines in overall referrals in each county:

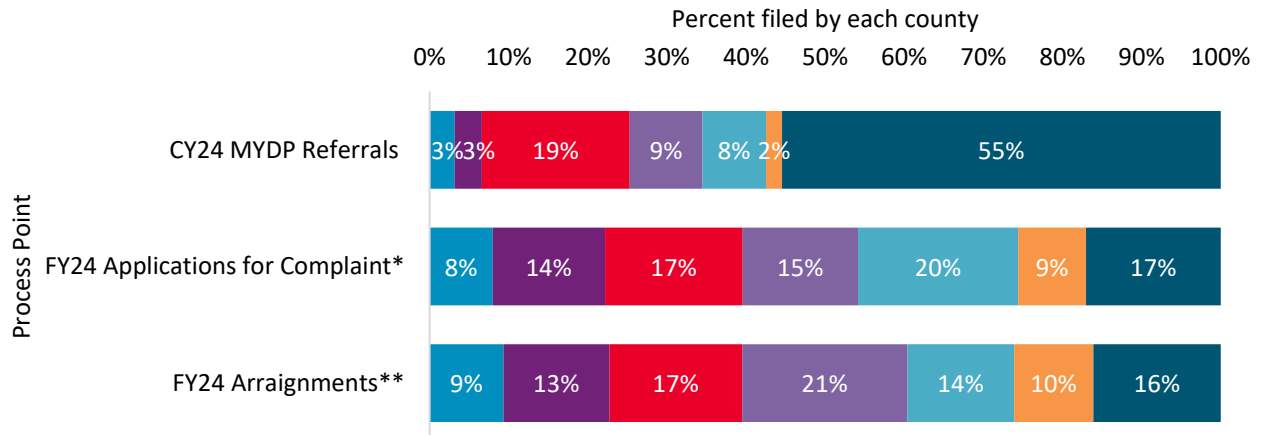
- Plymouth County referrals fell 67% (14 referrals), with DA referrals down 86% (12 referrals).
- Middlesex County referrals fell 33% (14 referrals), with DA referrals down 70% (7 referrals).

Table 1: Referrals by Diversion County (CY22-CY24)			
Diversion County	CY22	CY23	CY24
Barnstable	^	^	11
Bristol	^	^	12
Essex	38	49	65
Hampden	*	15	32
Middlesex	33	42	28
Plymouth	*	21	7
Worcester	56	155	193
CY Total	127	282	348
*Plymouth county's diversion site launched in March 2023, and Hampden county's diversion site launched in June 2023; ^Barnstable county's diversion site launched in February 2024, and Bristol county's site launched in March 2024; Source: Data provided to the OCA by DYS' Department of Research			

For the third year in a row, the Worcester site received the highest number of referrals, accounting for 55% (n = 193) of the state total. In FY24, 17% of the applications for complaint in the state and 16% of the arraignments in the state came from Worcester County. Although data on the total number of youth diverted to any program in Worcester County is not available, Worcester County is clearly making heavier use of the MYDP than other counties.

On the other hand, Barnstable, Bristol, Hampden, Middlesex, and Plymouth account for a much higher share of youth entering the juvenile justice system at the formal application and arraignment stages. It may be that practitioners in those counties are diverting to other programs besides the MYDP, or it may be that use of diversion is overall lower in those counties.

Figure 2:
Juvenile Justice Process Points by MYDP County (CY24/FY24)



	FY24 Arraignments**	FY24 Applications for Complaint*	CY24 MYDP Referrals
Barnstable	269	619	11
Bristol	386	1,099	12
Essex	483	1,348	65
Hampden	602	1,130	32
Middlesex	389	1,568	28
Plymouth	288	664	7
Worcester	464	1,320	193

■ Barnstable ■ Bristol ■ Essex ■ Hampden ■ Middlesex ■ Plymouth ■ Worcester

*Application for complaint data is for youth in MYPD counties only. **Arraignment data is for youth in MYPD counties. Source: Juvenile court data retrieved from the JJPAD 2024 Annual Report. MYDP data provided to the OCA by DYS' Department of Research.

Table 2: MYDP Referrals by Most Serious Offense Type			
Offense Type	2022	2023	2024
Drug	*	19	10
Motor Vehicle	*	**	18
Person	70	155	191
Property	25	59	76
Public Order	9	26	29
Weapon	5	12	19
Not known/not reported	11	*	5
CY Total	127	282	348
Source: Data provided to the OCA by DYS' Department of Research. *To maintain youth confidentiality, the data in cells with counts less than 5 are suppressed. **Secondary cell suppression, cell count <10.			

As with previous years, more than half (55%, n=191) of all MYDP referrals involved alleged persons related offenses.

Attorney General's Youth Diversion Program

In 2024, the Legislature passed an *Act to Prevent Abuse and Exploitation*, which requires mandatory diversion for youth under age 18 charged with possessing, receiving, or sending sexually explicit images of another minor via cell phone or other technology, commonly known as “sexting.” The bill tasked the Attorney General’s Office with developing a youth diversion program and to begin taking referrals in September 2024.

The AGO partnered with DYS and the OCA to implement the program. **The MYDP expanded to accept referrals from the AGO.** Currently, when a youth is referred to the [Attorney General’s Youth Diversion Program](#), they are referred to an MYDP diversion coordinator, who engages with the youth, gives them information about the legal and social implications of sexting, and teaches them practices for responsible decision-making online. In 2024, the MYDP accepted 9 referrals from the AGO’s Youth Diversion Program.

