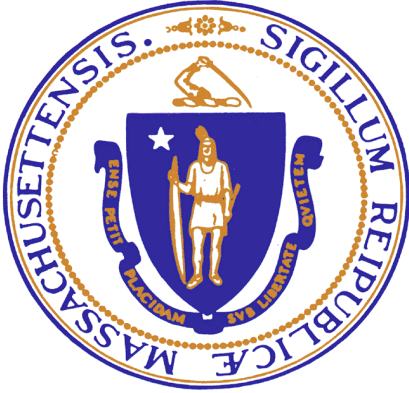


**Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Office of Grants and Research**



FY 2017 Title II Formula Grants Program

THREE YEAR PLAN (UPDATE)

**Charles Baker
Governor**

**Karyn Polito
Lieutenant Governor**

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Executive Director**

2. PROJECT ABSTRACT

The Massachusetts Executive Office of Public Safety and Security (EOPSS) is applying for FY 2017 Title II Formula Grant funds with this submission of the Commonwealth's Three Year Plan (Update).

The primary purpose of the Formula Grant program is to ensure the Commonwealth's compliance with the core requirements of the Juvenile Justice and Delinquency Prevention Act (JJDP Act) of 2002. In addition, the Formula Grant program strives to effectively serve the needs of at-risk and system-involved juveniles in accordance with the priorities of the JJDP Act reflected in the delineated "program areas." Funds from the Formula Grant program are dedicated to compliance activities and provide the salaries for the Commonwealth's Compliance Monitor and the Juvenile Justice Specialist/DMC Reduction Specialist. Funds are also allocated to compliance-related sub-grantees. To the extent feasible, remaining funds are distributed to sub-grantees whom address aspects of the program areas prioritized by the State Advisory Group (SAG). In Massachusetts the SAG is the Juvenile Justice Advisory Committee (JJAC).

Due to Office of Juvenile Justice and Delinquency Prevention's (OJJDP) determination that many of Massachusetts' court holding facilities are not compliant with the Separation from Adult Inmates core requirement of the JJDP Act and the resulting penalty on the federal award, the Commonwealth may not have significant FY 2017 Formula Grant funds to allocate towards delinquency prevention, intervention, and system improvement projects (other than those related to regaining full compliance). However, combining Formula Grant funds from FY 2014 – FY 2016, in the Fall of 2017, the Commonwealth will sub-grant a total of approximately \$200,000 to programs focused on alternatives to detention, diversion, system improvement, and/or Disproportionate Minority Contact.

Although funds are limited, the JJAC and EOPSS will continue work to help the Commonwealth's most vulnerable children. In addition to continuing to make progress towards regaining full compliance with the JJDP Act, the JJAC has identified the following priorities: (1) reducing disproportionate minority contact; (2) improving the collection and reporting of juvenile justice data; (3) ensuring stakeholders incorporate trauma-informed practices into their initiatives and services; (4) advocating for a juvenile competency statute; and (5) promoting best practices for juvenile diversion programs. The projects implemented will include activities such as convening stakeholders to collaborate on potential system improvements and effective practices, and advocating and raising awareness of specific issues such as trauma-informed practices and other "no cost" activities. JJAC member expertise and professional connections will be leveraged to optimize such activities. Formula Grant funds cover the costs of two full-time staff members, including the Juvenile Justice Specialist/DMC Reduction Specialist and the Compliance Monitor. Progress on the JJAC priorities will be measured based on the objectives and timelines referenced in the original FY 2015 Three Year Plan and below.

3. PROGRAM NARRATIVE

A. STATEMENT OF THE PROBLEM

1. System Description: Structure and Function of the Juvenile Justice System

The major components of the Massachusetts juvenile justice system consist of the following stakeholders: the statewide Juvenile Court Department of the Trial Court, the Department of Youth Services (DYS), the Office of the Commissioner of Probation, the Youth Advocacy Division (YAD) of the Committee for Public Counsel Services (CPCS) (public defenders), the county-based District Attorneys' Offices, and local and state police. Other stakeholders who are not directly part of the major functioning of the juvenile system but are directly or indirectly involved with at-risk and system-involved youth and/or issues that confront them include: the Department of Children and Families (DCF), the Executive Office of Health and Human Services (EOHHS), the Juvenile Justice Advisory Committee (JJAC), the Office of the Child Advocate (OCA), the Department of Elementary and Secondary Education (DESE) and local schools, Citizens for Juvenile Justice (CfJJ), the Parent/Professional Advocacy League (PPAL) and numerous, child-serving non-profit entities across the Commonwealth and state lawmakers.

The juvenile court system in Massachusetts is a statewide system managed within the Executive Office of the Trial Court (EOTC). There are approximately 40 juvenile judges across the Commonwealth and one to four juvenile courts and/or juvenile sessions in district courts in most counties. Three types of juvenile justice cases are heard within the juvenile court system: Child Requiring Assistance (CRA) cases (status offenses), delinquency cases, and youthful offender cases. Status offenders in the Commonwealth benefit from the progressive CRA law which prohibits their secure detention and is intended to ensure assistance and support that is developmentally-appropriate and shields them from criminal stigmatization. There is no "validated court order" exception to the Deinstitutionalization of Status Offenders core requirement of the JJDP Act in Massachusetts. A youth between the ages of seven and eighteen may be prosecuted in the juvenile court system for criminal-type offenses after referral to the court via an arrest (followed by issuance of a complaint) or a summons after a complaint has been issued. Delinquency cases constitute the majority of criminal-type cases in the juvenile court system. Prosecution of juveniles as youthful offenders is left to the discretion of the District Attorneys' Offices when certain conditions relating to the seriousness of the charges and/or prior history of the offender are met.

There are a number of potential dispositions for a criminal-type juvenile case. Some non-serious, first-time offenders may have their cases diverted prior to arraignment at the discretion of the police or prosecutors. Depending primarily on the seriousness of the offense and the prior offense history of the defendant, a delinquent offender may receive dispositions ranging between a "continuance without a finding," "delinquent probation," "DYS suspended sentence" or a "commitment to DYS until age 18." Unless an adjudicated delinquent offender is committed to DYS, the juvenile is placed under supervision of a juvenile probation officer with conditions such as: no new arrests, attend school daily, obey home rules, drug testing, and curfew. Violation of probation conditions results in a probation violation hearing and, if a violation is found,

potentially a more serious sanction among those listed above such as commitment to DYS. A juvenile who is adjudicated as a youthful offender receives one of the following sanctions: commitment to DYS until age 21, commitment to DYS until age 21 with an adult suspended sentence, or any sentence allowable for an adult convicted of the same offense. Youthful offenders found to have violated their probation may be re-sentenced to any of the preceding youthful offender sanctions. Adult court has original jurisdiction over juveniles between the ages of fourteen to eighteen who are charged with murder.

DYS is responsible for detaining pre-trial youth who cannot post bail or who are “held without bail” as well as for confining and supervising committed youth. Detention facilities range from foster homes to staff secure residential facilities to hardware secure facilities. There is a continuum of care for committed youth. Committed youth generally spend time in a staff secure or/or hardware secure residential facility. The amount of time spent in confinement is generally based on the seriousness of their current offense and past offense history as well as behavior while in confinement. After confinement, committed youth return to their homes and receive community-based supervision until they reach the age of 18 (or 21 for youthful offenders). If they fail to follow DYS conditions while residing in the community their “grant of conditional liberty” may be revoked and they may be returned to confinement.

An example of one of the non-profit entities that works with at-risk and system-involved youth is the United Teen Equality Center (UTEC). UTEC, like other important non-profit entities, has received juvenile justice funding from EOPSS and the JJAC in the past. UTEC uses a comprehensive positive youth development approach to working with the most at-risk and system-involved youth in the cities of Lowell and Lawrence. Programming consists of: street outreach and gang peacemaking, transitional coaching, workforce development, education services and civic engagement education and activities. UTEC collaborates with local businesses as well as juvenile justice stakeholders such as judges and DYS. UTEC is committed to working with youth even if they have dropped out or “failed” their programming on previous occasions. UTEC realizes that patience and multiple efforts may be required when working with the most troubled youth.

Initiatives are underway in Massachusetts that are designed to enhance collaboration between juvenile justice stakeholders. These initiatives are informed by a positive youth development approach to working with youth and a desire for stakeholders to develop a common vision and set of goals that can improve outcomes for at-risk and system-involved youth. For example, the Child Welfare and Juvenile Justice Leadership Forum – consisting of top leadership from key stakeholder agencies and institutions – was recently formed with the above aim and values in mind in order to improve the juvenile justice system and the lives of the youth it touches. Currently, it is focusing its efforts primarily on the issue of racial and ethnic disparities in the juvenile justice system. This and other initiatives are discussed further in the following sections of this Three Year Plan.

FY 2017 UPDATES

There have been no changes to the structure and function of the juvenile justice system.

2. Youth Crime Analysis and Needs and Problem Statements

a. Analysis of Youth Crime Problems

There are five parts to the analysis of juvenile crime problems: (1) arrests; (2) referrals to juvenile court; (3) formal juvenile court cases; (4) Department of Youth Services: commitments, detentions, and the Alternative Lockup Program; and (5) other conditions relevant to delinquency prevention programming. When data are available, the ensuing data charts will provide a ten-year trend analysis. The ten-year time series is selected to collect information and discern a pattern involving the same issue or behavior.

(1) Juvenile arrests by offense type

The eight offenses that comprise Part I Crimes or Index Crimes – criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, and arson – are the most serious offenses against persons and property tracked by the Federal Bureau of Investigation (FBI). For the past ten years, Massachusetts almost consistently has Part I juvenile arrest rates¹ that are half that of the national rate² (with the exception of calendar year 2006), while more recently, rates across the nation and within the Commonwealth are steadily declining since 2008. In the past eight years, the national rate of juvenile arrests for Part I crimes fell 55%, while the rate within Massachusetts during the same timeframe dropped 61% (Figure 1).

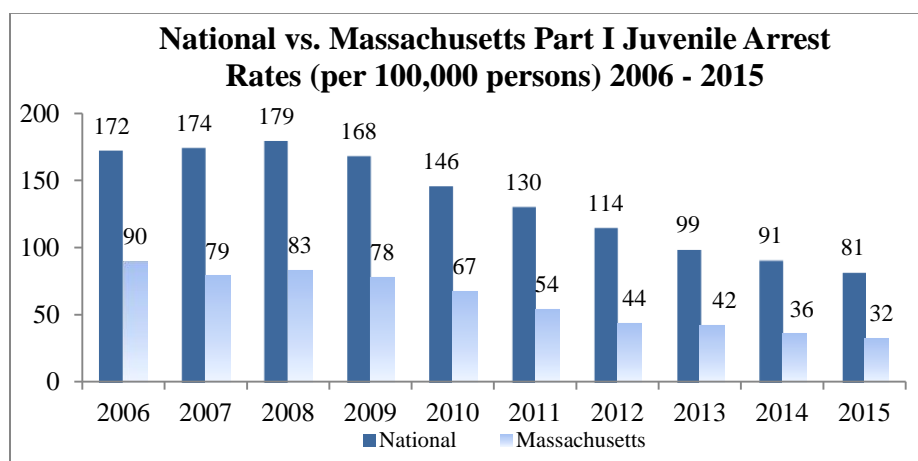


Figure 1. Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 41 (National data) and Table 69 (MA data). The US Census Bureau's *State and County QuickFacts – Massachusetts* – was utilized to identify the statewide population.

Table 1 displays the Part I juvenile arrest rates at both the statewide and national levels over a ten-year period. Between 2006 and 2015, there is a dramatic reduction in crime rates both nationally and in Massachusetts, as displayed in Table 1, page 5.

¹ Juveniles are defined as individuals under the age of 18. All rates are calculated per 100,000 persons in the total population; population figures include both juveniles and adults within a given locale (Massachusetts and the United States, respectively).

² FBI figures include only those agencies that voluntarily report their crime data on an annual basis.

Rate (per 100,000 persons)

Table 1.

Part I Offenses	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	% change '06-'15	% change '14-'15
MA Property Crime Arrests	52.5	49.8	52.5	51.4	45.5	33.9	27.6	26.7	21.2	21.4	-59.2%	0.9%
US Property Crime Arrests	137.8	141.6	147.2	139.4	120.9	108.5	95.0	80.8	73.9	65.5	-52.5%	-11.4%
MA Burglary	13.4	12.2	11.7	10.6	10.0	7.7	6.6	6.2	4.9	4.1	-69.4%	-16.3%
US Burglary	28.2	27.4	27.9	24.8	21.4	19.9	17.3	14.1	12.7	11.1	-60.6%	-12.6%
MA Larceny	35.1	33.1	38.0	38.5	32.3	24.2	19.1	18.9	14.5	15.7	-55.3%	8.3%
US Larceny	95.2	101.9	108.9	106.3	93.0	82.5	72.1	61.6	56.2	49.0	-48.5%	-12.8%
MA Motor Vehicle Theft	3.1	3.2	2.0	1.7	2.1	1.5	1.1	1.0	1.3	1.4	-54.8%	7.7%
US Motor Vehicle Theft	11.7	9.9	8.3	6.6	5.1	4.5	4.2	3.9	4.0	4.5	-61.5%	12.5%
MA Arson	0.9	1.3	0.8	0.6	1.2	0.5	0.8	0.6	0.5	0.3	-66.7%	-40.0%
US Arson	2.7	2.4	2.2	1.8	1.5	1.6	1.4	1.2	1.0	0.8	-70.4%	-20.0%
MA Violent Crime Arrests	37.9	29.4	30.2	26.9	26.3	20.3	16.0	15.3	14.6	14.3	-62.3%	-2.1%
US Violent Crime Arrests	34.1	32.6	32.0	28.4	24.6	21.9	19.4	17.8	16.8	16.0	-53.1%	-4.8%
MA Homicide	0.1	0.1	0.1	0.1	0.1	0.1	0.0	0.0	0.0	0.0	-100.0%	0.0%
US Homicide	0.4	0.4	0.4	0.4	0.3	0.3	0.2	0.2	0.2	0.2	-50.0%	0.0%
MA Rape	0.7	0.4	0.5	0.4	0.6	0.5	0.2	0.3	0.3	0.2	-71.4%	-33.3%
US Rape	1.2	1.2	1.1	1.0	0.9	0.9	0.8	0.9	1.0	1.1	-8.3%	10.0%
MA Robbery	10.2	7.7	8.1	7.3	5.3	4.8	3.6	3.7	3.9	3.2	-68.6%	-17.9%
US Robbery	12.0	11.7	11.9	10.5	8.8	7.7	6.8	6.5	6.1	5.7	-52.5%	-6.6%
MA Aggravated Assault	27.0	21.2	21.5	19.0	20.3	14.9	12.2	11.4	10.4	10.7	-60.4%	2.9%
US Aggravated Assault	20.5	19.3	18.6	16.5	14.6	13.1	11.6	10.2	9.5	8.9	-56.6%	-6.3%
MA Total Part I Arrests	90.4	79.2	82.7	78.3	71.8	54.2	43.7	42.0	36.0	36.0	-60.2%	0.0%
US Total Part I Arrests	171.9	174.1	179.3	167.7	145.5	130.4	114.5	98.6	90.7	81.5	-52.6%	-10.1%

Table 1. Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 41 (National data) and Table 69 (MA data). The US Census Bureau's *State and County QuickFacts – Massachusetts* – was utilized to identify the statewide population.

Upon further examination of these trends for Massachusetts juveniles arrested for crimes against persons and property, the patterns display a similar trajectory over time. The property crime rate dropped 59% between 2006 and 2015 and 0.9% in the period from 2014 to 2015, and the violent crime rate fell 62% over the course of the ten-year period and 2% from 2014 to 2015 (Figure 2).

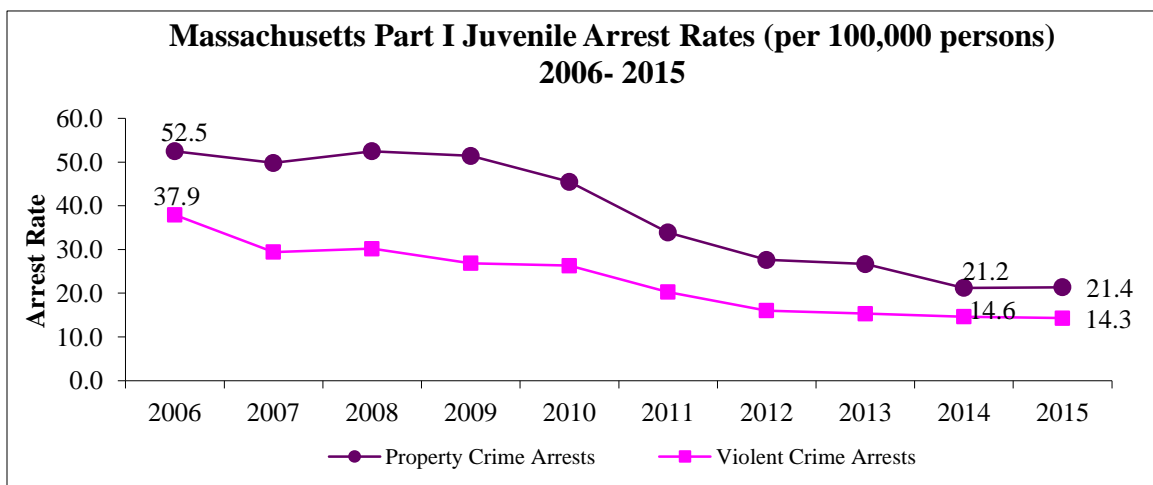


Figure 2. Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 69.

In addition to Part I Offenses, the FBI also tracks data on Part II Offenses, which cover all crimes not otherwise noted in Part I. Those crime classifications include other assaults, forgery and counterfeiting, fraud, embezzlement, buying/possessing stolen property, vandalism, weapons carrying/possessing, prostitution, sex offenses, drug abuse violations, gambling, offenses against family/children, driving under the influence, liquor law violations, drunkenness, disorderly conduct, vagrancy and all other offenses. Part II Offenses also include: suspicion, and curfew/loitering law violations, which are status offenses.

A breakdown of the various Part II juvenile arrest rates by offense in Massachusetts over the ten-year period is presented in Table 2.

Rate (per 100,000 persons)

Table 2.

Part II Offenses	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	% change '06-'15	% change '14-'15
Other Assaults	37.6	36.2	38.7	37.9	39.0	34.1	31.4	28.0	26.0	24.8	-34.0%	-4.6%
Forgery & Counterfeiting	0.4	0.4	0.3	0.2	0.2	0.2	0.1	0.2	0.2	0.3	-25.0%	50.0%
Fraud	0.9	0.7	0.7	0.8	0.5	0.4	0.4	0.4	0.3	0.4	-55.6%	33.3%
Embezzlement	0.1	0.1	0.1	0.0	0.1	0.1	0.0	0.0	0.1	0.0	-100.0%	-100.0%
Buying/Possessing Stolen Property	5.4	4.3	3.4	3.7	3.8	2.8	2.7	2.4	1.9	2.7	-50.0%	42.1%
Vandalism	19.0	14.4	13.9	12.3	12.3	9.1	9.1	6.9	7.1	6.9	-63.7%	-2.8%
Weapons Carrying/Possessing	4.8	4.4	4.1	3.6	3.6	3.0	2.5	2.4	2.4	2.8	-41.7%	16.7%
Prostitution	0.3	0.1	0.1	0.1	0.1	0.0	0.1	0.0	0.0	0.0	-100.0%	0.0%
Sex Offenses	1.2	1.5	1.3	1.3	1.5	0.8	1.0	0.8	0.8	0.6	-50.0%	-25.0%
Drug Abuse Violations	40.5	36.1	32.5	10.3	10.8	7.6	7.6	5.7	4.1	3.3	-91.9%	-19.5%
Gambling	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0%	0.0%
Offenses Against Family and Children	1.7	2.8	1.6	2.2	2.7	2.3	1.9	0.9	0.3	0.4	-76.5%	33.3%
Driving Under the Influence	2.6	2.2	1.6	1.3	1.3	1.0	1.1	0.8	0.7	0.7	-73.1%	0.0%
Liquor Laws	19.2	15.5	11.9	14.0	15.9	11.3	12.3	9.5	7.5	5.8	-69.8%	-22.7%
Drunkenness	5.4	5.0	3.1	4.2	3.8	2.6	2.3	3.0	2.5	0.8	-85.2%	-68.0%
Disorderly Conduct	25.5	22.6	21.2	19.6	18.0	14.5	11.8	10.6	8.4	7.0	-72.5%	-16.7%
Vagrancy	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0%	0.0%
All Other Offenses	65.0	54.9	54.4	50.1	52.9	39.7	37.7	25.8	25.7	25.1	-61.4%	-2.3%
Suspicion	0.5	0.3	0.0	0.0	0.1	0.0	0.1	0.1	0.2	0.2	-60.0%	0.0%
Curfew and Loitering Law Violations	0.3	0.1	0.2	0.2	0.1	0.1	0.0	0.0	0.0	0.0	-100.0%	0.0%
Runaways*	5.7	4.4	4.5	3.8	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total Part II Juvenile Arrest Rates	236.1	206.2	193.9	165.6	166.7	129.6	122.1	97.6	88.2	81.8	-65.4%	-7.3%

Table 2. Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 69. The US Census Bureau's *State and County QuickFacts Massachusetts* – was utilized to identify the statewide population.

*Note: Runaways were last reported in the 2009 UCR.

The rate of juvenile arrests for all Part II Offenses fell 7% in the one-year period from 2014 to 2015, and 65% over the ten-year period from 2006 to 2015, demonstrating a similar pattern of decrease seen for Part I Offenses over the same time frame. Representing 73% of the Part II offense categories, the top six offenses with the highest crime rates for 2015 in descending order are – all other offenses (25.1), other assaults (24.8), disorderly conduct (7.0), vandalism (6.9), liquor laws (5.8), and drug abuse violations (3.3) (Table 2).

(2) Juvenile Court delinquency, youthful offender, and child requiring assistance cases (by race/ethnicity and gender)

This section describes youth with three kinds of cases heard before the Juvenile Court: Delinquency, Youthful Offender, and Child Requiring Assistance (CRA).

In Massachusetts, juvenile delinquents are defined as individuals who are adjudicated delinquent as a result of violating a state law, city ordinance, or town by-law when they were at least seven years of age but not yet age 18 (MGL, Chapter 119, §52). The Massachusetts legislature changed the oldest age from 16 to 17 for juvenile court jurisdiction for a delinquency complaint, charge or matter in September 2013. The increase in delinquency and youthful offender cases heard in juvenile court since state fiscal year (SFY) 2013 is mostly attributed to the raised age of juvenile court jurisdiction as opposed to an increase in crime.

Delinquency

Delinquency cases are almost exclusively heard before the Juvenile Court but under the *Court Reorganization Act of 1992*, the Brookline and Gloucester District Courts retained jurisdiction over juvenile cases (MGL, Chapter 218, §57). In SFY 2016, there were 9,658 juvenile delinquency cases filed in juvenile court, marking a 72% decrease from the high of juvenile delinquency cases filed in SFY 2007, and a 6% decrease from the prior year (Figure 3, page 8). During SFY 2016, males represent 74% and females represent 26% of juvenile delinquency cases.³ The race/ethnicity⁴ of the individuals appearing before the juvenile court reveal White youth accounted for 43% of the population, followed by Hispanic youth (31%), Black/African American youth (25%), and Other (2%).⁵

³ The gender of youth appearing before the Juvenile Court in delinquency cases is known in 9,515 of the 9,658 cases (99%).

⁴ The methodology to report race and ethnicity follows the Trial Court's draft policy, *Manner of Collecting Data on Race and Ethnicity*. Racial categories are defined as the following: American Indian or Alaska Native, Asian, Black or African American, Native Hawaii or other Pacific Islander, and White. The ethnicity category, Hispanic or Latino, includes persons of Cuban, Mexican, Puerto Rican, or other Spanish culture of origin. The racial / ethnic minority category represented in the data is comprised of White (Non-Hispanic), Black or African American (Non-Hispanic), Hispanic, and Other (Non-Hispanic). The Other category includes American Indian or Alaska Native, Asian, Cape Verdean, and Native Hawaii or other Pacific Islander.

⁵ The race/ethnicity of youth appearing before the Juvenile Court in delinquency cases is known in 7,653 of the 9,658 cases (79%).

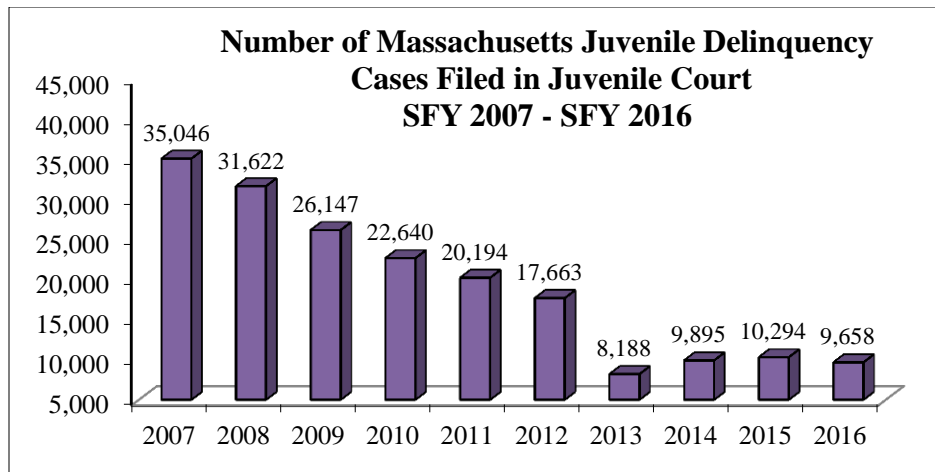


Figure 3. Executive Office of the Trial Court, Department of Research and Planning, *Case Filings and Demographics of Selected Juvenile Case Types*, February 28, 2017.
Note: data on the total number of delinquency cases before the Juvenile Court in SFY 2012 in both Essex County and Norfolk County is unavailable and was therefore excluded from this analysis.

Approximately three out of four youth with a delinquency case filed in juvenile court are ages 15-17 (74%) (Figure 4).⁶

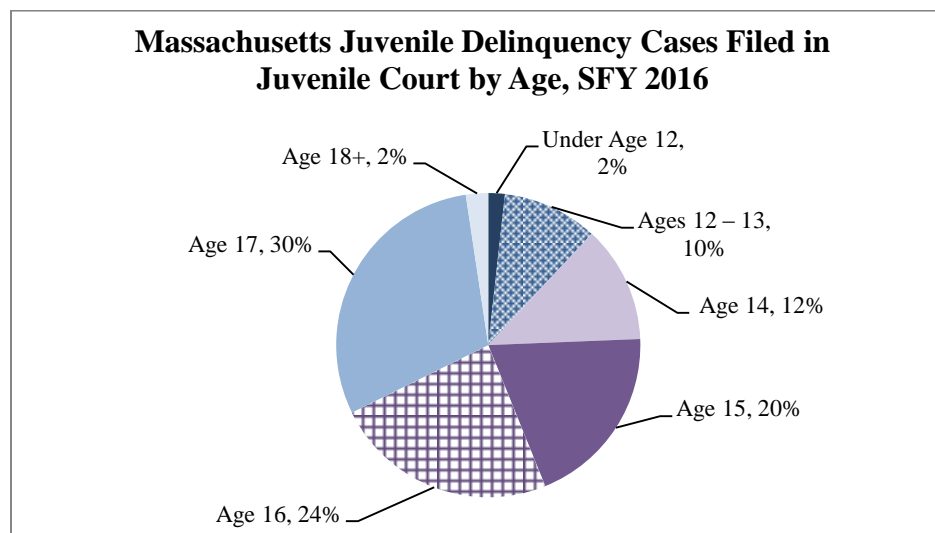


Figure 4. Executive Office of the Trial Court, Department of Research and Planning, *Case Filings and Demographics of Selected Case Types*, February 28, 2017.

⁶ The age category, 18+, includes adults charged with a delinquency committed prior to their 18th birthday and adults charged with one of several criminal offenses in which the Juvenile Court has jurisdiction.

Person offenses are the most common offenses across gender lines, although the percentage share for males and females varied greatly (27.4% and 10.5%, respectively) (Figure 5). Property offenses are the next most common among males (22.1%), followed by other public order offenses (19.1%), motor vehicle offense (3.9%) and controlled substance offenses (3.3%). Other public order offenses are the second most frequently occurring crime for females (7.2%), followed by property offense (5.5%), motor vehicle offense (0.7%) and controlled substance offenses (0.3%).

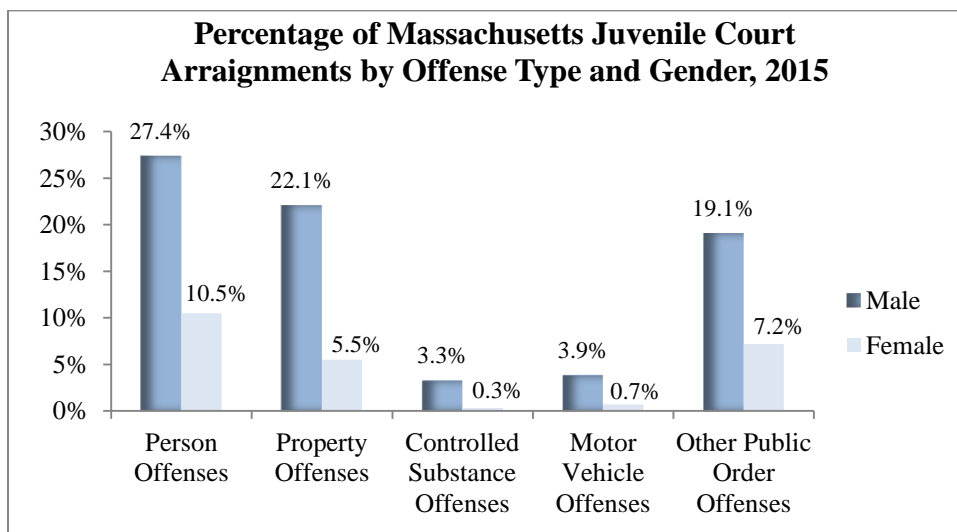


Figure 5. Source: Office of the Commissioner of Probation, Research Department, 2016.
Note: Juvenile Court Arraignment data for 2016 is not available at the time of this analysis.

Youthful Offenders

A youthful offender is a person who is indicted and subjected to an adult and/or juvenile sentence for having committed an offense while between the ages of 14 and 18 which, if he/she were an adult, would be punishable by imprisonment in the state prison [i.e. for felonies] and has:

- previously been committed to the Department of Youth Services (DYS); or
- committed an offense which involves the infliction or threat of serious bodily harm in violation of law; or
- committed a violation of [MGL, Chapter 269, §10(a)(c), (d), MGL, Chapter 269, §10E (firearm offenses)] (MGL, Chapter 119, §58).⁷

In SFY 2016, 218 youthful offender cases were heard before the juvenile court involving young people between ages 14 and 18 (Figure 6, page 10). During the five years between 2009 and 2013, the number of youthful offender cases stabilized or declined; however, subsequent to the raised age of juvenile court jurisdiction, the number of cases rose in SFY 2014. In SFY 2014 and 2015, the number of cases rose 50% and 43%, respectively from each preceding year, and leveled off in 2016. Males accounted for the overwhelming majority of individuals in cases heard by the juvenile court (96%), not unlike the other data previously discussed in this analysis.

⁷ <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter119/Section52>

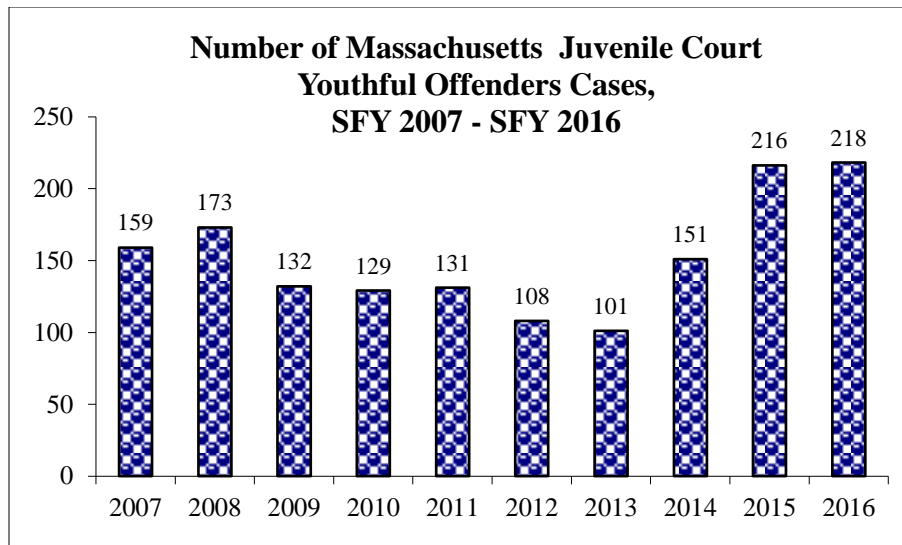


Figure 6. Executive Office of the Trial Court, Department of Research and Planning, *Case Filings and Demographics of Selected Case Types*, February 28, 2017.

Note: SFY 2012 data for Essex County Juvenile Court on the total number of youthful offender cases is unavailable and was therefore excluded from this analysis.

In SFY 2016, the juvenile court divisions in Essex, Suffolk, and Hampden Counties together accounted for two-thirds of the youthful offender cases in the Commonwealth (67%). The top six counties with the most youthful juvenile offender cases in descending order – Essex, Suffolk, Hampden, Middlesex, Bristol, and Worcester – comprise 88% of the youthful offender cases in the Commonwealth (Figure 7). These six counties contain eight of the ten most populous municipalities across the state, which likely contributes to these findings.⁸ Another factor might be differences in the exercise of prosecutorial discretion to indict juveniles as youthful offenders between the counties.

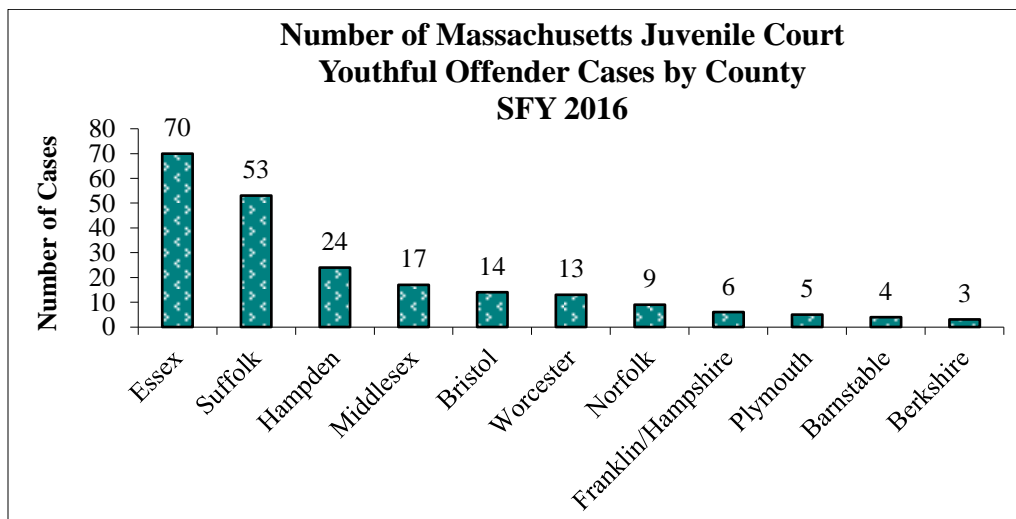


Figure 7. Executive Office of the Trial Court, Department of Research and Planning, *Case Filings and Demographics of Selected Case Types*, February 28, 2017.

Note: Barnstable County includes the Town of Plymouth and Dukes and Nantucket Counties.

⁸ Population data for 2010 was obtained from the U.S. Census Bureau. The eight most populous cities within the top six counties are: Lynn (Essex County), Boston (Suffolk County), Springfield (Hampden County), Cambridge and Lowell (Middlesex County), New Bedford and Fall River (Bristol County), and Worcester (Worcester County).

Examining the race/ethnicity of individuals charged as a youthful offender in SFY 2016, Hispanic youth account for 42% of the cases, followed by Black/African American youth (35%), White youth (22%), and Other (1%).⁹ Figure 8 below reflects that minority youth comprise the majority of youthful offender cases in many of the counties. This is especially true for the counties of Worcester (100%), Suffolk (96%), and Hampden (92%).

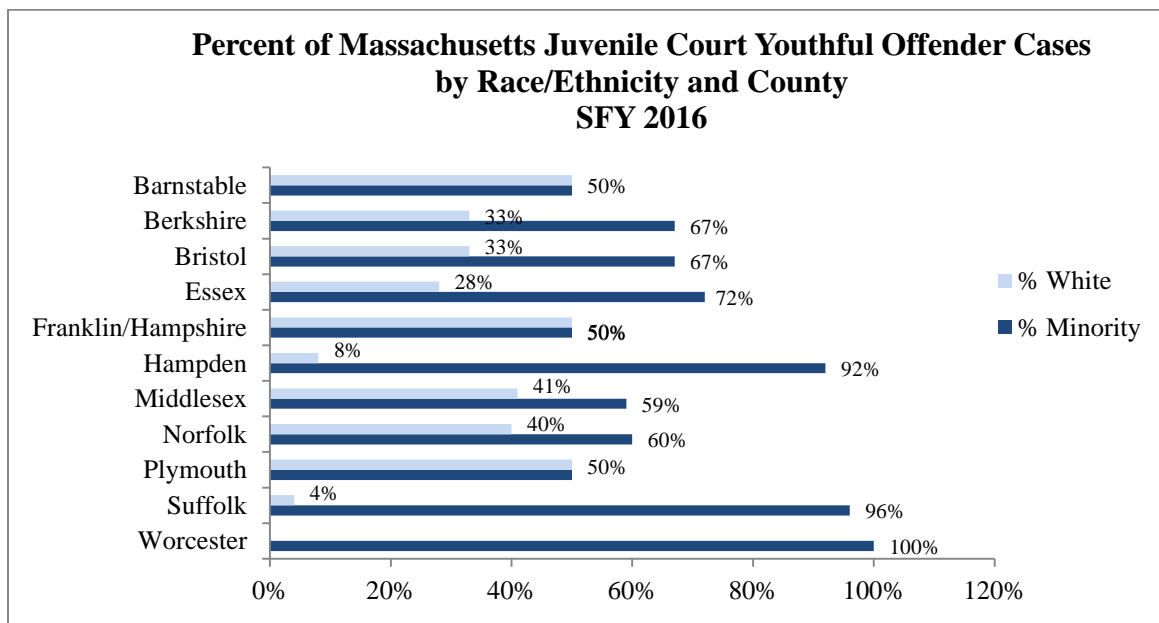


Figure 8. Executive Office of the Trial Court, Department of Research and Planning, *Case Filings and Demographics of Selected Case Types*, February 28, 2017.