Intake, Process, and Demographic Data

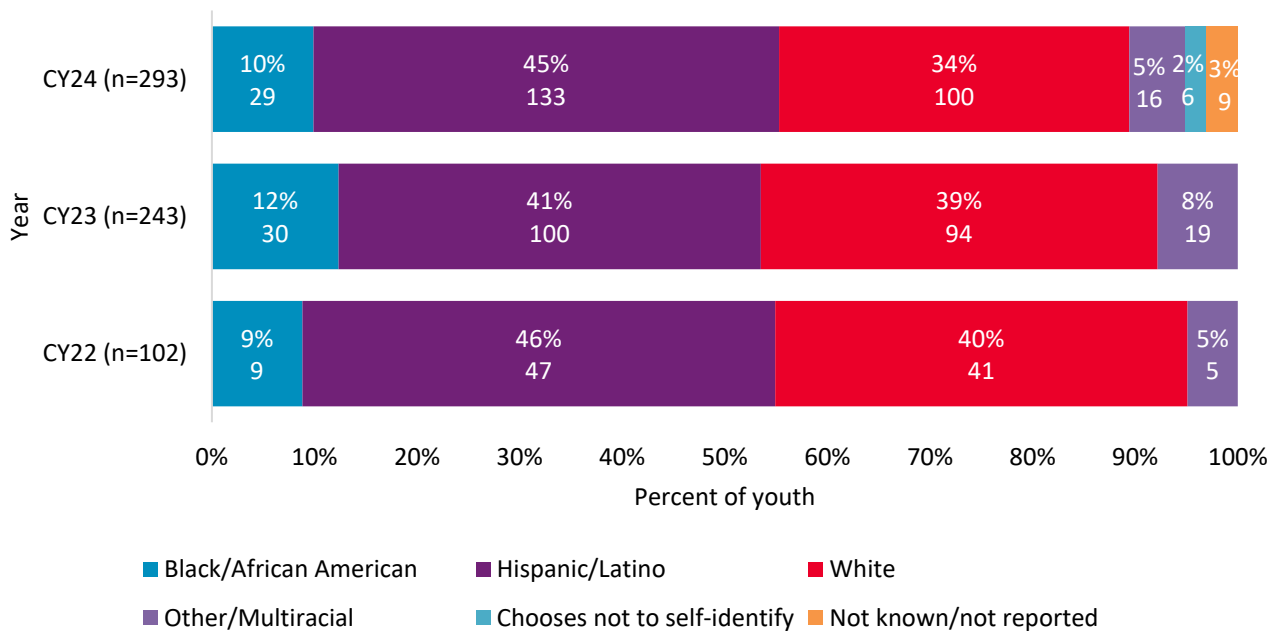
In CY24, 293⁴ youth reached the intake stage of the diversion process.⁵ It is at this stage that demographic data is collected. Demographic data is self-identified by the referred youth:

- 45% (n=133) identified as Hispanic or Latino, 34% (n=100) identified as White, 10% (n=29) identified as Black or African American, 5% (n=16) identified as Other or Multi-racial and 2% (n=6) chose to not self-identify
- 65% (n=189) identified as boys, 31% (n=90) identified as girls, and fewer than five youth identified as non-binary
- 8% (n=24) identified as LGBTQ+
- 16% (n=46) reported being involved with the Department of Children and Families (DCF)
- 85% (n=248) reported English as their primary language

⁴ Not all youth referred in a given year make it to the point of intake at the time of the data pull, and therefore the totals between referrals and intakes will not match.

⁵ For more information on the intake process, see the “Intake, Process and Demographic” section of the OCA’s report *The Massachusetts Youth Diversion Program: Impact Report Year One of Implementation* <https://www.mass.gov/doc/o-ca-report-on-the-massachusetts-youth-diversion-program/download>

Figure 3:
MYDP Youth Intakes by Race/Ethnicity (CY22-CY24)