Note: Barnstable County includes the Town of Plymouth and Dukes and Nantucket Counties.

Child Requiring Assistance (CRA)

In November 2012, Chapter 240 of the Acts and Resolves of 2012 amended the language in Massachusetts General Laws Chapter 119, §21 to replace the phrase Child in Need of Services (CHINS) with the term Child Requiring Assistance (CRA). A Child Requiring Assistance (CRA) is defined as a child between the ages of 6 and 18 who meets at least one of the following five criteria: (i) repeatedly runs away from the home of the child's parent, legal guardian or custodian; (ii) repeatedly fails to obey the lawful and reasonable commands of the child's parent, legal guardian or custodian, thereby interfering with their ability to adequately care for and protect the child; (iii) repeatedly fails to obey the lawful and reasonable regulations of the child's school; (iv) is habitually truant; or (v) is a sexually exploited child (MGL, Chapter 119, §21).

CRA applications are filed to initiate the process of providing services to minors. In SFY 2016, a total of 5,712 CRA applications were issued exclusively through the juvenile court. The number of applications for children requiring assistance steadily declined each year since SFY 2007 falling to the lowest level in 2013, a 40% drop from the peak in 2007.¹⁰ This period of decline reversed in SFY 2014 with CRA applications increasing 4% from the previous year and 5% from SFY 2014 to SFY 2015; however in SFY 2016, CRA applications declined 7% from

⁹ The race/ethnicity of individuals charged as Youthful Offenders is known in 193 of the 218 cases (89%).

¹⁰ Note: SFY 2012 data for Essex County Juvenile Court and Norfolk County Juvenile Court on the total number of CHINS petitions issued is unavailable and was therefore excluded from this analysis.

the prior year. Figure 9 displays the ten-year trends of CHINS and CRA cases before the juvenile courts.

Of the CRA applications before the juvenile court in SFY 2016, males represent more than half (55%)¹¹ of the youth. The race/ethnicity demographics include 43% White youth, 34% Hispanic youth, 20% Black/African American youth and 3% Other.¹²

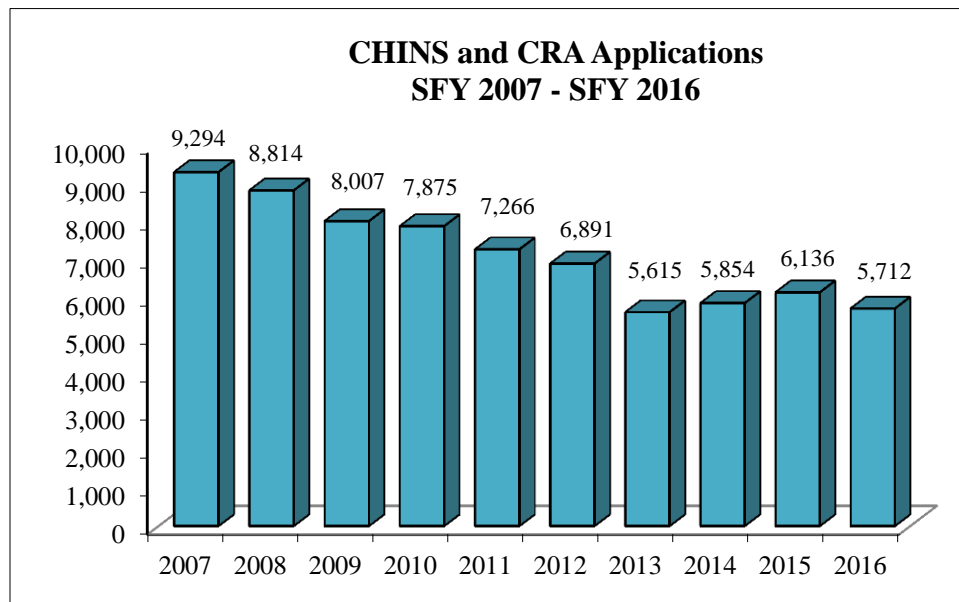


Figure 9. Executive Office of the Trial Court, Department of Research and Planning, *Case Filings and Demographics of Selected Case Types*, February 28, 2017.

(3) Formal Juvenile Court cases (by gender and race), Care and Protection Cases

This section describes youth whose cases are handled formally, through both risk/need probation supervision and care and protection cases.

Probation

“The Massachusetts Probation Service’s mission is to increase community safety, support victims and survivors, and assist individuals and families in achieving long term positive change.”¹³ The Commonwealth of Massachusetts has a long history of promoting supervised release in the community, when appropriate, instead of imposing a jail or prison sentence.

What is known today as “probation”¹⁴ was first introduced in Boston by John Augustus, who came to be known as the “Father of Probation.” In 1841 he convinced the Boston Police Court to release a “common drunk” into his custody rather than incarcerating him – the customary action taken at that time. Ordered by the court to return in three weeks, the offender did so, surprising the court by his sobriety and changed demeanor. Augustus eventually expanded his

¹¹ The gender of youth appearing before the Juvenile Court in CRA cases is known in 5,264 of the 5,712 cases (92%).

¹² The race/ethnicity of youth appearing before the Juvenile Court in CHINS and CRA cases is known in 3,856 of the 5,712 cases (67%).

¹³ <http://www.mass.gov/courts/court-info/probation/>

¹⁴ New York City Department of Probation, Online, Available: <http://www.nyc.gov/html/prob/html/about/history.shtml>.

efforts to include women and children. However, it wasn't until April 26, 1878 that the first probation statute in the United States was passed by the Massachusetts legislature establishing a State probation system and sanctioning probation officers. The federal probation system was enacted in March 1925.

Within the Juvenile Court system, Juvenile Probation Officers are responsible for the supervision of children and young adults involved in delinquent, youthful and status offending behavior, and overseeing the welfare of children before the Juvenile Court as subjects of parental abuse and neglect.

Risk/need probation applies to all felony, misdemeanor and delinquency cases where supervision is ordered by the Juvenile Court, with the exception of cases related to driving under the influence or where administrative supervision is ordered. Risk/need probation is exercised in those cases where supervision may benefit the juvenile while also mitigating the risk the individual may pose to the community; this determination is made utilizing an assessment tool¹⁵ and classification process.¹⁶

The number of new risk/need probation cases decreased 11% in the one-year period between calendar year 2015 (1,043) and 2016 (930) and dropped 79% over the ten-year period from 2007 (4,514) to 2015 (930) (Figure 10).

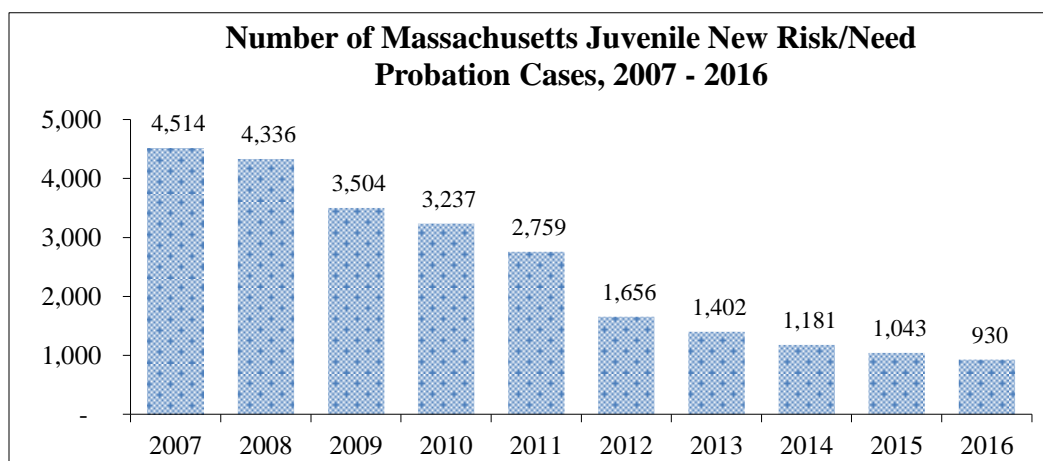


Figure 10. Source: Office of the Commissioner of Probation, Research Department, 2017.

For the past ten years, despite an overall downward trend in the total number of juveniles on new risk/need probation, males consistently represent more than three-quarters of all such youth (Figure 11, page 14). The number of cases for males and females on risk/need probation were highest at the beginning of the ten-year period, and declined steadily to a ten-year low of 736 and 194, respectively.

¹⁵ OCP adopted the Ohio Risk Assessment System (ORAS), a validated risk and need assessment tool. Accessed on May 24, 2016. <http://www.drc.ohio.gov/web/oras.htm>.

¹⁶ From the ORAS Statement of Purpose in Standards: The purpose of the Risk/Need Classification System and Probation Supervision is to implement a planned methodology for the assessment and supervision of the probationer to promote law-abiding behavior in the community and to reduce recidivism. Information provided by the OCP to EOPSS for Results First program definitions, May 27, 2014.

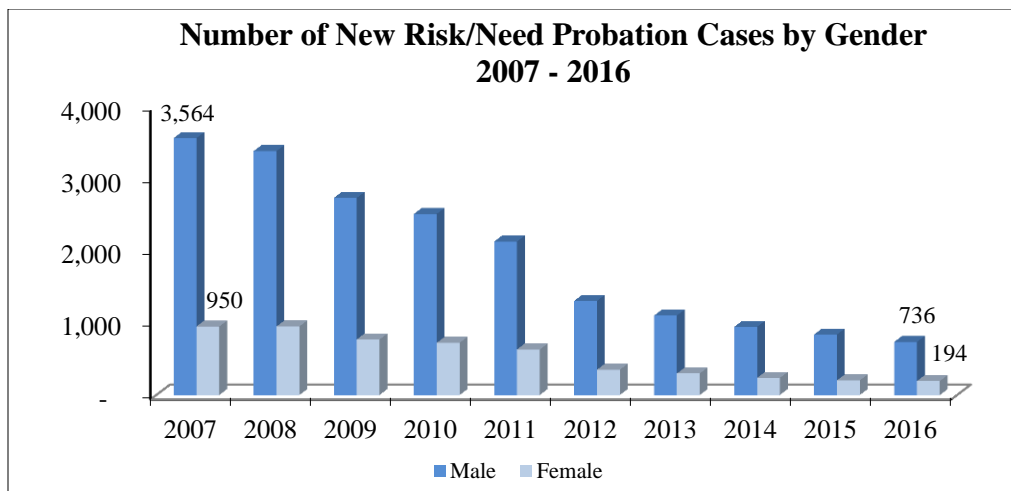


Figure 11. Source: Office of the Commissioner of Probation, Research Department, 2017.

In addition to the overrepresentation of males in new risk/need probation placements, minority youth accounted for just under half of the risk/need probation placements in 2016, although they make up less than one quarter of the state's population (Figure 12).¹⁷

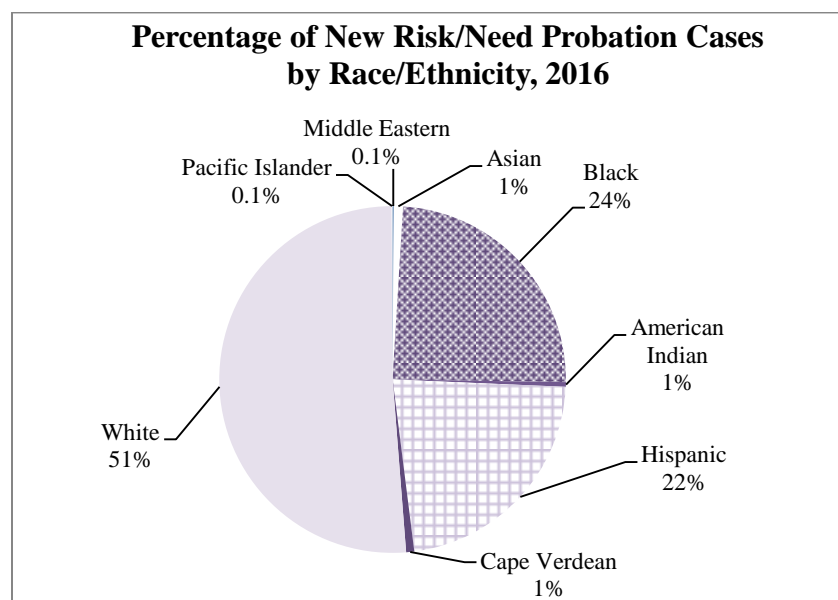


Figure 12. Source: Office of the Commissioner of Probation, Research Department, 2017.

The percentage of minority¹⁸ youth placed on risk/need probation, as a percentage of the total risk/need population, fluctuated over the past ten years, from a baseline of 45% in 2007 to 52% in 2015, and declining to 49% in 2016 (Figure 13, page 15).

¹⁷ 2015 Census estimates for Massachusetts indicate that white persons comprise 79.6% of the total population within the Commonwealth.

¹⁸ In calendar year 2011, the OCP began tracking two new racial/ethnic categories – Cape Verdean and Native American – that were previously captured in the catchall “Other” category. At the same time, the “Other” category was phased out altogether, resulting in the following six racial/ethnic classifications: Asian, Black, Cape Verdean, Hispanic, Native American, and White. In 2014, Middle Eastern was added to the racial/ethnic categories.

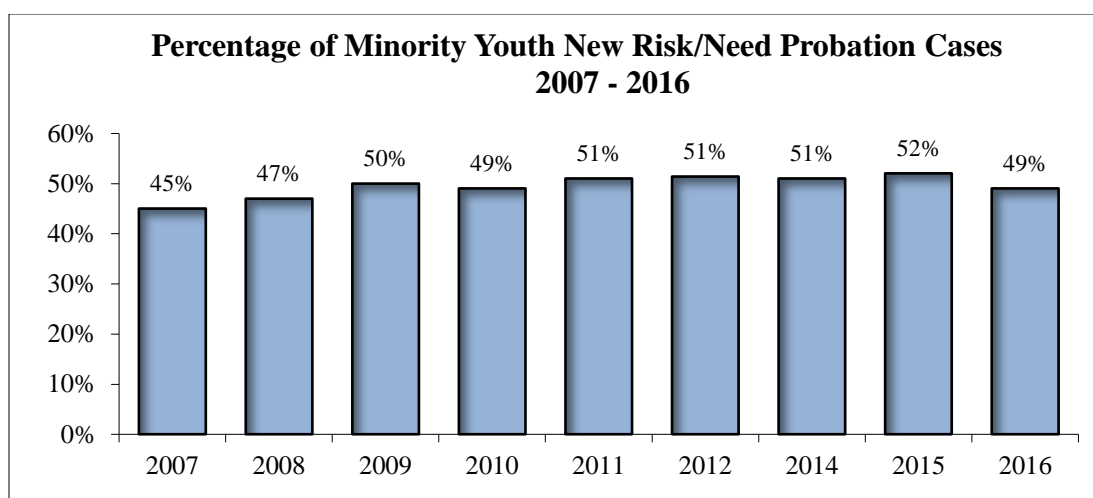


Figure 13. Source: Office of the Commissioner of Probation, Research Department, 2017.

Juvenile Court Care and Protection Cases

Care and Protection cases in Massachusetts are heard in the Juvenile Court.¹⁹ The following characteristics unique to the of care and protection proceedings of children are found in Massachusetts General Laws, Chapter 119, Section 26:

- If the court finds the allegations in the Care and Protection petition proved, it may adjudged that the child is in need of care and protection.
- If the child is adjudged to be in need of care and protection, the court may commit the child to the custody of DCF until he becomes an adult or until the objective of his commitment has been accomplished.
- The Court may also make any other appropriate order, including permitting the child to remain with a parent, guardian or other custodian, or transferring temporary or permanent legal custody to:
 - a) any person, including the child's parent, who is found by the court to be qualified to give care to the child,
 - b) any agency or other private organization licensed or otherwise authorized to receive and care for the child, or
 - c) the department of children and families.

In state fiscal year 2016, there were 3,855 Care and Protection Petitions in the Juvenile Court, the highest in this 10-year period, and an increase of 14% from the previous year (Figure 14, page 16).²⁰

¹⁹ The Court Reorganization Act of 1992 authorized the establishment of a statewide juvenile court. The Juvenile Court Department has general jurisdiction over the following cases: delinquency, child requiring assistance, care and protection petitions, adult contributing to the delinquency of a minor, adoption, guardianship, termination of parental rights proceedings, and youthful offenders.

²⁰ Note: "Delinquency complaints" in Juvenile Court represent the same data point as "juvenile charge" in District Court. For the purposes of this report, "delinquency complaints" includes both delinquency complaints and juvenile charges. The Court Reorganization Act exempted the Brookline District Court and Gloucester District Court from relinquishing jurisdiction to the Juvenile Court Department.

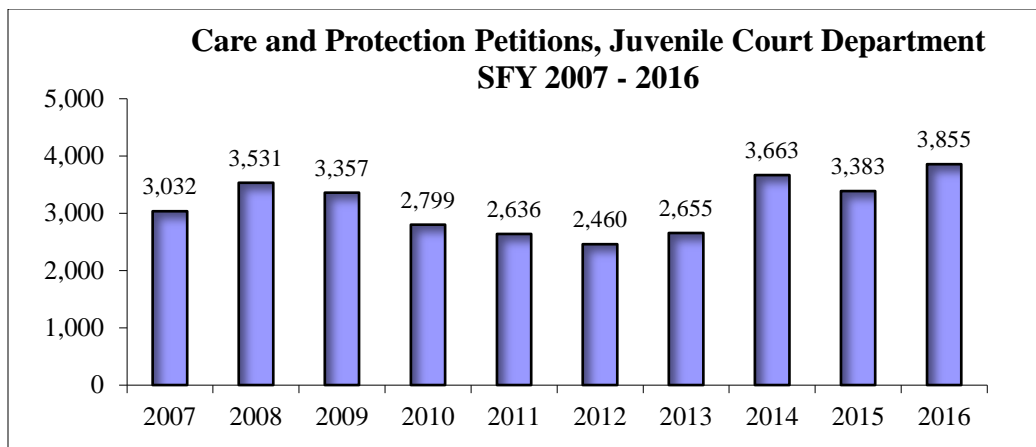


Figure 14. Executive Office of the Trial Court, Department of Research and Planning, *Case Filings and Demographics of Selected Case Types*, February 28, 2017.

(4) Department of Youth Services: commitments, secure detentions, alternative lockup program and recidivism study (by gender, race and offense category)

Massachusetts has the distinction of establishing the nation's first juvenile correctional system in 1846 when it opened the Massachusetts State Reform School in Westborough. Subsequently the Lyman School for Boys opened in Westborough in the 1860's. By 1908 there were five such institutions – known as training schools. The initial philosophy that undergirded these institutions was the rehabilitation of juveniles and that this was best accomplished by not placing them in adult institutions. Unfortunately, over the decades the juvenile justice system became defined by mismanagement, high recidivism rates and reports of child abuse within the facilities. These criticisms culminated with the abolition of the Division of Youth Services, and the establishment of the Department of Youth Services as a separate state agency under the Executive Office of Health and Human Services in 1969. Reform efforts ultimately resulted in closing training schools in the early 1970's, leading to the deinstitutionalization of status offenders (i.e. runaways, truants, and stubborn children).²¹

When youth are “committed to DYS” it means that they are adjudicated as a delinquent child on a complaint or as a youthful offender on an indictment, and will be in the legal custody of DYS until either age 18, 19 or 21. Once adjudicated delinquent and committed to DYS he or she is usually committed until age 18. If the case is not disposed of until after the youth turns 18, he or she is committed until age 19. If charged as a youthful offender, he or she could be committed until age 21.²² “Committed to DYS” does not necessarily mean in the physical custody of DYS and living in a DYS facility. The continuum of care for a juvenile who is committed to DYS is: Assessment, Residential Phase, Hardware/Secure Treatment, Staff Secure Treatment, Community Supervision, and Discharge.²³

²¹ Department of Youth Services, *History of Youth Services*, Online, Available: <http://www.mass.gov/eohhs/gov/newsroom/dys/history/>

²² Massachusetts General Law, Chapter 119, Section 58.

²³ In 2009, DYS implemented the Community Service Network model, a progression of the community supervision model utilized successfully by the department for the past decade. A significant change with the new model is a return to a case management team format to deliver services to DYS youth in a specific geographic area or district rather than within a day reporting center. DYS, 2009 Annual Report, March 2011.

Commitments

In 2017, the DYS committed population totaled 651 youth,²⁴ 364 of which are new DYS commitments. The number of individuals in the total DYS population on January 1, 2017 represents a decrease of 66% from the high of 1,895 on January 1, 2008 (Figure 15).

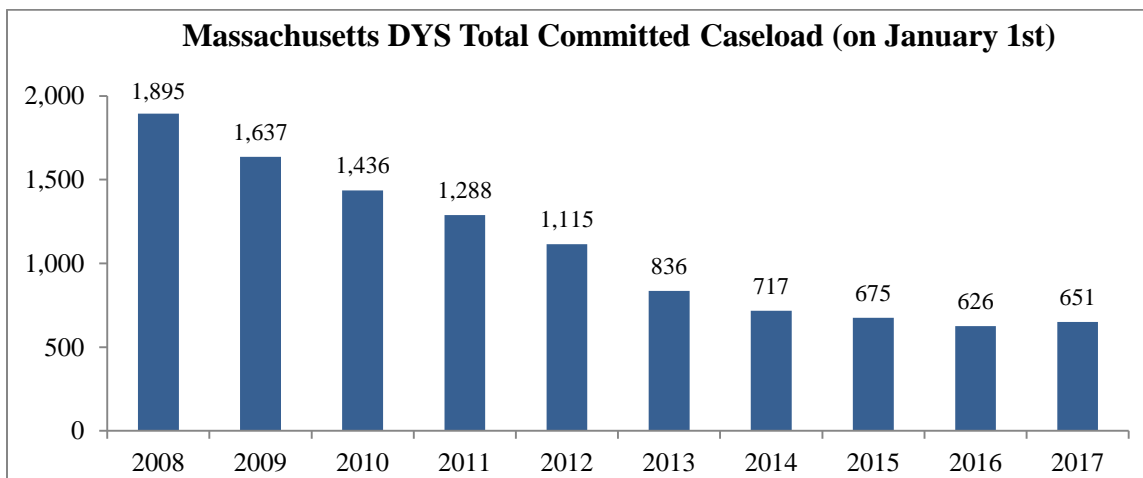


Figure 15. Massachusetts Department of Youth Services, 2017.

The majority of the DYS committed population on January 1, 2017 is male (88%). However, the number of males in the DYS committed population on January 1, 2017 is 64% lower than at its high in January 2008. The number of females in the DYS committed population on January 1, 2017 is 73% lower than at its peak in January 2008 (Figure 16). The reduction in the committed population may be attributed to the DYS “service continuum that engages youth, families and communities in strategies that support positive youth development”.²⁵

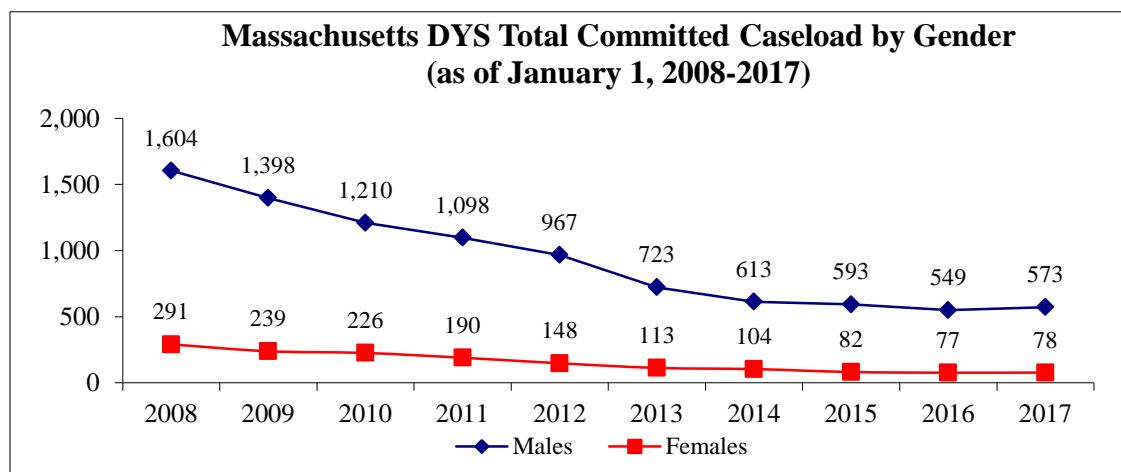


Figure 16. Massachusetts Department of Youth Services, 2017.

²⁴ This is a point-in-time count on January 1, 2017.

²⁵ Department of Youth Services 2015 Annual Report, December 2016. <http://www.mass.gov/eohhs/docs/dys/dys-annual-report-2015.pdf>

Minority youth are overrepresented in the DYS total committed population in 2017 when compared to the Massachusetts population²⁶ of minority youth (31%) in 2015,²⁷ 80% of DYS committed youth in 2017 are a minority (37% African American, 38% Hispanic, 0.5% Asian, and 4% of some other race/ethnicity)²⁸ (Figure 17).

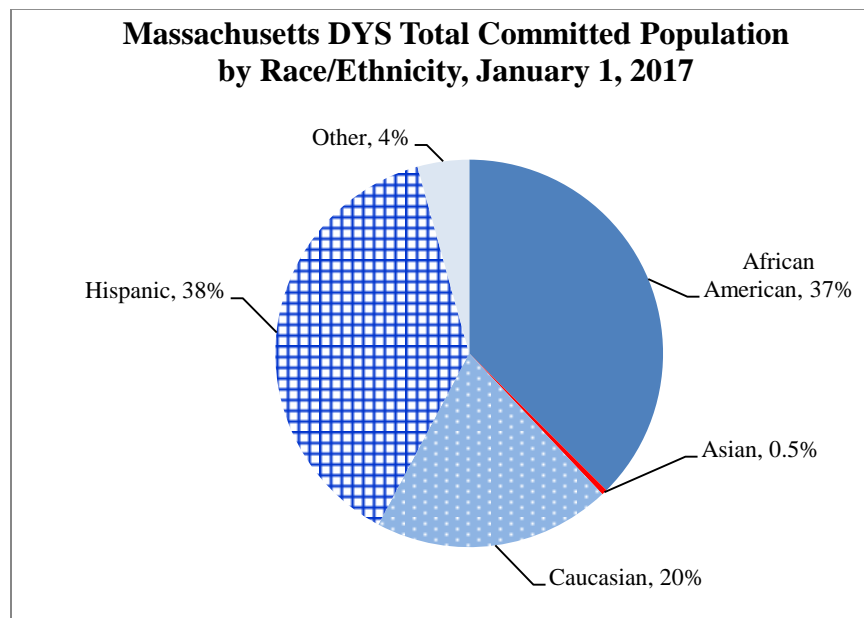


Figure 17. Massachusetts Department of Youth Services, 2017.

On January 1, 2017, the DYS committed population included individuals between the ages of 13 and 20. More than half are ages 16 and 17 (59%) (Table 3).

Table 3. DYS Total Committed Population by Age

Age	Total #	Total %
Age 13	1	0.2%
Age 14	17	2.6%
Age 15	33	5.1%
Age 16	133	20.4%
Age 17	250	38.4%
Age 18	92	14.1%
Age 19	66	10.1%
Age 20	59	9.1%
Total	651	100%

Source: Massachusetts Department of Youth Services, 2017.

Note: this is the age at the time of commitment.

²⁶ For comparison with the DYS committed population, the Massachusetts youth population is defined as ages 13-20.

²⁷ Puzzanchera, C., Finnegan, T. and Kang, W. (2014). "Easy Access to Juvenile Populations: 1990-2015" Online. Available: <http://ojjdp.gov/ojstatbb/ezapop>

²⁸ Includes only DYS committed youth ages 13-20.

Ninety-seven percent (97%) of the committed population from Suffolk County are minority youth (n=127), yet they represent 60%²⁹ of that county's population.³⁰ Similarly, of the youth from Hampden County committed to DYS, 91% are a minority (n=105); however, they comprise 46% of the county's population. It is important to note that the City of Boston, which is the most populous in the state, is in Suffolk County and Springfield, the third most populous city is in Hampden County (Figure 18).

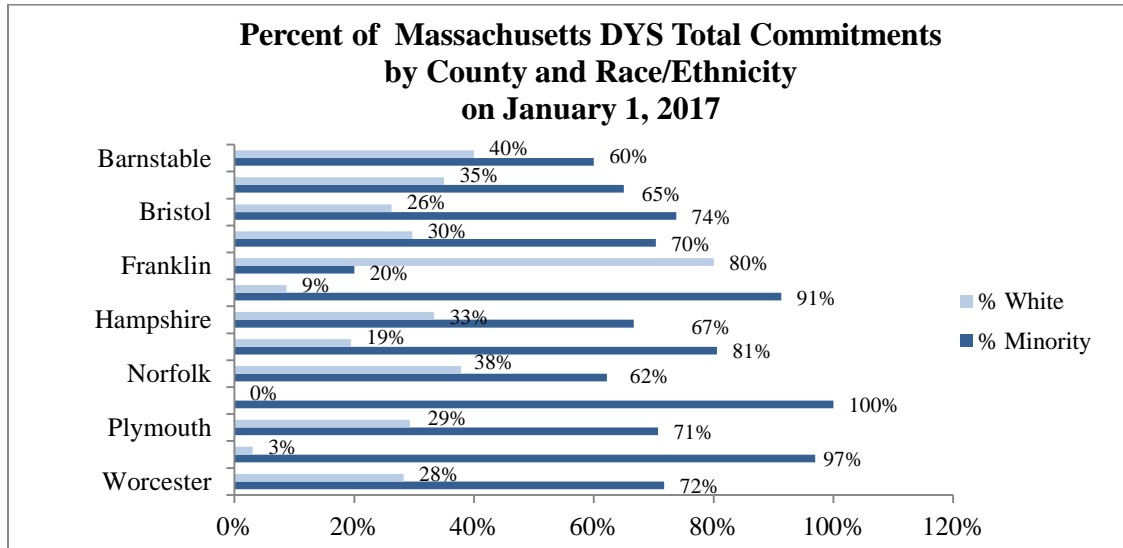


Figure 18. Massachusetts Department of Youth Services, 2017.

The number of new DYS commitments fluctuated over the ten-year period. There was a sharp decline of 35% in 2012 from the prior year, increasing 12% in 2013, slightly increasing 4% in 2014, decreasing 21% in 2015, and rising 14% in 2016, all from the previous years. Overall, the number of new DYS commitments fell 57% over the ten-year period (Figure 19).

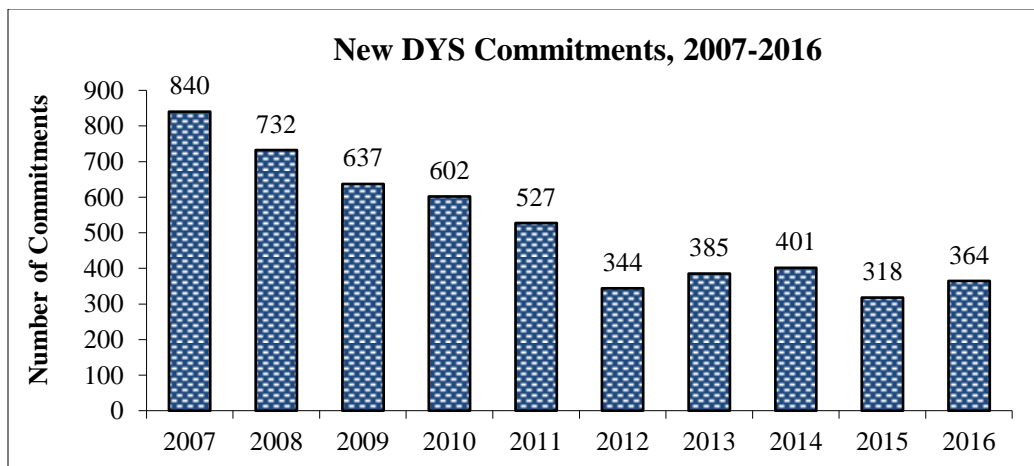


Figure 19. Massachusetts Department of Youth Services, 2017.

²⁹ For comparison with the DYS committed population, the Suffolk and Hampden Counties youth population is defined as ages 13-20.

³⁰ Puzzanchera, C., Finnegan, T. and Kang, W. (2014). "Easy Access to Juvenile Populations: 1990-2015" Online. Available: <http://ojjdp.gov/ojstatbb/ezapop>

In 2016, almost three-quarters (73%) of new commitments to DYS are minority youth (Figure 20).

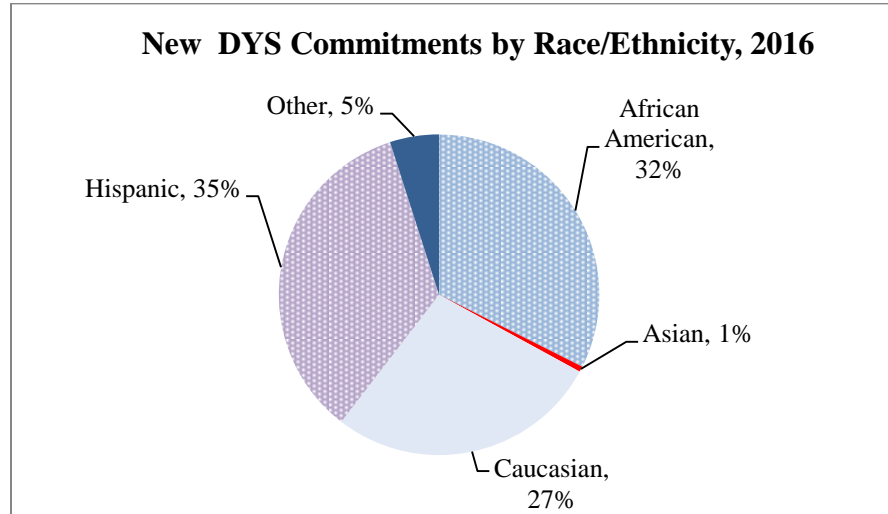


Figure 20. Massachusetts Department of Youth Services, 2017.

In 2016, over half (54%) of the new DYS commitments are from Suffolk, Worcester, and Essex counties (Figure 21).

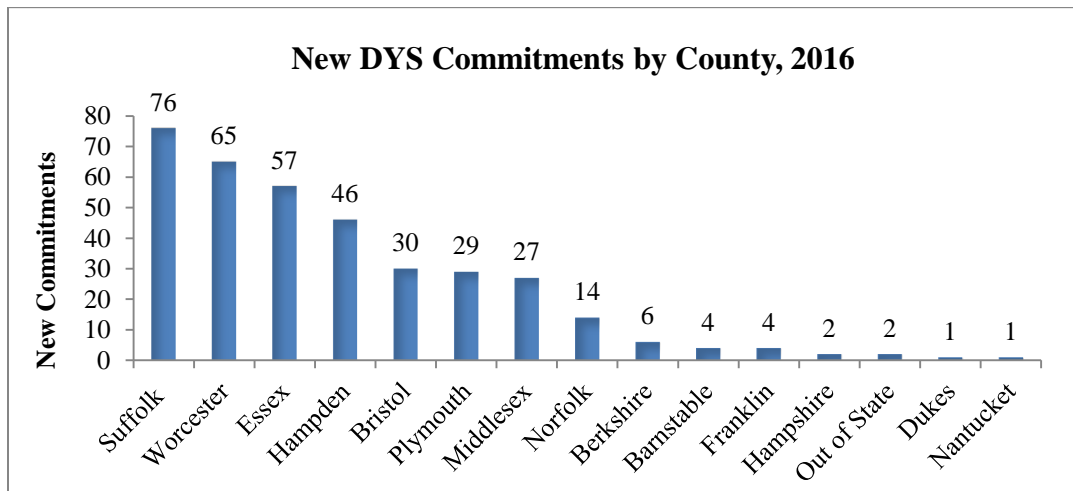


Figure 21. Massachusetts Department of Youth Services, 2017.

In 2016, 46% of newly committed DYS youth are for crimes against persons (n=169), representing a 7% decrease from the previous year. Crimes against persons is followed by 21% for property-related offenses (n=76), a 27% increase from 2015 (Figure 22, page 21).