Source: Data provided to the OCA by DYS' Department of Research

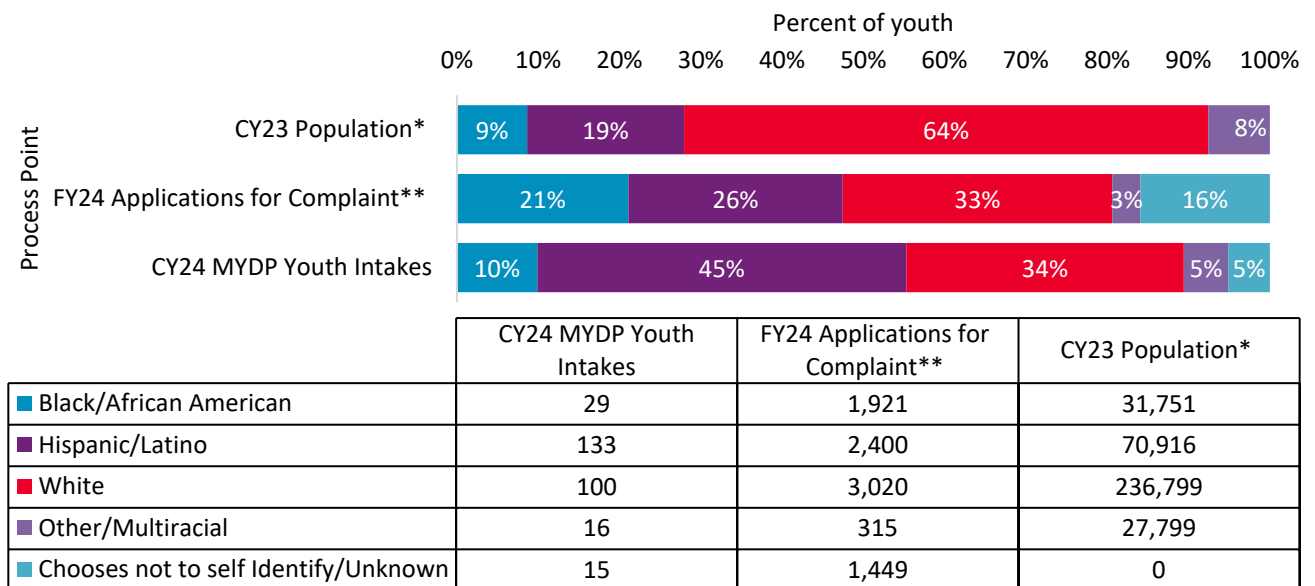
In FY24, Black and Latino youth remained overrepresented in the juvenile justice system, particularly at the application for complaint stage.⁶ Figure 4 compares the race/ethnicity of MYDP participants in CY24 to that of youth who were the subject of an application for complaint during FY24 in MYDP counties, as well as to the general youth (12-17 years old) population in those counties. This comparison demonstrates that:

- **Black youth make up a much smaller percentage (10%) of MYDP intakes, compared to applications for complaint in those counties (21%), though still slightly more than their share of the general population (9%).** This suggests that greater efforts are needed to ensure there is equitable access to diversion for Black youth formally involved with the juvenile justice system.
- **Hispanic youth make up a much larger percentage (45%) of MYDP intakes, compared to applications for complaint (26%), and their share of the general populations (19%).** It is unclear what factors are leading to this trend. It may reflect a positive trend – a concerted and successful effort to ensure equitable access and reduce disparities for

⁶ For more information on the racial and ethnic disparities documented in the Massachusetts juvenile justice system, see the "Specific Cohorts of Youth" section of the JJPAD's FY24 Annual Report <https://www.mass.gov/doc/jjpjpad-2024-annual-report/download>

Hispanic youth – or it could reflect “net-widening”, with Hispanic youth referred for diversion for charges that might otherwise be dropped.⁷

Figure 4:
Race/Ethnicity Across System Process Points (CY24/FY24)



*Population data includes only youth 12-17 in MYDP counties during Year 3 of the program. **Application for complaint data is for youth in MYPD counties; Source: MYDP data provided to the OCA by DYS' Department of Research, application for complaint data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:

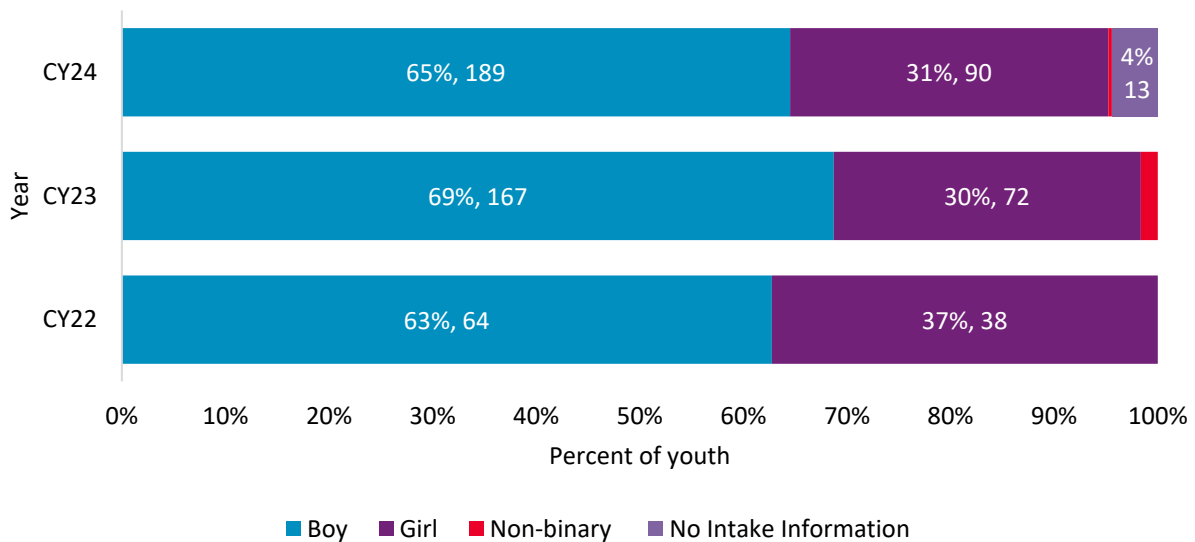
<https://public.tableau.com/app/profile/drap4687/viz/DemographicsofSelectedJuvenileMatters/JuvenileMattersbyRaceEthn>, Massachusetts youth population data retrieved from EZAPOPOP here:
https://www.ojdp.gov/ojstatbb/ezapop/asp/profile_selection.asp

Mirroring trends seen in the greater juvenile justice system, the majority of intakes involve boys. However, between CY23 and CY24, intakes involving girls increased 25% (representing 18 intakes), compared to intakes involving boys (13%, representing 22 intakes). During the same time period, applications for complaint in the formal juvenile justice system involving girls increased by 5% in MYDP counties (representing 83 applications for complaint).⁸

⁷ Differences in how race/ethnicity data are collected could also be a factor. MYDP intake demographic data is based on youth self-report, while application for complaint demographic data is collected from the individual filling out the complaint application. It may be that some number of youth who are identified as Black in application for complaints self-identify as Hispanic/Latino at MYPD intake.