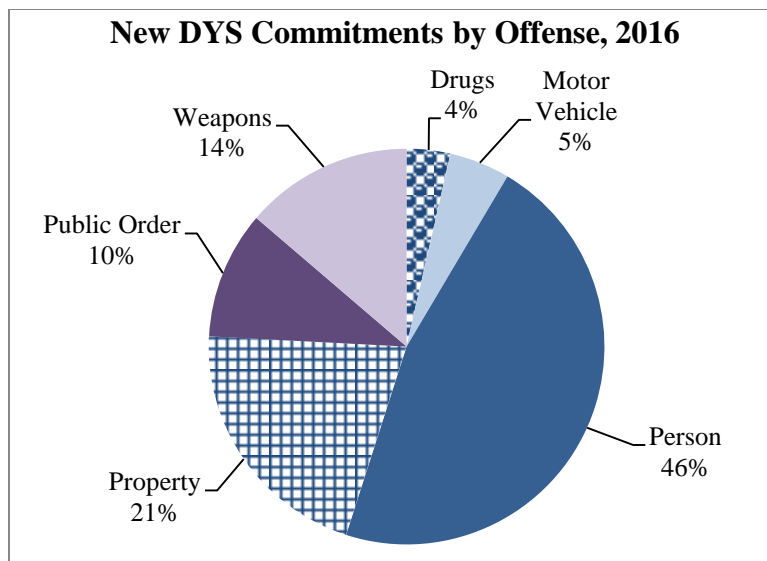


Figure 22. Source: Massachusetts Department of Youth Services, 2017.

Secure Detention

Ideally, detention should be used for youth who are unlikely to appear in court if released or they have committed a certain serious offense and present a danger to others and the community. The Commonwealth is actively working to minimize the use of detention through the Juvenile Detention Alternative Initiative (JDAI).³¹ The four strategic goals are:

1. Reduce detention rates of low-risk youth
2. Identify opportunities to reduce lengths of stay in detention through case processing reforms
3. Reduce racial and ethnic disparities
4. Replicate JDAI with fidelity at the local level

Despite the Commonwealth's efforts to minimize the use of detention through JDAI, many low-level offenders, who are often Hispanic and African-American, are placed in detention. Secure detention does more harm than good particularly for those youth who are held for minor or nonviolent offenses. Detention further impedes a youth's healthy development, educational progress, and is likely to result in increased criminal activity.³²

According to DYS, in 2016 there are 1,860 juveniles sent to pre-trial detention.³³ The number of pre-trial detention admissions in 2016 declined 3% from the previous year and is 67% lower than the high of 5,562 in 2003 (Figure 23, page 22). The average daily number of youth held in pre-trial detention decreased from a high of 289 in 2003 to 122 in 2013, increased to 180 in 2015, and dropped to 172 in 2016.

³¹ *The Juvenile Detention Alternative Initiative (JDAI) in Massachusetts works to ensure that "the right youth, is in the right place, for the right reasons."* Accessed on 3/22/17 <http://www.mass.gov/eohhs/gov/commissions-and-initiatives/jdai/jdai-work-plans-and-goals.html>

³² The Annie E. Casey Foundation. *Juvenile Detention Alternatives Initiative Progress Report, 2014.* Accessed on 3/31/17 <http://cms.aecf.org/m/resourcedoc/aecf-2014JDAIProgressReport-2014.pdf#page=5>

³³ Not including juveniles previously committed to DYS custody.

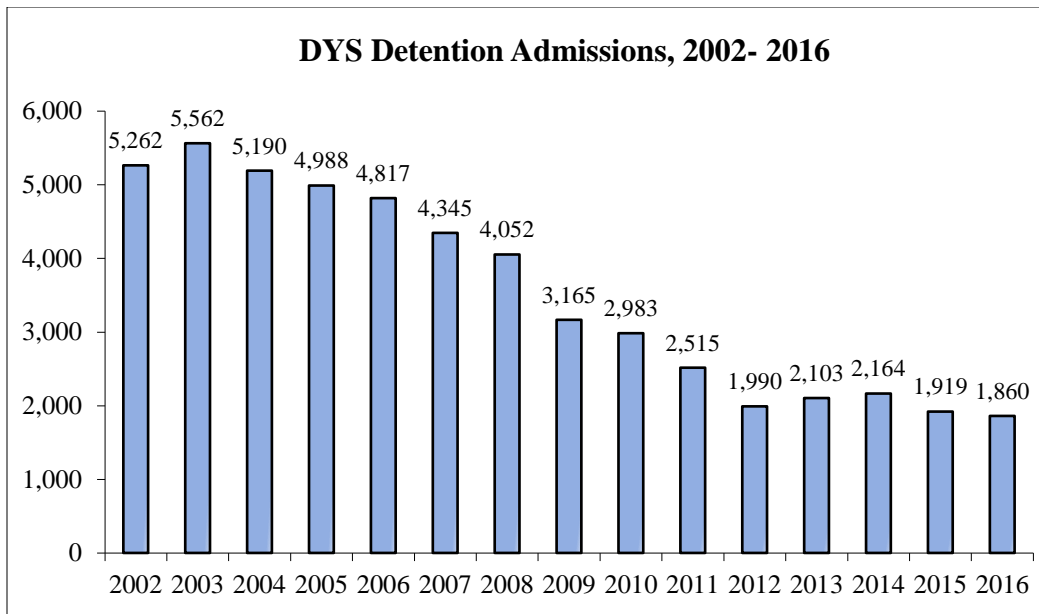


Figure 23. Massachusetts Department of Youth Services, 2017.

Similar to the DYS committed population, minority youth are also overrepresented in the 2016 DYS detainee population. Minority youth comprise 72% of all DYS detentions, as follows: 39% Hispanic youth, 28% African American youth, 1% Asian youth, and 3% youth of some other race/ethnicity (Figure 24).

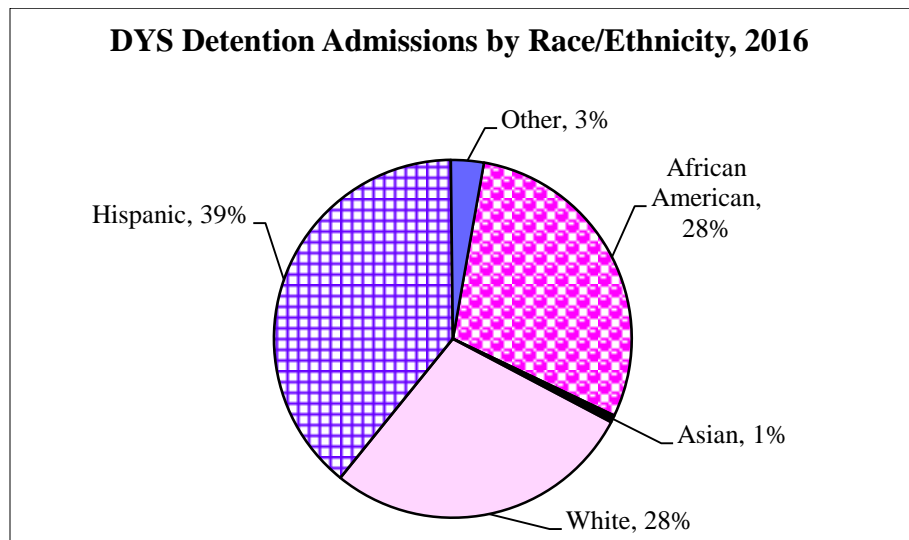


Figure 24. Massachusetts Department of Youth Services, 2017.

In 2016, Suffolk, Worcester, and Essex counties have the largest number of youth held in detention, accounting for 54% of the DYS detainee population (Figure 25).

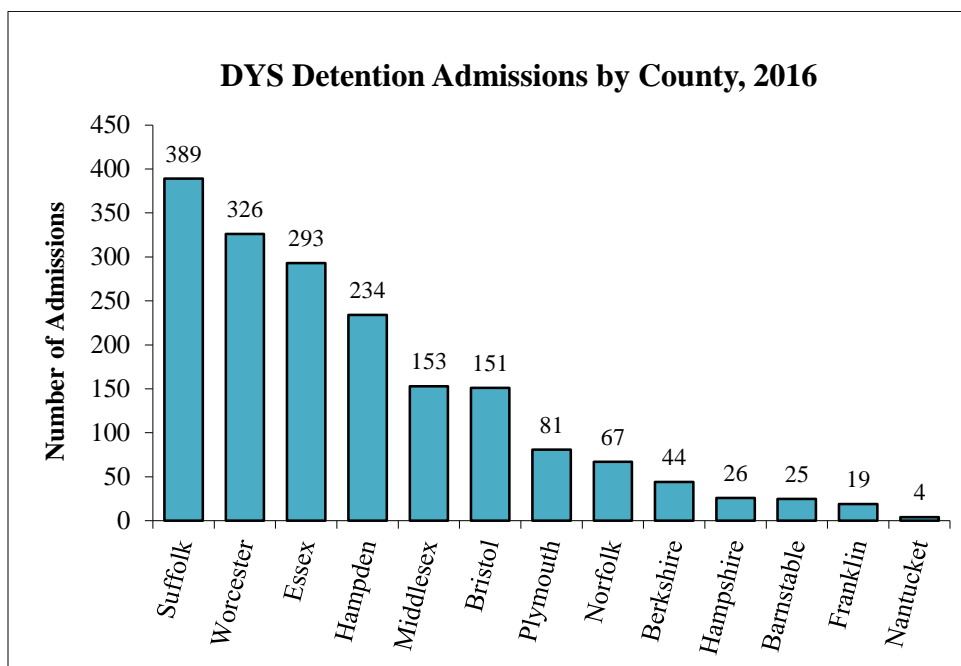


Figure 25. Massachusetts Department of Youth Services, 2017.

Note: Chart does not include three out-of-state detentions and 45 unknowns.

On a daily average in 2016, there are 143 males and 23 females held in secure pre-trial detention across Massachusetts.³⁴ Males are consistently overrepresented in detention placements with 86% of the average daily secure detention placements in 2016 (Figure 26).

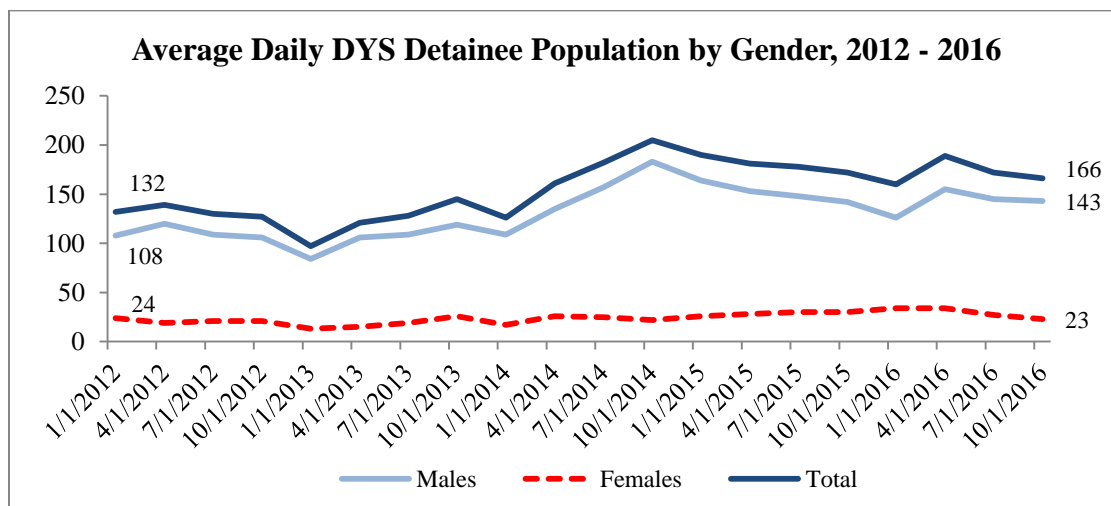


Figure 26. Massachusetts Department of Youth Services, 2017.

³⁴ One-day counts received from DYS on February 22, 2017.

Over half (57%) of the DYS pretrial detention population in 2016 are held for crimes against persons (Figure 27).

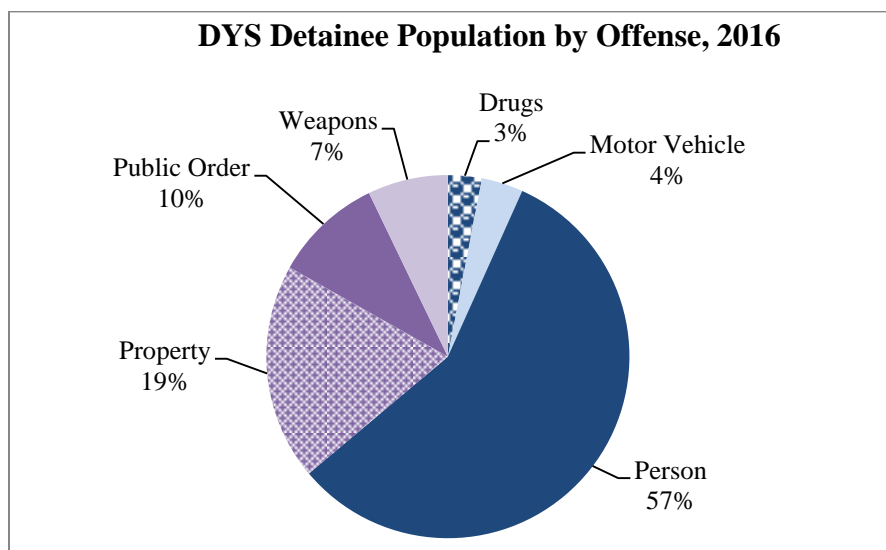


Figure 27. Massachusetts Department of Youth Services, 2017

Alternative Lockup Program

The Alternative Lockup Program (ALP) is designed to relieve police departments of the burden of caring for alleged juvenile delinquents (children under 18 years of age) during non-court hours. The ALP safeguards that no juvenile will be detained in a police lockup for longer than the federally mandated six-hour time limit.

In 2016, Hispanic youth had the highest number of admissions (36%) to the ALP followed by African American and Caucasian youth, each composing 30% of admissions to the ALP (Figure 28).

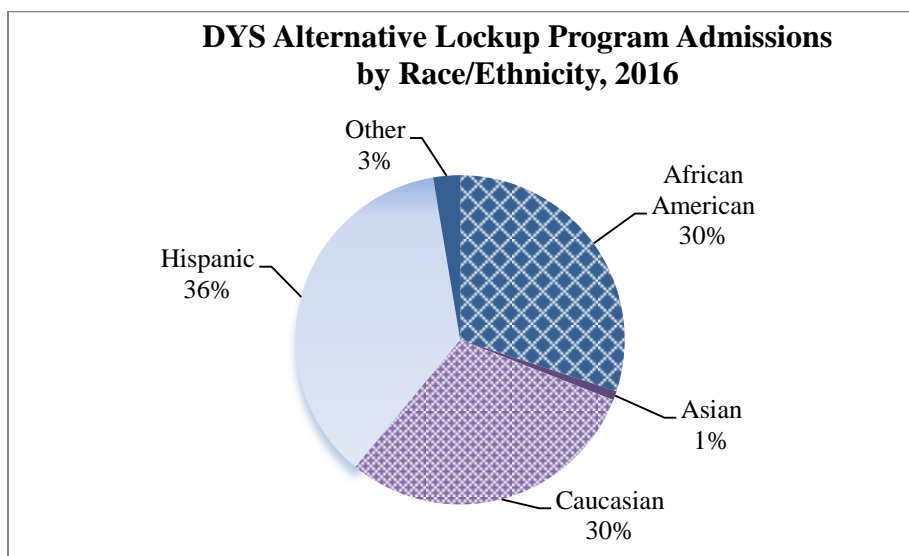


Figure 28. Massachusetts Department of Youth Services, 2017.

The majority of youth admitted to the ALP in 2016 were between 14 and 17 years of age (93%). Youth 16 years of age were the largest group admitted to the ALP (30%). Youth 17 years of age constitute 29% of youth admitted to the ALP. The large number of youth age 17 years admitted to the ALP is attributed to 2013 legislation that increased the age of juvenile court jurisdiction from 16 to 17 (Table 4).

Table 4. Alternative Lockup Program Admissions by Age 2016

Age	Total	Percent
10	1	0.06%
11	5	0.3%
12	34	2.0%
13	77	4.6%
14	232	14.0%
15	338	20.3%
16	491	29.5%
17	479	28.8%
18	6	0.4%
Total	1,663	100%

Source: Massachusetts Department of Youth Services, 2017.

Of the number of youth admitted to an ALP, 46% are charged with crimes against persons, followed by public order offenses (18%) and property-related offenses (16%) (Figure 29).

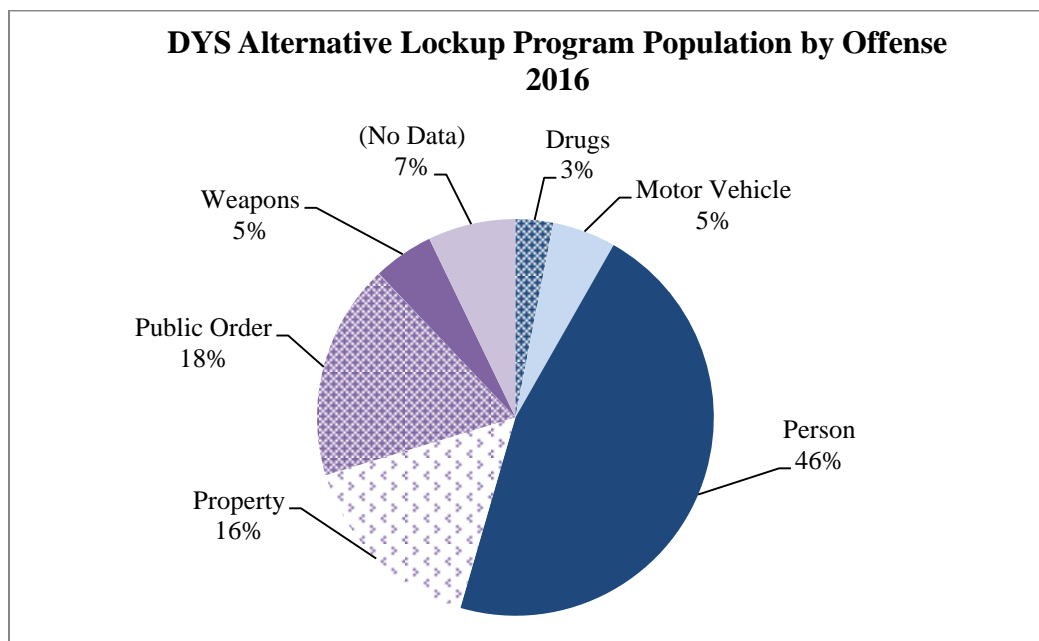


Figure 29. Massachusetts Department of Youth Services, 2016.

Recidivism for DYS Youth Discharged During 2012

Reentry into the community after being either committed to DYS or after being released from a secure or non-secure placement can be difficult for young people in Massachusetts. The latest recidivism³⁵ data from DYS is from a cohort of 401 former clients of DYS, or approximately 65% of the 620 clients discharged during 2012.³⁶ Of the sample studied, 51% were arraigned and 22% were convicted of an offense within one year of discharge. The re-incarceration rate rose 4% in 2012 compared to the previous year (19.2% vs. 18.5%). As depicted in Figure 30, the conviction rate for the 2012 cohort increased slightly (2%) from the previous year. As reported in this most recent study, among the subjects who re-offended within one year of discharge, 61% did so within six months.

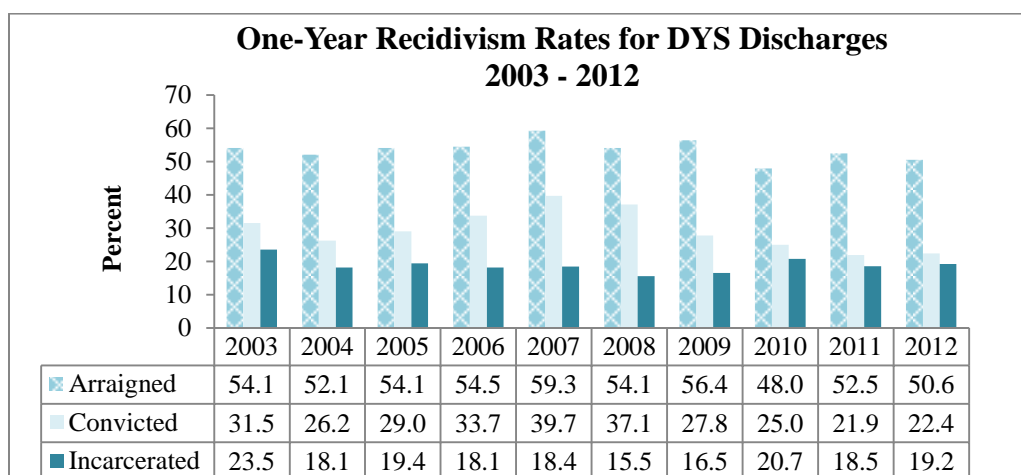


Figure 30. Massachusetts Department of Youth Services, *Juvenile Recidivism Report for Clients Discharged During 2012*. December 30, 2016.

The statistics below highlight the characteristics of individuals convicted within one year:

- **Gender:** 25% of the males and 4% of the females re-offended within one year of discharge.
- **Ethnicity:** 31% of African Americans, 18% of Caucasians, 23% of Hispanics, and 15% of juveniles of other ethnicities were re-convicted for offenses committed within one year of discharge.
- **County:** 31% from Suffolk County, 25% from Worcester County, 24% from Essex County, 22% from Hampden County and 18% from Bristol County were convicted of a crime within one year of discharge.
- **Offense Type:** 25% of offenders who committed a crime against a person, 23% of the property offenders, 22% of the drug offenders, 21% of the weapons offenders, 18% of public order offenders, and 7% of the motor vehicles offenders were convicted of a crime within one year of discharge (Figure 31, page 27).

³⁵ Recidivism is defined as a conviction in the adult system for an offense committed within one year of discharge from DYS.

³⁶ Massachusetts Department of Youth Services *Juvenile Recidivism Report for Clients Discharged During 2012*, December 30, 2016.

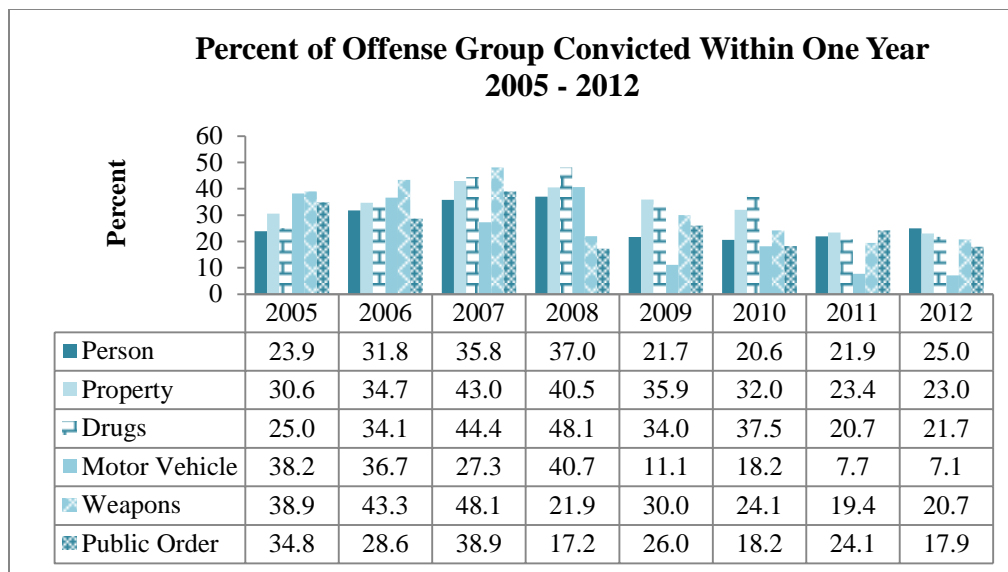


Figure 31. Massachusetts Department of Youth Services, *Juvenile Recidivism Report For Clients Discharged During 2012*. December 30, 2016.

Research has shown that juveniles who start offending before age 12 are more likely to continue offending into early adulthood and have high recidivism rates.³⁷ Figure 32 shows that DYS youth who were 14 years of age at the time of their first arrest had the highest reconviction rate (27%) of the 2012 cohort. Those who were first arrested at age 15 had the lowest reconviction rate (18%).

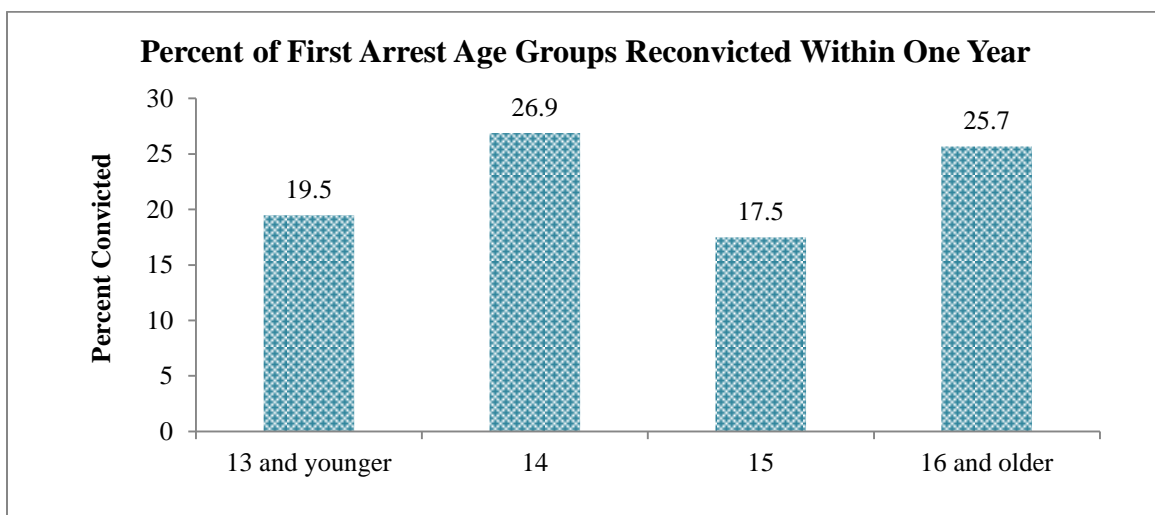


Figure 32. Massachusetts Department of Youth Services, *Juvenile Recidivism Report For Clients Discharged During 2012*. December 30, 2016.

³⁷ National Institute of Justice, *From Juvenile Delinquency to Young Adult Offending*, Accessed March 11, 2014. Available: <https://www.nij.gov/topics/crime/Pages/delinquency-to-adult-offending.aspx>

(5) Other social, economic, legal and organizational conditions considered relevant to delinquency prevention programming

There are many risk and protective factors associated with juvenile delinquency. This section gives an overview of the following:

- Child Abuse and Neglect
- Teen Pregnancy and Sexual Health
- Mental Health Disorders
- Economic Conditions
- School Dropouts and School Exclusions
- Youth Violence and School Safety
- Tobacco and Substance Abuse

Child Abuse and Neglect

The Department of Children and Families (DCF) is the Massachusetts state agency responsible for protecting children under the age of 18 from child abuse and neglect. Massachusetts law requires professionals, referred to as mandated reporters, to notify DCF if they suspect child abuse or neglect. The Code of Massachusetts Regulations (110 CMR 2.00) defines abuse and neglect as follows:

- Abuse is “the non-accidental commission of any act by a caretaker upon a child under age 18 which causes, or creates a substantial risk of physical or emotional injury, or constitutes a sexual offense under the laws of the Commonwealth or any sexual contact between a caretaker and a child under the care of that individual. Abuse is not dependent upon location (i.e., abuse can occur while the child is in an out-of-home or in-home setting.)”
- Neglect is the “failure by a caretaker, either deliberately or through negligence or inability to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care; provided, however, that such inability is not due solely to inadequate economic resources or solely to the existence of a handicapping condition. This definition is not dependent upon location (i.e., neglect can occur while the child is in an out-of-home or in-home setting.).”³⁸

According to DCF, in State Fiscal Year (SFY) 2015³⁹ there were 90,497 child abuse and neglect reports (51A) filed with the agency (Figure 33, page 29). Of the 90,497 reports, 46,006 or 51% were screened-in for investigation, and another 11,348 or 13% were screened-in for an initial assessment. The total number of 51A reports filed in 2013 (83,473) reflects a slight decrease from the 2012 figure of 83,805. Despite the static reporting in CY 2013 for child abuse and neglect, and the reporting change from calendar year in 2013 to SFY in 2015 disrupts the trend analysis, yet the overall numbers indicate an increase in the number of 51A reports and an even greater increase in those screened-in for investigation. This is particularly concerning given the relationship between child abuse and neglect and juvenile delinquency.

³⁸ <http://www.mass.gov/courts/docs/lawlib/106-110cmr/110cmr2.pdf>

³⁹ DCF reported data by calendar year through 2013. Beginning July 1, 2014, DCF began reporting data by state fiscal year (July 1, 2014 – June 30, 2015). This reporting change disrupts the ten-year trend analysis.

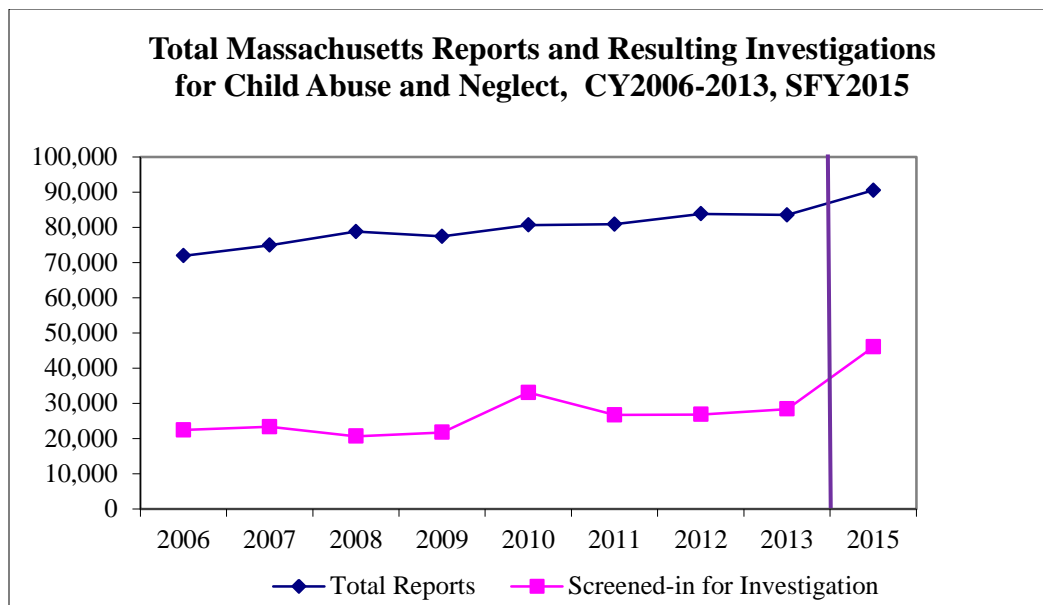


Figure 33. Department of Children and Families, 2016.

Violence is damaging whether one is directly victimized or indirectly exposed. “Explanations for Offending” a report published in May 2014 in Justice Research notes that “youth who experience poor parenting and have harsh, brittle relationships with their parents . . . are likely to have low self-control and therefore relatively high levels of offending at all ages.”⁴⁰ This is very disconcerting in light of the results of the National Survey of Children’s Exposure to Violence, published in October 2011, reporting that 11% of children were exposed in some manner to family violence in the past year, including 6.6% of children exposed to intimate partner violence between parents or between a parent and their partner.⁴¹ A report published in July 2004 in the National Institute of Justice Journal confirmed the findings of an earlier study, noting that “children who are physically abused and neglected have an increased risk of arrest for violence. . . . As a whole, the abused and neglected children were 11 times more likely to be arrested for a violent crime as a juvenile. . . .”⁴² These research findings are further evidence of the difficulties faced by youth under the care of the DCF, and the DYS.

In Massachusetts, youth receiving services from DCF are more likely to be overrepresented in detention. In 2016, a total of 725 youth were involved with both DCF and DYS (usually referred to as “dual-involved” or “dual-status”).⁴³ According to a March 2014 report by the non-profit organization Citizens for Juvenile Justice (CfJJ), only 2.4% of Massachusetts children are

⁴⁰ U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. (2014). *Explanations for Offending* (NCJ Publication No. 243975). <https://www.ncjrs.gov/pdffiles1/nij/243975.pdf>

⁴¹ U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. (October 2011). *Children’s Exposure to Intimate Partner Violence and Other Family Violence*. <https://www.ncjrs.gov/pdffiles1/ojjdp/grants/248444.pdf>

⁴² Johnson, N. E. & Saccuzzo, D. P. (2004). Child Custody Mediation and Domestic Violence. *National Institute of Justice Journal*, (251), 23. <https://www.ncjrs.gov/pdffiles1/jr000251.pdf>

⁴³ Citizens for Juvenile Justice, *Missed Opportunities: Preventing Youth in the Child Welfare System from Entering the Juvenile Justice System*, September 2015, <http://www.cfjj.org/pdf/MissedOpportunities2015.pdf>. Accessed March 30, 2017.

receiving DCF services.⁴⁴ CfJJ conducted a study of a youth committed to DYS between 2000 through 2012. Their study found 72% were involved with DCF either prior to or during their involvement with DYS.⁴⁵ DYS also reported that 39% of detained youth were dual-involved with DCF (Figure 34).⁴⁶

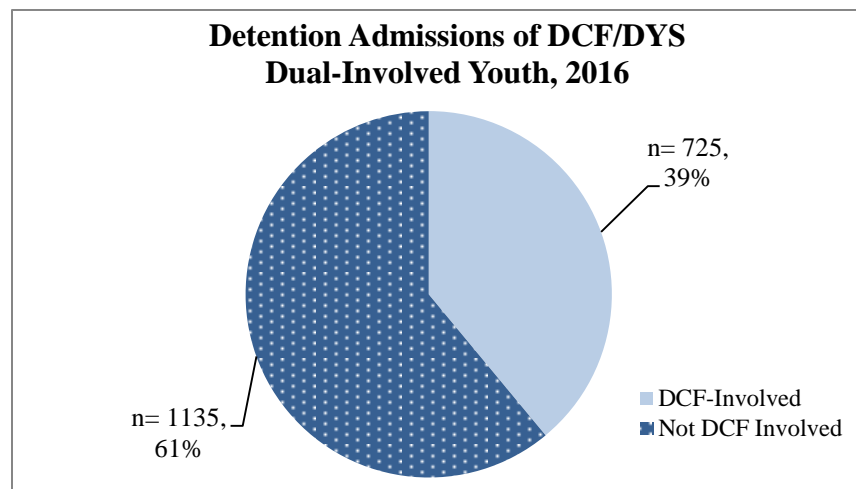


Figure 34. Massachusetts Department of Youth Services CIC Bail Report, 2017.⁴⁷

Minority youth are overrepresented in the percentage (67%) of DYS/DCF dual-involved youth (Figure 35, page 31). The CfJJ study found, when compared to the overall DCF population, dual-involved youth were disproportionately male (82% v. 50%), and disproportionately black or Latino (60% v. 39%).⁴⁸

⁴⁴ Citizens for Juvenile Justice, (March 2014) “Unlocking Potential: Addressing the Overuse of Juvenile Detention in Massachusetts.” <http://www.cfjj.org/unlockingpotential.php> Accessed March 30, 2017.

⁴⁵ Citizens for Juvenile Justice, (September 2015) *Missed Opportunities: Preventing Youth in the Child Welfare System from Entering the Juvenile Justice System*, <http://www.cfjj.org/pdf/MissedOpportunities2015.pdf>. Accessed March 30, 2017.

⁴⁶ Massachusetts Department of Youth Services, 2017.

⁴⁷ The CIC stands for Communication & Information Center. Staffed 24/7, it receives and makes calls about DYS-related events in real time, and it also collects and stores information. The Bail Report is an Excel spreadsheet that is filled out by the regional Detention Coordinators and emailed to the CIC.

⁴⁸ Citizens for Juvenile Justice, *Missed Opportunities: Preventing Youth in the Child Welfare System from Entering the Juvenile Justice System*, September 2015, <http://www.cfjj.org/pdf/MissedOpportunities2015.pdf>. Accessed March 30, 2017.

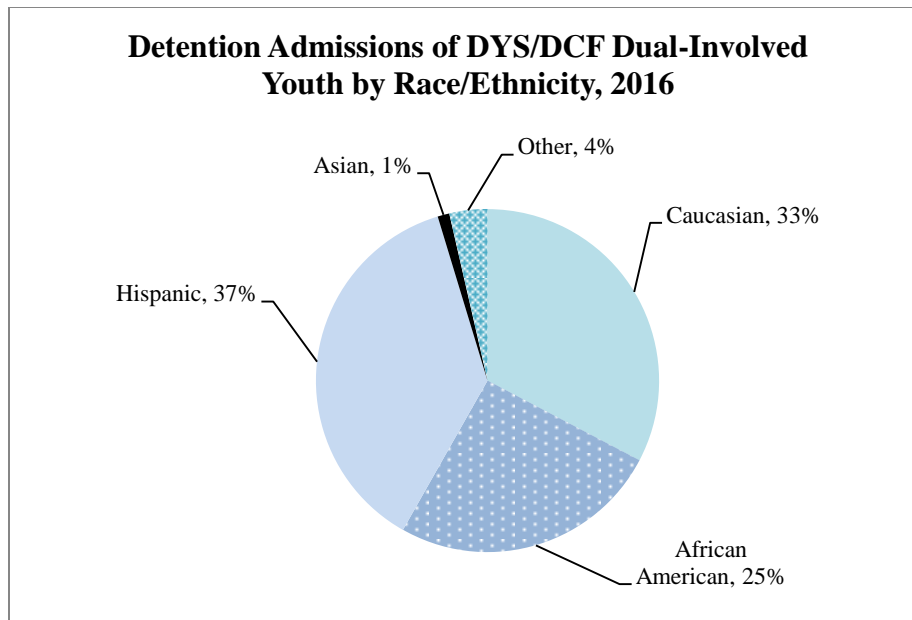


Figure 35. Massachusetts Department of Youth Services CIC Bail Report, 2017.