⁸ This analysis only includes MYDP counties that were actively accepting diversion cases in both CY23 and CY24. Statewide, between FY23 and FY24, applications for complaint involving girls increased by 8%, representing 213 applications.

Figure 5:
MYDP Youth Intakes by Gender Identity (CY22-CY24)



To maintain youth confidentiality, the data in cells with counts less than 5 are suppressed. Data provided to the OCA by DYS' Department of Research.

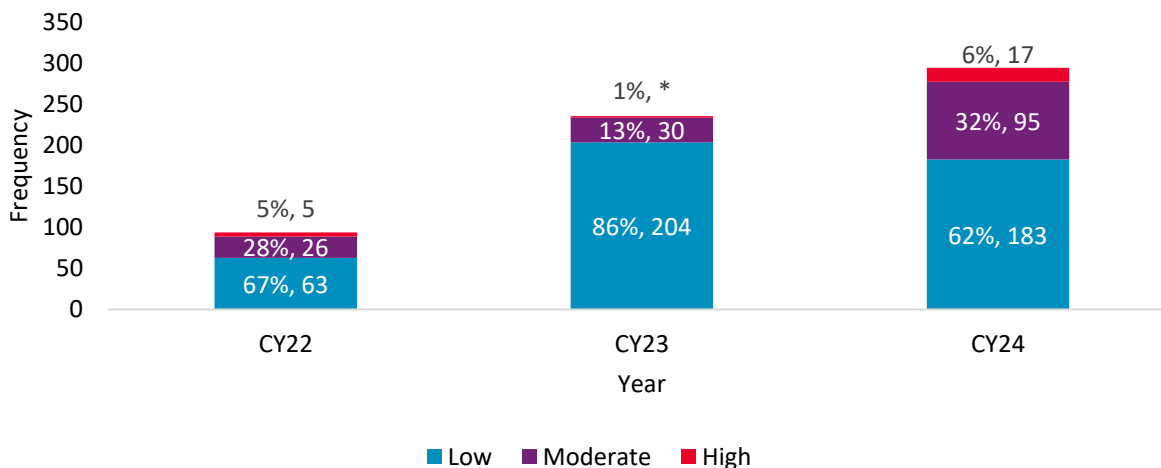
Risk/Need and Behavioral Health Needs of Participants

During the intake process, Diversion Coordinators administer two screening instruments to inform the diversion agreement:⁹

- YLS/CMI:SV: an actuarial tool designed to provide an estimate of the level of risk for future antisocial behaviors, as well as an indication of areas of need for intervention to reduce that risk in youth alleged of committing a delinquent offense.
- MAYSI-2: a behavioral health screening tool that assists diversion staff in identifying youths' current behavioral health symptoms.

⁹ More information on the intake process and diversion agreement can be found in the "Risk / Need Assessment" and "Behavioral Health Screening" sections of the OCA's report *The Massachusetts Youth Diversion Program: Impact Report Year One of Implementation* <https://www.mass.gov/doc/o-ca-report-on-the-massachusetts-youth-diversion-program/download>

Figure 6:
Risk/Need Level (CY22-CY24)



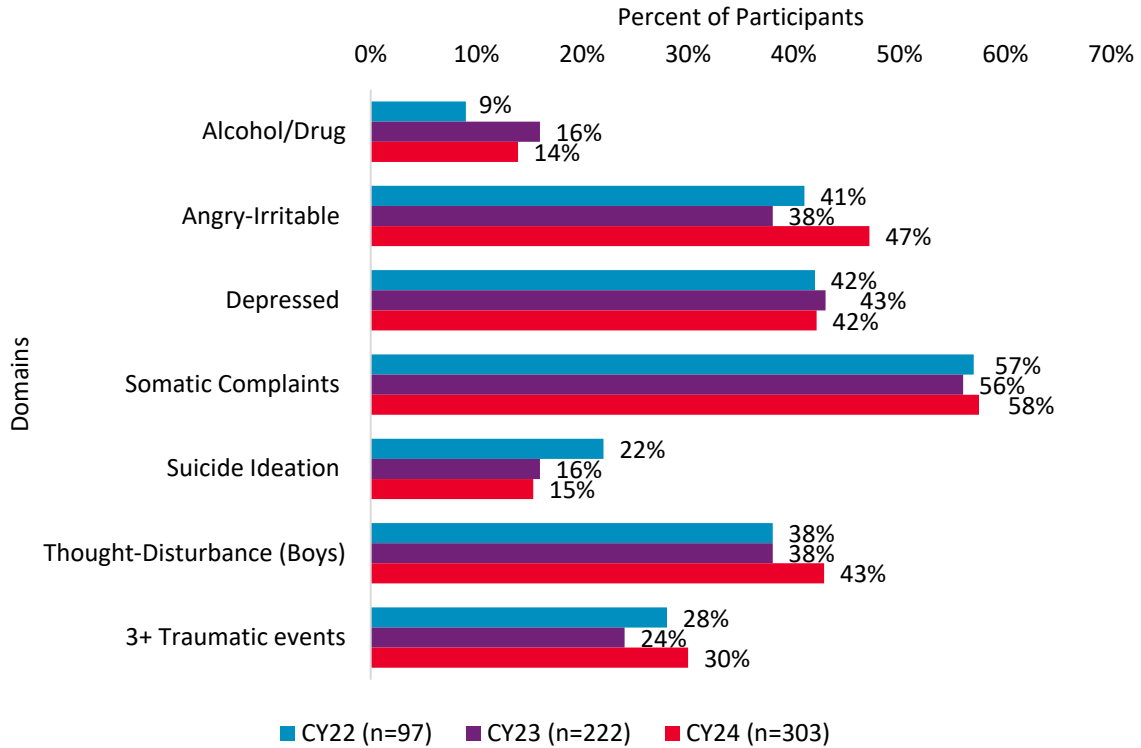
*To maintain youth confidentiality, the data in cells with counts less than 5 are suppressed. Source: Data provided to the OCA by DYS' Department of Research.

In CY24, there were 295 YLS/CMI:SV administered, of which almost two-thirds (62%, n=183) were reported as being at a “low” risk of future reoffending. In CY24, there was a higher portion of youth with “moderate” risk levels (32%) compared to CY23 (13%).

In CY24, 303 MAYSI-2s were conducted. Compared to CY23, a higher percent of participants scored “caution” or “warning” in the angry/irritable, somatic complaints,¹⁰ and thought disturbance domains. Thirty percent of cases involved youth who reported 3 or more traumatic events in their life, up from 24% of cases in CY23.

¹⁰ Somatic complaints are physical symptoms reported by a youth that are not clearly related to a medical cause and can include things like headaches, stomachaches, or fatigue. This score helps Coordinators triage youth for further assessment and can be an indicator for underlying mental health issues.

Figure 7:
Behavioral Health "Caution/Warning" Levels as Assessed by the MAYSI
(CY22-CY24)

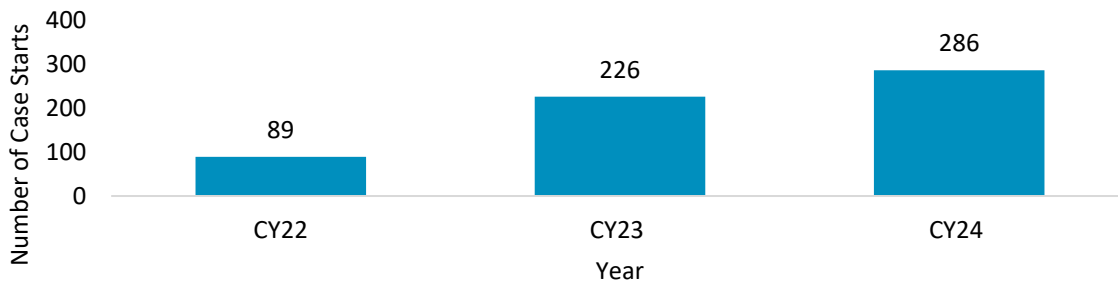


Source: Data provided to the OCA by DYS' Department of Research

Diversion Case "Starts" and Diversion Requirements

Once a youth and their family agree to accept the diversion agreement, the diversion process officially begins. In CY24, there were 286 case "starts," a 27% increase from CY23.

Figure 8:
Diversion Case Starts (CY22-CY24)



Source: Data provided to the OCA by DYS' Department of Research

Diversion agreements include general program rules and information about the youth and their case plan as well as the actions required to complete the diversion program, referred to as “diversion requirements.”

Diversion requirements are often a mix of ones that address any behavioral health or educational needs, introduce youth to more prosocial activities, and/or help youth take responsibility for their actions. In CY24, similar to CY23, the three diversion requirements assigned most frequently were mental health evaluation and treatment, educational supports/programs, and cognitive behavior therapy.

Table 3: CY24 Diversion Requirements	
Diversion Requirements	Number of Youth
Mental health evaluation/treatment	133
Educational supports/programs	79
Cognitive behavioral therapy (CBT)	66
Family programming	34
Substance abuse evaluation/treatment	35
Letter of apology	32
Recreational programming	31
Other	28
Community service/volunteerism	14
Mentor programming	18
Vocational programming	11
Restorative justice program	*
Source: Data provided to the OCA by DYS’ Department of Research. *To maintain youth confidentiality, the data in cells with counts less than 5 are suppressed.	