Table 5 portrays the race/ethnicity breakdown of DCF/DYS dual-involved youth by county. Due to the small number of cases in some of the counties, percentages should be interpreted with caution. The disproportionate minority contact is evident in many Massachusetts counties, even those with a small number of dual-involved youth. For example, in Berkshire county minority youth⁴⁹ comprise 15% of the population but represent 48% of DCF/DYS dual-involved youth. Similarly, in Bristol and Middlesex counties minority youth comprise 21% and 29% of the population, but represent 61% and 60% of DCF/DYS dual-involved youth, respectively.

Table 5. Percentage of Detention Admissions of DYS/DCF Dual-Involved Youth by County and Race/Ethnicity, 2016

County	Caucasian	African American	Hispanic	Asian	Other	Total n
Barnstable	58.3%	25.0%	8.3%	0.0%	8.3%	12
Berkshire	51.7%	34.5%	13.8%	0.0%	0.0%	29
Bristol	39.1%	27.5%	24.6%	0.0%	8.7%	69
Essex	35.5%	3.3%	59.5%	1.7%	0.0%	121
Franklin	60.0%	20.0%	20.0%	0.0%	0.0%	5
Hampden	23.0%	23.0%	50.6%	0.0%	3.4%	87
Hampshire	90.0%	0.0%	10.0%	0.0%	0.0%	10
Middlesex	40.3%	0.0%	10.0%	0.0%	0.0%	10
Nantucket	100.0%	0.0%	0.0%	0.0%	0.0%	2
Norfolk	37.5%	50.0%	6.3%	0.0%	0.0%	16
Plymouth	32.2%	25.8%	6.5%	0.0%	35.5%	31
Suffolk	10.6%	53.7%	33.3%	0.0%	2.4%	123
Worcester	35.5%	21.3%	40.4%	2.8%	0.0%	141

Source: Massachusetts Department of Youth Services, 2017.

⁴⁹ Youth are defined as ages 0 – 17.

Teen Pregnancy and Sexual Health

Research has consistently shown the connection between childhood maltreatment and future delinquent behavior. One longitudinal study found that physically abused children were at greater risk of being arrested as juveniles, more likely to drop out of high school, and more likely to have been a teen parent (Langsford et al. 2007). A 2004 report issued by the Child Welfare League of America found that sexual abuse in young girls was directly tied to delinquency. In comparison to non-offenders, childhood sexual abuse often led to engagement in unsafe sexual practices and early sexual activity, resulting in teen pregnancy and the contraction of sexually transmitted diseases. A study four years later conducted by the University of Wisconsin-Madison found that despite a decline in the overall rates of juvenile delinquency in the United States, the number of female youth being arrested and held in secure facilities has been on the rise. And while many of the factors that lead to delinquency are the same for both males and females, the delinquency of girls' is often preceded by a history of sexual abuse. Girls who are intimately involved with delinquent males are more likely to become deviant themselves, and girls who engage in deviant behavior are also more likely to choose male offenders as romantic partners.

“Health and Risk Behaviors of Massachusetts Youth, 2015” is the product of a collaborative effort between the Massachusetts Department of Elementary and Secondary Education (DESE) and Department of Public Health (DPH) to conduct two youth surveys in Massachusetts public secondary schools. The Massachusetts Youth Risk Behavior Survey (MYRBS) and Massachusetts Youth Health Survey (MYHS) are conducted every odd number year.⁵⁰

Results from the 2015 report “Health and Risk Behaviors of Massachusetts Youth,” a self-reported instrument administered to 9,185 students in 146 public middle and high schools indicate that:

- 36% of high school students have had sexual intercourse;
- 28% of high school students had intercourse in the three months prior to the survey;
- 3% of high school students had sexual intercourse for the first time before age 13;
- 8% of high school students reported having four or more partners in their lives;
- 3% of high school students have been pregnant or impregnated someone else; and
- 62% of high school students who had recent sexual intercourse used a condom.

In 2013, 2,732 babies were born to young women in Massachusetts ages 15-19. Teen mothers who gave birth during this time were less likely than their adult counterparts in Massachusetts to breastfeed, be married, and receive adequate prenatal care. Teen mothers were also more likely to smoke during pregnancy, have babies with low birth weights, and receive publically-funded prenatal care (Massachusetts Department of Public Health, 2013).

⁵⁰ <http://www.mass.gov/eohhs/docs/dph/behavioral-risk/youth-health-risk-report-2015.pdf>

The Massachusetts Department of Public Health (DPH) reported that the overall teenage childbirth rate in the Commonwealth of 10.6 in 2014 was well below the national average of 24.2 and a 51% reduction from 2005, and a 12% decline from the previous year (Figure 36).⁵¹

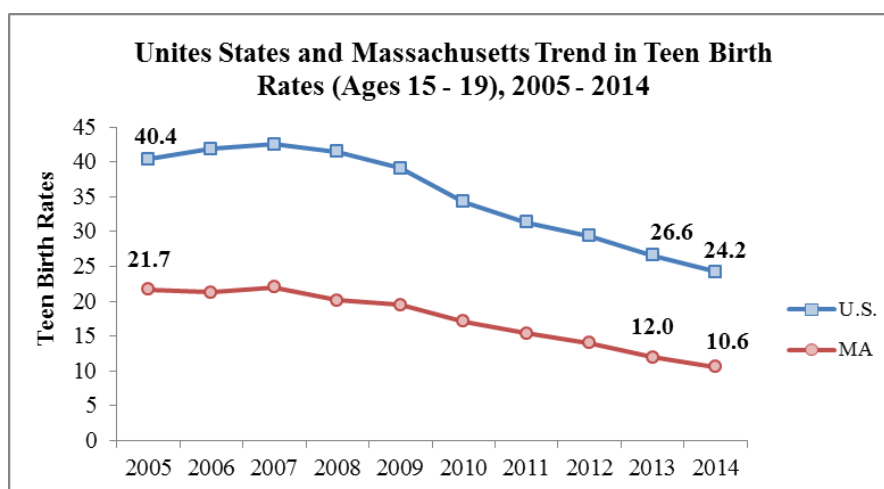


Figure 36. *Massachusetts Births 2014*, Boston, MA: Office of Data Management and Outcomes Assessment, Massachusetts Department of Public Health. September 2015.

<http://www.mass.gov/eohhs/docs/dph/research-epi/birth-report-2014.pdf>

The National Campaign to Prevent Teen and Unplanned Pregnancy, *Teen Birth Rate Comparison, 2014*, <https://thenationalcampaign.org/data/compare/1701>

Note: Teen birth rate is the number of births to females ages 15-19 per 1,000 females ages 15-19.

Statistics confirm the following 23 Massachusetts communities in descending order had birth rates higher than the national average in 2014. Of these 23 communities, seven communities saw an increase in the teen birth rates in 2014 compared to 2013 rates (Table 6, page 34).

⁵¹ This is the most recent data available.

Table 6. Trends in Teen Birth Rates for Selected Massachusetts Communities with Rates Higher than the National Rate (24.2) and State Rate (10.6)

2014 Rank	Municipality ⁵²	2013		2014		13-14 Rate Percent Change
		Number of Teen Births	Teen Birth Rate	Number of Teen Births	Teen Birth Rate ^{53,54}	
	State Total	2,732	12.0	2,402	10.6	-11.7
1	Chelsea	55	45.9	59	49.3	7.4
2	Athol	9	24.5	17	46.2	88.6
3	Holyoke	70	46.4	60	39.8	-14.2
4	Lawrence	139	40.9	121	35.6	-13.0
5	Springfield	289	42.3	239	35.0	-17.3
6	Southbridge	25	43.8	19	33.3	-24.0
7	New Bedford	126	41.5	101	33.3	-19.8
8	Lynn	106	32.9	94	29.2	-11.2
9	Fall River	89	32.0	79	28.4	-11.3
10	Brockton	96	28.6	88	26.2	-8.4
11	Pittsfield	37	27.6	32	23.9	-13.4
12	Fitchburg	38	21.4	41	23.1	7.9
13	Haverhill	40	22.3	41	22.9	2.7
14	Lowell	106	25.7	89	21.6	-16.0
15	Revere	37	25.8	30	20.9	-19.0
16	Chicopee	44	23.4	35	18.6	-20.5
17	Worcester	179	23.2	126	16.3	-29.7
18	Framingham	32	13.6	35	14.9	9.6
19	Leominster	30	22.9	18	13.8	-39.7
20	Attleboro	16	11.9	18	13.4	12.6
21	Everett	25	19.0	17	12.9	-32.1
22	Somerville	16	9.4	22	12.9	37.2
23	Boston	318	12.2	276	10.6	-13.1

Source: *Massachusetts Births 2014* (Table 7) Boston, MA: Office of Data Management and Outcomes Assessment, Massachusetts Department of Public Health. September 2015. <http://www.mass.gov/eohhs/docs/dph/research-epi/birth-report-2014.pdf>

DPH data further indicates that teen birth rates vary considerably by race/ethnicity, although rates dropped from 2004 to 2014 for all young women in the 15-19 age group. Hispanic teens had the highest birth rate followed by Black teens; Asian teens had the lowest birth rate. From 2004 to 2014, the White teen birth rate decreased 60% (from 13.4 to 5.4); the Black teen birth rate decreased 59% (from 37.8 to 15.4); the Hispanic birth rate decreased 52% (from 75.0 to 35.7); and the Asian teen birth rate decreased 76% (from 14.5 to 3.5) (Figure 37, page 35).

⁵² Selected communities include the Massachusetts cities and towns with a birth rate higher than the national rate and state rate in 2014.

⁵³ Rates are per 1,000 females ages 15-19 per city/town.

⁵⁴ Birth rates for cities and towns were calculated using the Massachusetts Department of Public Health Race Allocated Census 2010 Estimates file (MRACE 2010), which is the most up-to-date information available on the number of persons by age, race, and sex at the sub-state level. Please note: If the population in your community increased from 2010 to 2013, the rates listed may overestimate the actual rate. If the population in your community declined from 2010 to 2013, the rates given in the publication may underestimate the actual rate.

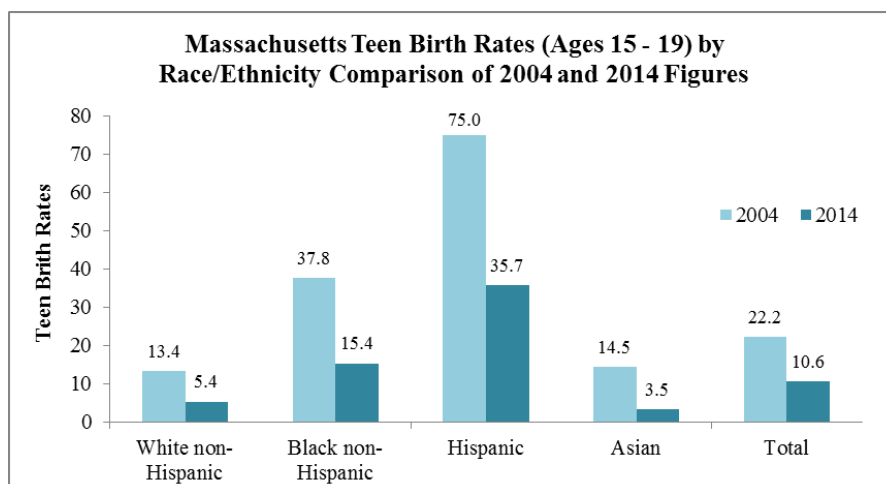


Figure 37. *Massachusetts Births 2014* (Table 7) Boston, MA: Office of Data Management and Outcomes Assessment, Massachusetts Department of Public Health. September 2015. <http://www.mass.gov/eohhs/docs/dph/research-epi/birth-report-2014.pdf>

Mental Health Disorders

Over the past two decades, practitioners have become increasingly more cognizant and concerned about the relationship between mental illness and youth involved in the juvenile justice system. A 2006 study by the National Center for Mental Health and Juvenile Justice (NCMHJJ), in conjunction with the Council of Juvenile Correctional Administrators (CJCA), found that "...the majority (70.4%) of youth in the juvenile justice system meet criteria for at least one mental health disorder... In addition, the results of this study indicate that youth in contact with the juvenile justice system experience high rates of disorder across the various types of mental health disorders."⁵⁵ This study conducted by the NCMHJJ and the CJCA demonstrate the overwhelming need for mental health services for detained youth.

Data compiled by DPH for calendar year 2012⁵⁶ shows that 5,223 youth ages 19 and under are hospitalized for mental health disorders, a slight increase (1.5%) from the previous year (Figure 38, page 36). Yet, these numbers reflect only a portion of the problem. According to a 2004 report issued by the Commonwealth of Massachusetts titled, *Massachusetts Juvenile Justice Data and Information*, many youth dealing with mental health disorders are not referred to hospitals for treatment if not under the control of the juvenile justice system.

⁵⁵ National Center for Mental Health and Juvenile Justice. (2006). Youth with Mental Health Disorders in the Juvenile Justice System: Results from a Multi-State Prevalence Study. Accessed June 15, 2015: <http://www.ncmhjj.com/wp-content/uploads/2013/07/7.-PrevalenceRPB.pdf>.

⁵⁶ This is the most recent data available.

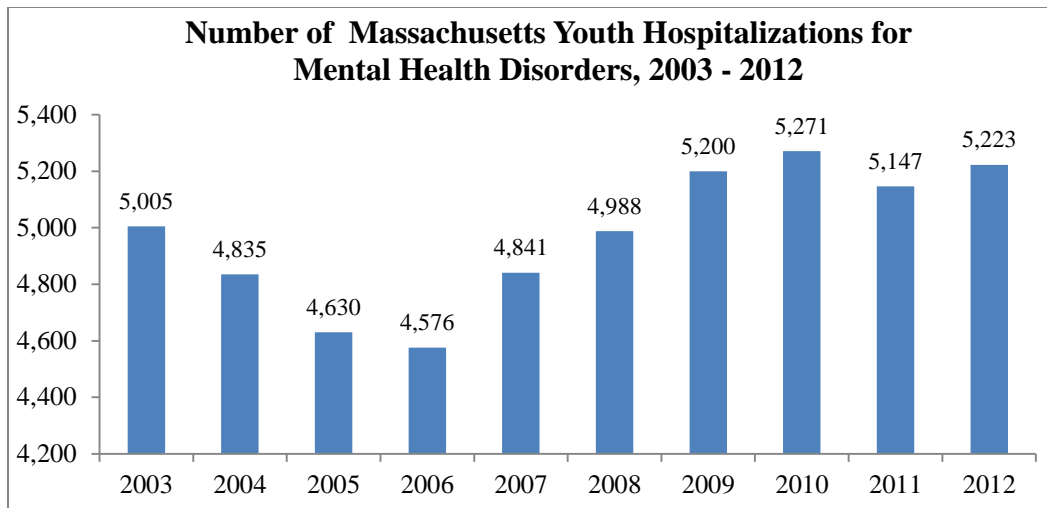


Figure 38. Massachusetts Department of Public Health, 2015.

Note: Hospital Discharge with a Primary Diagnosis. Youth is defined as a person under the age of 20.

In addition to hospitalization discharge statistics, data from the 2015 *Health and Risk Behaviors of Massachusetts Youth* provides additional data on indicators of mental health for middle-school and high school students in the Commonwealth. Survey results reveal that 27% of high school students reported feeling sad or hopeless for 2+ weeks and stopped doing their usual activities in the past year. Additionally, 18% reported intentionally hurting themselves, 15% seriously considered suicide, 12% had a suicide plan, 7% attempted suicide, and 3% had a suicide attempt with injury (Figure 39).

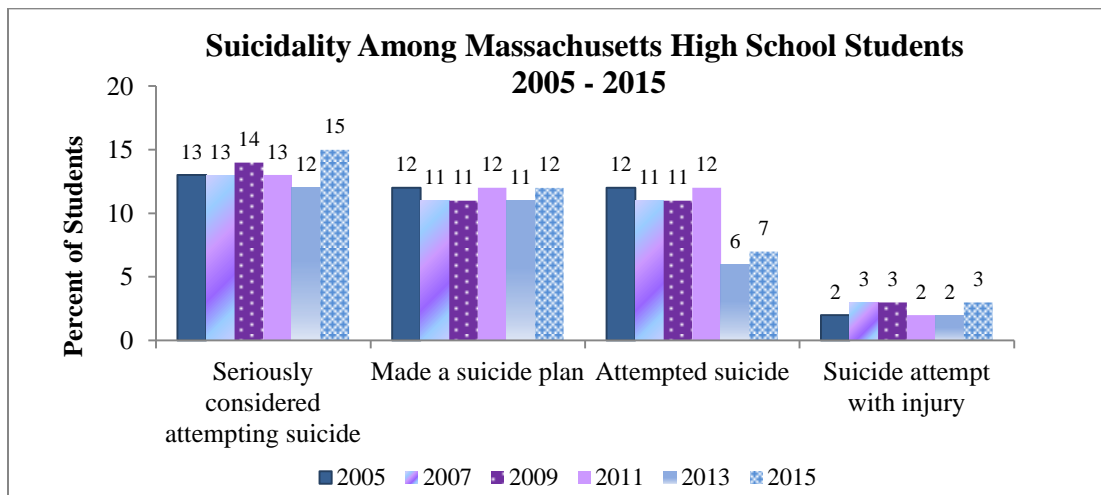


Figure 39. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth*, 2015.

In 2015, 18% of middle school students report feeling daily sadness or hopelessness for at least two weeks and stopped doing usual activities in the past year. Approximately one-in-six middle school students (16%) report a non-suicidal self-injury during the past year, 8% seriously consider attempting suicide, and 4% attempt suicide (Figure 40).

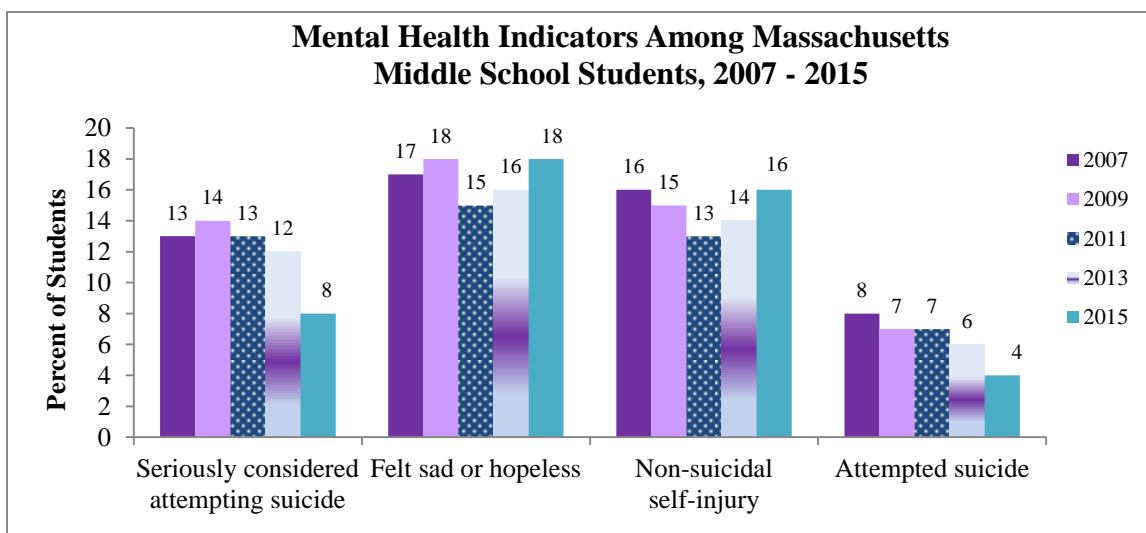


Figure 40. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

Economic Conditions⁵⁷

Due to established links between poverty and crime, it is important to take economic conditions into consideration when looking at juvenile justice issues in Massachusetts. Research studies have found that children from poor and disadvantage families are at greater risk for offending than children from comparatively affluent families.⁵⁸ This section looks at the income levels of children and families in Massachusetts.