Case Closures

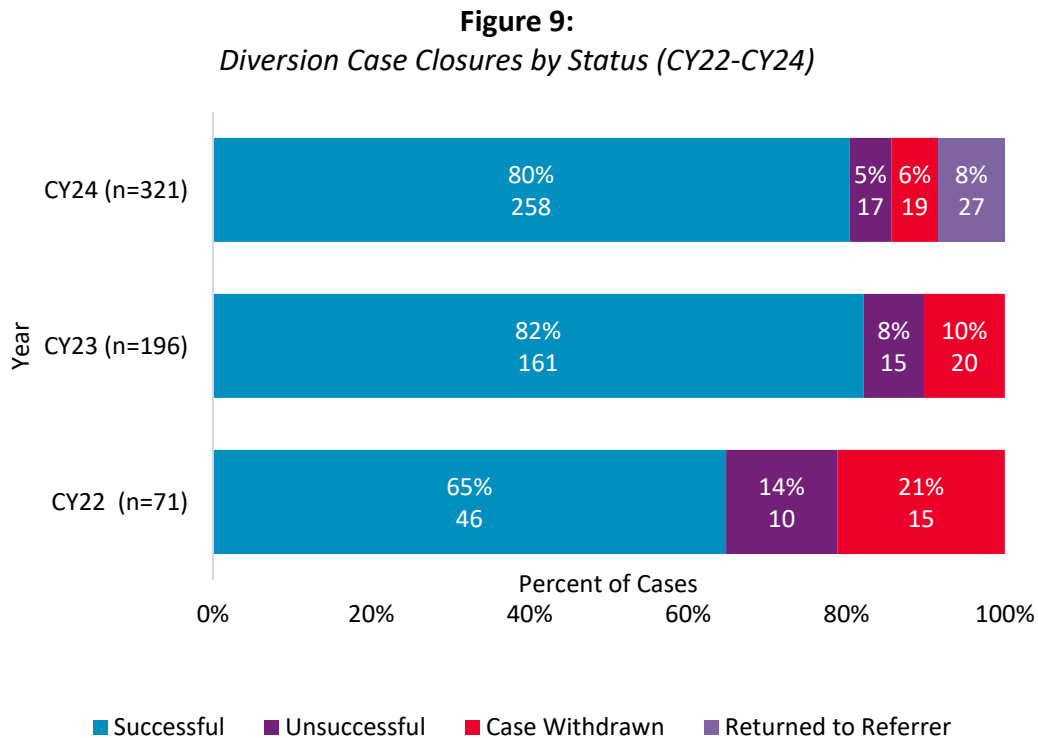
In CY24, 321 diversion cases closed:¹¹

- **258 (80%) were closed successfully, which means:**
 - the youth made meaningful progress, as determined by the Diversion Coordinator, on/completed their diversion requirements, and
 - the youth avoided other unlawful activities.¹²
- **17 (5%) were closed unsuccessfully by the MYDP.** A case is closed unsuccessfully when the youth did not make meaningful progress on their diversion requirements.

¹¹ The definitions used for case closure have been updated in this report. As a result, comparisons with prior reports are not valid. The revised definitions more accurately capture the full range of reasons a case may close.

¹² If youth are re-arrested during their diversion participation, coordinators must alert the original referrer of the new arrest. Coordinators will also provide a recommendation to the original referrer on whether they recommend continued diversion participation for the original offense, or if diversion participation should be terminated. Referrers may recommend continuing with diversion or withdraw the case. If they continue, youth can still complete the diversion program successfully.

- **27 (8%) were returned to referrer by the MYDP.** A case is returned to the referrer if a youth/family stops engaging with the program at any point in the process, and cannot be reached after numerous attempts.
- **19 (6%) were withdrawn.** Cases are withdrawn when:
 - the referrer withdraws a case from the diversion process, typically due to a new arrest;
 - the youth wishes to continue with traditional court process; or
 - the court dismisses the underlying case.



Source: Data provided to the OCA by DYS' Department of Research

Graduates from the program have reported a positive experience. In CY24, 155¹³ youth responded to a post program survey, in which:

- 95% (n=146) of youth reported feeling supported by the Diversion Coordinator throughout the process.
- 88% (n=135) of youth agreed that after completing the program, they felt they could stay out of trouble.
- 81% (n=125) noted that the program helped them reflect on any harm they may have caused.

¹³ Not all survey respondents responded to all 11 survey questions. All unknowns have been omitted from analysis.

Spotlight: Youth Survey Responses

[The diversion program is] A reality check. Most people don't realize what they do wrong until it's too late. This program helps you learn from your mistakes so you don't repeat it and continue the cycle.

Diversion is another chance to think about your mistakes and make them right. It was helpful because I never thought about the things I did the way I did before I reflected on them with [my diversion coordinator]. She helped me see it through a different perspective. I feel [my diversion coordinator] guided me throughout this process and helped me to learn how to make healthier decisions.

Imagine you have no one to talk to. This program gives you someone to talk to, reflect on your experience and figure out how to do better in the future and not repeat mistakes.

Areas for Improvement

Over the past three years, the MYDP has demonstrated its ability to provide high quality, community-based services to youth who would otherwise become involved with the juvenile justice system. This is important because a wide body of research has found that, compared with youth who are arrested and processed in court, youth who are diverted have far lower likelihood of future arrests, report less exposure to violence, and are more likely to complete high school.¹⁴

In its first three years of operation, the MYPD has successfully “graduated” 464 youth. However, to ensure that the program continues to grow, deepen its impact, and ensure that there is equity in referrals and participants, there are several critical areas that need to be addressed, including:

- **A decline in specific county referrals.** As is discussed in the referrals section of this report, while program wide referrals have continued to increase year over year, some counties are experiencing growth in referrals at a slower pace than others. What’s more, there has been a *decline* in referrals in Plymouth and Middlesex counties. In both of these counties, a decrease in referrals from District Attorney offices is the driver of the overall decrease. This is despite the fact that arraignments increased in both counties from FY23 compared to FY24.¹⁵

This trend not only limits the program’s capacity to serve as a meaningful alternative to the formal juvenile justice system, but it also exacerbates the geographic differences seen in juvenile justice system use in Massachusetts. It is essential to investigate the underlying cause of why referrals in these counties are going down and address any barriers preventing appropriate referrals.

- **Disparities in who gets referred to the MYDP.** Black and Latino youth remain overrepresented in the Massachusetts juvenile justice system, and a wide body of research shows that youth of color are less likely to be diverted when compared to their white peers.¹⁶ MYDP data on referrals suggest that the program has made some progress in ensuring youth of color, namely youth who identify as Hispanic/Latino, have

¹⁴ Cauffman, E., et. al. (2020). Crossroads in Juvenile Justice: The Impact of Initial Processing Decision on Youth Five Years after First Arrest. Development and Psychopathology. <https://faculty.lsu.edu/pfricklab/pdfs/juvenilejustice-pdfs/dpcauffmanetalmaincrossroadswweb.pdf> ; <https://www.sentencingproject.org/reports/diversion-a-hidden-key-to-combating-racial-and-ethnic-disparities-in-juvenile-justice/>

¹⁵ Massachusetts Juvenile Justice Data and Policy Board. (2024). FY2024 Annual Report. <https://www.mass.gov/doc/jjpad-2024-annual-report/download>

¹⁶ See “Racial and Ethnic Disparities in Who Gets Diverted” textbox below for more information.

equitable access to the MYDP. However, juvenile court data from MYDP counties suggest that more work remains.

In Massachusetts, disparities for Black and Latino youth are greatest at the initial stages of the juvenile justice system, namely, at the application for complaint and arraignment stage. In fact, compared to white youth in MYDP counties, in FY24:

- Black youth in MYDP counties were 4.74 times more likely to be the subject of an application for complaint and, compared to white youth with delinquency filings, 1.18 times more likely to be arraigned.
- Hispanic/Latino youth in MYDP counties were 2.65 times more likely to be the subject of an application for complaint and, compared to white youth with delinquency filings, 1.19 times more likely to be arraigned.

This data on disparities indicates more work can be done to use the MYDP as a means to reverse racial and ethnic disparities in the traditional juvenile justice system in these counties. The MYDP must work collaboratively with referrers to ensure that all youth who are appropriate candidates for diversion are being referred, and as early as possible in the process.

Racial and Ethnic Disparities in Who Gets Diverted

Risk taking is a natural part of adolescent development, with most youth “aging out” of delinquent behavior as they transition into adulthood with minimal intervention. This has been found to be true, even among youth who engage in more serious forms of delinquent behavior.*

When interventions are necessary, research has found diversion programming to be effective at supporting positive outcomes for both public safety and individual youth. Although diversion programming is often cited as a way to combat racial and ethnic disparities in the juvenile justice system, research evaluating these programs consistently highlights significant racial and ethnic disparities.** The phenomenon of diversionary practices benefiting white youth more than youth of color is not uncommon and is one the JJPAD Board warned against in the development of the MYDP Model Program Guide.

Studies have found disparities in diversion across the country. These disparities are influenced by various systemic factors, most notably by **eligibility restrictions and subjective decision-making**. Many diversion programs impose strict eligibility criteria, such as limiting diversion to youth for first-time offenses or excluding certain offenses, which disproportionately affect youth of color. Additionally, subjective decision-making by justice system actors can introduce bias, leading to unequal treatment.

The MYDP does not impose restrictions based on charge type or delinquency history by design. However, individual referrers retain the discretion to decide who they believe is an appropriate candidate for diversion, and may choose to set more restrictive criteria to guide their own decision-making.

* National Academies Press. (2013). *Reforming juvenile justice: A developmental approach*.

<https://nap.nationalacademies.org/read/14685/chapter/7>; Mulvey, E.P. (2011). *Highlights from pathways to desistance: A longitudinal study of serious adolescent offenders*. Office of Juvenile Justice and Delinquency Prevention.

<https://ojjdp.ojp.gov/library/publications/highlights-pathways-desistance-longitudinal-study-serious-adolescent-offenders>

** The Sentencing Project. (2022). *Diversion: A hidden key to combating racial and ethnic disparities in juvenile justice*.

[https://www.sentencingproject.org/app/uploads/2022/10/Diversion-A-Hidden-Key-to-Combating-Racial-and-Ethnic-Disparities-in-Juvenile-](https://www.sentencingproject.org/app/uploads/2022/10/Diversion-A-Hidden-Key-to-Combating-Racial-and-Ethnic-Disparities-in-Juvenile-Justice.pdf#:~:text=pervasive%20and%20longstanding.%20Nationwide%20in%202019%2C%2052%,share%20of%20cases%20)

[Justice.pdf#:~:text=pervasive%20and%20longstanding.%20Nationwide%20in%202019%2C%2052%,share%20of%20cases%20](https://www.sentencingproject.org/app/uploads/2022/10/Diversion-A-Hidden-Key-to-Combating-Racial-and-Ethnic-Disparities-in-Juvenile-Justice.pdf#:~:text=pervasive%20and%20longstanding.%20Nationwide%20in%202019%2C%2052%,share%20of%20cases%20)

- **Opportunities to increase program accessibility for “higher risk” youth.** The MYDP was designed to take all referred youth regardless of their “risk/need” level, as research shows that diversion can be an appropriate intervention even for youth with more

serious alleged offenses.¹⁷ Data in this report suggests that compared to previous years, in CY24 the program was able to provide services to youth who were more “moderate” risk/need; youth with “moderate” risk levels accounted for 32% of YLS screeners compared to CY23 rates (13%). This is heartening, as it demonstrates that at least some referrers are increasingly more comfortable with referring youth who may have a higher risk of recidivism, such as youth who have a prior history of contact with the juvenile justice system.

There is an opportunity to build on this progress in the coming years through continued communication with referrers about the MYDP’s ability to accept youth even if their risk level is higher or they are accused of a more serious charge. For example, the MYDP could consider sharing information with referrers about diversion “success stories” for youth who were initially screened as moderate or high risk with referrers.

Additionally, the Legislature should expand eligible offenses by passing H.1695/S.1051, *An Act promoting diversion of juveniles to community supervision and services*, allowing referrers more autonomy in which youth they are able to divert.

- **Case practices in developing diversion requirements.** While it is encouraging to see the variety of services (Table 3) youth are required to participate in as terms of their diversion, there may be opportunities to diversify the frequency in which services are required, especially in light of potential service barriers, including waitlists, service deserts, or the increasing likelihood of challenging economic times ahead on an individual level as well as state programmatic/budgetary level. Research shows some services less frequently used in the MYDP (e.g., mentoring programs and restorative justice programs) are effective ways of addressing delinquency and supporting victims/cycles of violence.¹⁸ The MYDP should review case practices in developing diversion agreements, identify service gaps or room for improvement, and explore the degree to which these services are available in each county.

¹⁷ Office of Juvenile Justice and Delinquency Prevention. Diversion from Formal Juvenile Court Processing.

<https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/diversion-from-formal-juvenile-court-processing.pdf>

¹⁸In CY24, there was an alleged victim involved in 68% (n=194) of cases started in the MYDP. This is a decrease compared to 74% (n=167) of cases in CY23 and 84% (n=75) in CY22. See: <https://nij.ojp.gov/topics/articles/mentoring-programs-youth-promising-intervention-delinquency-prevention?utm> ; Tolan P, et al. (2014) . Mentoring Programs to Affect Delinquency and Associated Outcomes of Youth At-Risk: A Comprehensive Meta-Analytic Review. J Exp Criminol;10(2):179-206. <https://pubmed.ncbi.nlm.nih.gov/25386111/> ; <https://www.ojp.gov/pdffiles1/ojjdp/grants/250872.pdf?ut>

Conclusion

In its third year, the MYDP continued to expand its reach and deepen its impact across the Commonwealth. Two new sites launched, and overall referrals increased by 23% from the previous year. While the program has many successes that should be celebrated, there is still clear work to be done to ensure that all youth in Massachusetts have equitable access to high quality diversion programming.

In this report, the OCA has identified critical areas of improvement that must be focused on as part of the program's continued expansion: increasing referrals in established counties, addressing underrepresentation of Black youth in referrals, increasing referrals for youth who may be “higher risk,” and reviewing case practices for assigning diversion requirements.

It's important for the MYDP to address these concerns, **as access to diversion programming is needed now more than ever.** In its 2024 report, the JJPAD Board, which is chaired by the OCA, found that there was a major increase in the use of custodial process points – particularly for arrests and pretrial detention admissions. The Board found that this increase is primarily driven by an increase in arrests and detention admissions for lower-level offenses.¹⁹ Further, the JJPAD also found that the vast majority of youth held in a locked detention facility pretrial are not found to be dangerous and not ultimately committed to DYS.

This increase in use of the juvenile justice system can have negative effects on youth and long-term public safety, as research shows that contact with the juvenile justice system can be harmful in and of itself.²⁰ One of the JJPAD Board's continued recommendations is to identify more youth who can be diverted from the juvenile justice system – and in its most recent Annual Report, the JJPAD Board called for the state to act before the gains seen from the passing of the Criminal Justice Reform Act are lost.

The program continues to mature and grow. MYDP staff continue to integrate lessons learned from the first three years to strengthen the program and produce the best outcomes possible for referred youth. In 2025, the program expanded to cover Berkshire, Norfolk, and Suffolk counties, bringing the MYDP to ten court counties with Franklin/Hampshire being the only court

¹⁹ There was a 13% increase in arrests for misdemeanor complaints in FY24 compared to FY23. During the same time, there was a 21% increase in detention admissions for youth alleged of low “grid” level offenses. DYS measures offense severity by a numerical (1-7) “grid level.” Grid levels 1-2 are categorized as low, grid level 3= medium and grid levels 4-7 = high. The most common charge for a youth held in detention is assault & battery, which is classified as Grid Level 2 (low). Grid 2 can also include other assault and battery charges, such as assault and battery with a dangerous weapon (ABDW), no/minor injury. The charge type, which is determined by the District Attorney's Office, is only one factor among many that the judicial system is legally required to consider when making decisions regarding pretrial detention.

²⁰ Cauffman, E., et. al. (2020). Crossroads in Juvenile Justice: The Impact of Initial Processing Decision on Youth Five Years after First Arrest. Development and Psychopathology. <https://faculty.lsu.edu/pfricklab/pdfs/juvenilejustice-pdfs/dpcauffmanetalmaincrossroadswb.pdf>

county to not have the MYDP. Additionally, the program will continue to accept referrals from the Attorney General's Youth Diversion program.

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