Data compiled by the National Center of Children in Poverty (NCCP)⁵⁹ revealed that in 2014, 30% of Massachusetts children (those under 18 years of age) are low-income⁶⁰ compared to 44% nationally. Furthermore, 15% of Massachusetts children reside in poor families⁶¹ compared to 21% nationally. Additional Massachusetts data illustrates the economic insecurity of many children from low-income families:

- 26% (105,112) of children in low-income families do not have an employed parent;
- 81% (74,183) of children whose parents do not have a high school degree live in low-income families;

⁵⁷ This is the most recent data available.

⁵⁸ Wasserman, G.A., Keenan, K., Tremblay, R.E., Coie, J.D., Herrenkohl, T.I., Loeber, R., and Petechuk, D. (April 2003). Risk and Protective Factors of Child Delinquency. Office of Juvenile Justice and Delinquency Prevention. Online. Accessed April 3, 2017: <https://www.ncjrs.gov/pdffiles1/ojjdp/193409.pdf>

⁵⁹ National data were calculated from the 2014 American Community Survey, representing information from 2014. State data were calculated from the 2010 – 2014 American Community Survey, representing information from the years 2010-2014.

⁶⁰ Low income is defined as a family of four with two children earning less than \$48,016 annually in 2014.

⁶¹ The federal poverty level is \$24,008 for a family of four with two children in 2014. Families and children are defined as poor if family income is below the federal poverty threshold.

- 61% (248,058) of children in low-income families live with a single parent;
- 32% (137,930) of children under age six live in low-income families;
- 27% (107,763) of children in low-income families live in owner-occupied housing;
- 19% (75,542) of children in low-income families moved in the last year; and
- 7% (27,554) of children in low-income families live in families with no parent present.

Figure 41 shows minority children are disproportionately represented among low-income families.

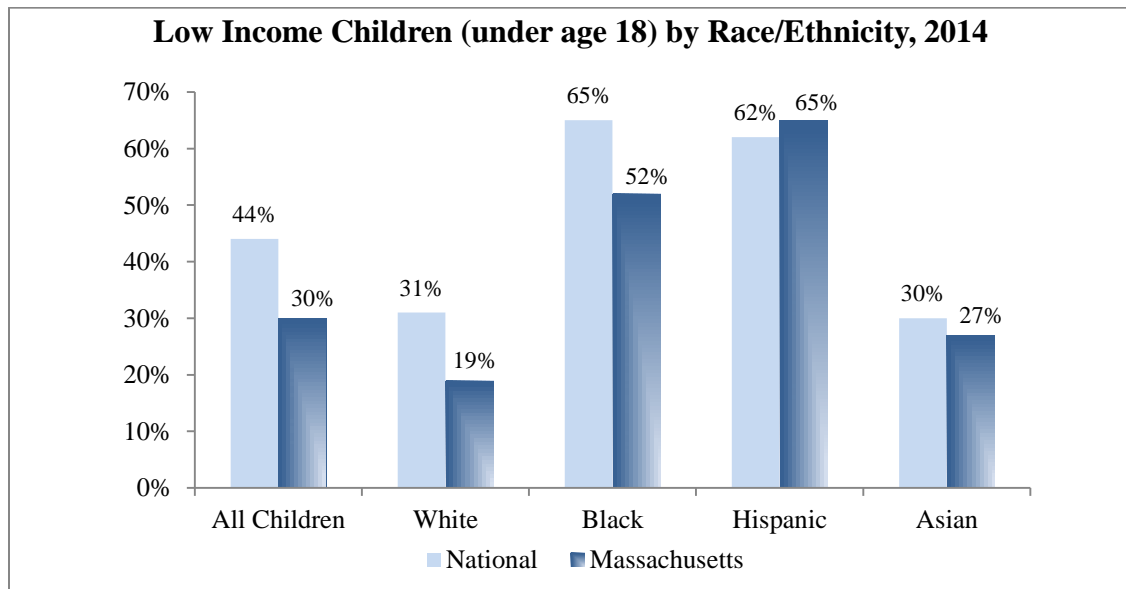


Figure 41. National Center of Children in Poverty, Accessed April 29, 2016.
http://www.nccp.org/profiles/state_profile.php?state=MA&id=6

Children who live in poor families compose the following demographics:

- 43% (86,729) of children in poor families do not have an employed parent;
- 56% (51,124) of children whose parents do not have a high school degree live in poor families;
- 74% (149,439) of children in poor families live with a single parent;
- 17% (73,445) of children under age 6 live in poor families; and
- 15% (30,739) of children in poor families live in owner-occupied housing.
- 21% (43,270) of children in poor families moved in the last year; and
- 7% (13,358) of children in poor families live in families with no parent present.

Similar to Figure 38 on the preceding page regarding low income children, minority children were disproportionately represented among poor families (Figure 42).

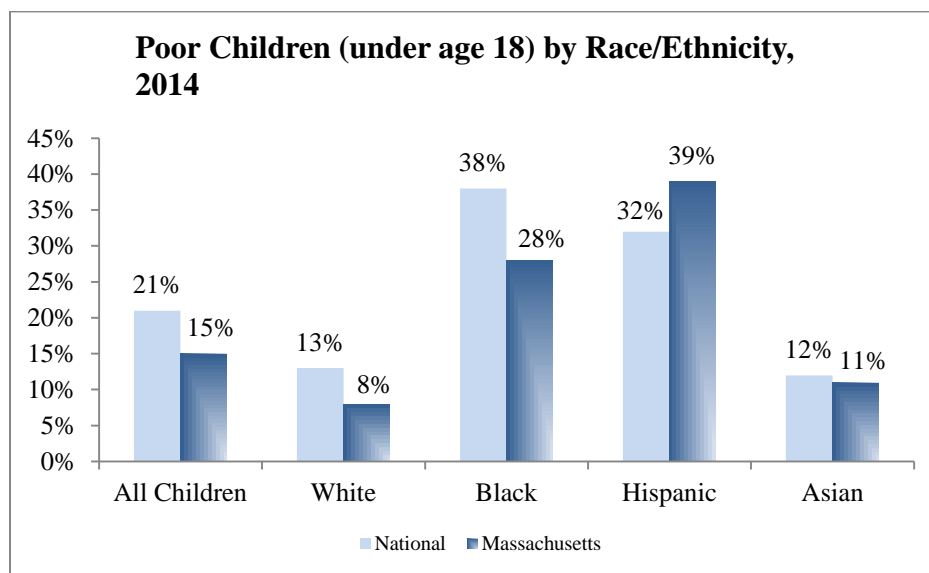


Figure 42. National Center of Children in Poverty, accessed April 29, 2016.
http://www.nccp.org/profiles/MA_profile_7.html

School Dropouts and School Exclusions

“Risk factors” and “protective factors” are phrases commonly used when examining the relationship between school failure and juvenile delinquency. Risk factors refer to variables that increase the likelihood of a youth to engage in destructive behavior, often leading to poor academic performance. Protective factors, on the other hand, represent the availability of resources to promote the healthy growth of a child, both at home and in the classroom, and when needed, to act as a shield against identified risk factors. The greater the degree of protective factors, the more likely the child will be to overcome adversity in the home or in a school setting (Florida Department of Education, *School Staff Guide to Risk and Resiliency*, 1998).

School Dropouts

Studies reveal that failure to graduate from high school results in lower annual earnings, higher unemployment rates and a greater risk for incarceration. A New York Times article in 2009 reported the results of a study conducted by Northeastern University. “On any given day, about one in every 10 young male high school dropouts is in jail or juvenile detention, compared with one in 35 young male high school graduates.” The report further stated, “The dropout rate⁶² is driving the nation’s increasing prison population...”⁶³ The annual dropout rate in Massachusetts’ public schools ranged from 1.9% to 2.9% over the past eight years, with the lowest rates for the 2014-2015 and 2015-2016 school years (DESE, 2016).

⁶² Indicates the percentage of students in grades 9-12 who dropped out of school between July 1 and June 30 prior to the listed year and who did not return to school by the following October 1. Dropouts are defined as students who leave school prior to graduation for reasons other than transfer to another school.

⁶³ Dillon, S. (2009, October 8). Study Finds High Rate of Imprisonment Among Dropouts. New York Times. Online. Accessed June 15, 2015: http://www.nytimes.com/2009/10/09/education/09dropout.html?_r=0

Table 7. Massachusetts Public High School Annual Dropout Rates, 2008-2009 to 2015-2016

	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
Number of Dropouts	8,585	8,296	7,894	7,051	6,248	5,746	5,346	5,523
Percentage of Total Students	2.9%	2.9%	2.7%	2.5%	2.2%	2.0%	1.9%	1.9%
Male	3.4%	3.3%	3.2%	2.9%	2.6%	2.4%	2.2%	2.4%
Female	2.5%	2.4%	2.3%	2.0%	1.7%	1.6%	1.5%	1.5%
Grade 9	2.8%	2.8%	2.6%	2.3%	2.0%	1.9%	1.9%	1.9%
Grade 10	2.9%	3.0%	2.8%	2.5%	2.2%	2.0%	1.8%	1.9%
Grade 11	2.7%	2.6%	2.7%	2.4%	2.2%	2.0%	1.7%	1.8%
Grade 12	3.1%	3.1%	2.9%	2.6%	2.4%	2.1%	2.0%	2.1%

Source: Department of Elementary and Secondary Education, 2016, *High School Dropouts 2015 – 16 Massachusetts Public Schools*.
 Table#1: State Dropout Trends: 2008-2009 to 2015-2016, and Table #6: Annual Dropout Rates for Selected Demographics: 2008-2009 to 2014-2015.

Dropout rates typically vary by gender, grade, income, school location and race/ethnicity. In the past eight years, the male dropout rate decreased from 3.4% to a low of 2.2% in 2014-2015, and increased to 2.4% in 2015-2016. The female dropout rate steadily decline over the period, from 2.5% to 1.5%. The lowest rates for both genders occurred in the 2014-2015 school year. Since 2010-2011, dropout rates for grades 10-12 steadily declined, with a slight uptick in the 2015-2016 school year (Table 7).

During the 2015-2016 school year, with the exception of Native American students, the annual dropout rate for all other race and ethnicity categories either remained static or fluctuated slightly, 0.1 or 0.2 percentage points from 2014-2015. The annual dropout rate for Native American students increased by 0.4 percentage points from 2014-2015 (Figure 43).

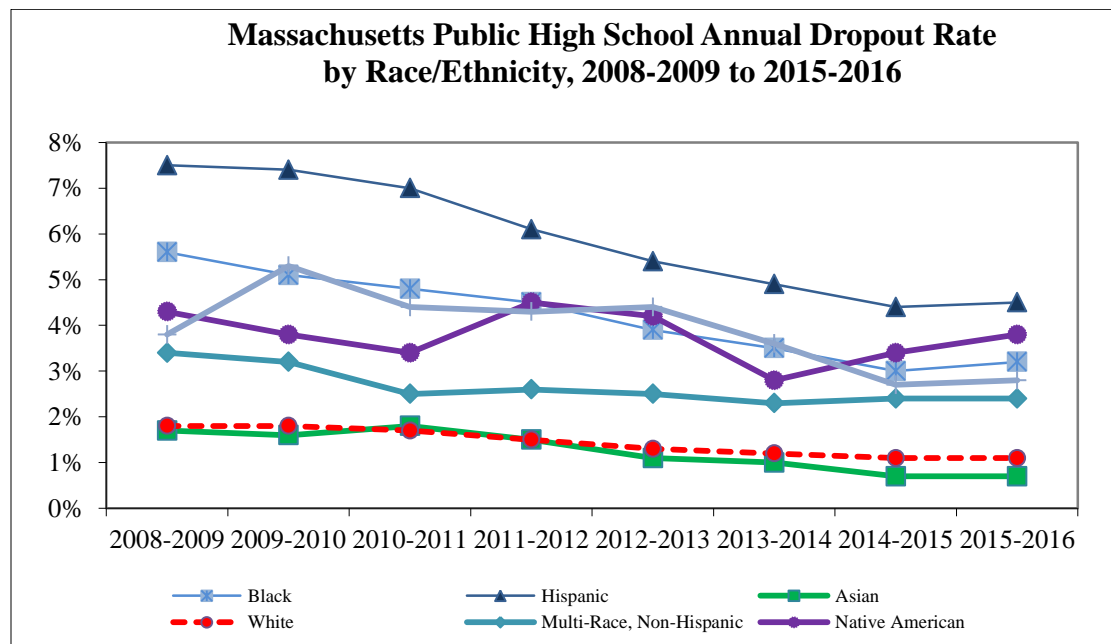


Figure 43. Source: Department of Elementary and Secondary Education, 2016, *High School Dropouts 2014 – 2015 Massachusetts Public Schools*. Table #6: Annual Dropout Rates for Selected Demographics: 2008-2009 to 2015-2016.

**Table 8. Massachusetts Public High School Dropout Data by Race/Ethnicity and Gender
2015 - 2016**

Race/Ethnicity	Gender	Percent of HS Enrollment	Number of Dropouts	Annual Dropout Rate	Percent of <i>all</i> Dropouts
Black	Female	4.5%	325	2.5%	5.9%
	Male	4.6%	523	3.9%	9.5%
Asian	Female	3.0%	50	0.6%	0.9%
	Male	3.0%	68	0.8%	1.2%
Hispanic	Female	8.1%	792	3.4%	14.3%
	Male	8.6%	1,406	5.7%	25.5%
Multi-Race, Non-Hispanic	Female	1.3%	82	2.3%	1.5%
	Male	1.2%	87	2.5%	1.6%
Native American	Female	0.1%	10	3.1%	0.2%
	Male	0.1%	16	4.6%	0.3%
Native Hawaiian	Female	0.1%	1	0.7%	0.0%
	Male	0.0%	7	5.1%	0.1%
White	Female	32.4%	819	0.9%	14.8%
	Male	33.1%	1,337	1.4%	24.2%

Source: Department of Elementary and Secondary Education, 2016. *High School Dropouts 2015 – 2016 Massachusetts Public Schools*. Table #7: Annual Dropout Data by Race/Ethnicity and Gender: 2015-2016.

While dropout rates for Black and Hispanic students are at their lowest in the past eight school years, there remains some troubling statistics when comparing the percentage of the high school enrollment by race and ethnicity to the percentage of all dropouts. Black males represent 4.6% of the enrollment in high schools across the Commonwealth but are more than double the percent of all dropouts (9.5%). Hispanic females and males comprise 8.1% and 8.6% of enrolled high school students respectively, but account for almost double (14.3%) and more than triple (25.5%) the percentage of all dropouts, respectively. The above statistics demonstrate the continued need for dropout prevention and intervention programs (Table 8).

School Exclusions

School exclusion is defined by the DESE as the “...removal of a student from participation in regular school activities for disciplinary purposes for more than ten consecutive school days. The removal could also be permanent or indefinite.”⁶⁴ A 2003 study by the National Center on Education, Disability, and Juvenile Justice reveals that exclusion may “...accelerate the course of delinquency, by providing at-risk and alienated youth extra time to associate with deviant peers.”⁶⁵ Student exclusion from the classroom not only increases their likelihood of falling behind with course work and thus increasing the achievement gap but, dropping out and becoming involved in the juvenile justice system – which contributes to the school-to-prison pipeline.

⁶⁴ <http://www.doe.mass.edu/infoservices/reports/exclusions/0203/full.pdf>

⁶⁵ Christle, C.A., Frey, A., Jolivette, K., Leone, P.E., Nelson, M., & Skiba, R. (2003). *School Failure, Race, and Disability: Promoting Positive Outcomes, Decreasing Vulnerability for Involvement with the Juvenile Delinquency System*. The National Center on Education, Disability, and Juvenile Justice. Online. Accessed June 15, 2015: http://www.edjj.org/Publications/list/leone_et_al-2003.pdf

DESE implemented the school discipline reform law, Chapter 222 of the Acts of 2012, which took effect on July 1, 2014.⁶⁶ The principle behind the law is to make exclusion from school a last resort for all but the most serious offenses. If a student is to be excluded for more than 10 consecutive school days, the school district must offer the student alternative education services.

The most recent data for the 2015-2016 school year reveal a total of 18,514 in-school suspensions and an additional 28,740 out-of-school suspensions (Table 9). These figures denote an increase of 7.6% for in-school suspension and a slight 0.4% decline for out-of-school suspensions from the previous year.⁶⁷

**Table 9. Number of Massachusetts Public High School Suspensions for All Offenses
2015-2016**

	2010- 2011	2011- 2012	2012- 2013	2013- 2014	2014- 2015	2015- 2016
In-school suspension	30,293	29,212	21,287	20,824	17,211	18,514
Out-of-school suspension	48,336	46,279	41,931	38,309	28,844	28,740

Source: Department of Elementary and Secondary Education, 2017. Data received via email from DESE on March 29, 2017.

Table 10 provides a breakdown of gender, race and ethnicity for Massachusetts high school students who received an in-school or out-of-school suspension during the 2015-2016 school year. Comparing for gender, the percentage of male students receiving an in-school suspension is more than twice that of female students. The percentage of out-of-school suspensions for male students is over twice compared to female students.

The percentage of non-White students who receive a suspension – regardless of type – in-school or out-of-school – demonstrates the disproportionate minority contact that exists in Massachusetts public schools with regard to school exclusions for all race/ethnicity groups, excluding Asian students. African American/Black students are four times more likely to receive an out-of-school suspension than White students. Hispanic/Latino students and Multi-race, non-Hispanic/Latino students were are four times more likely and twice as likely to receive this discipline, respectively (Table 10, page 43).

⁶⁶ <https://malegislature.gov/Laws/SessionLaws/Acts/2012/Chapter222>

⁶⁷ Note: In previous years, the multiple suspensions of individuals were included in the total. DESE has changed the methodology to report school suspensions in the 2012-2013 reporting period. Individuals who are suspended are only counted once in the total and as a result, the significant decline in the number of in-school and out-of-school suspensions is overstated for this reporting period.

Table 10. Number of Massachusetts Public High School Suspensions for All Offenses by Gender, Race and Ethnicity, 2015-2016

<i>Gender</i>	In-school suspension	% of total	Out-of-school suspension	% of total	N=
Female	5,224	1.1	8,214	1.7	476,489
Male	13,290	2.6	20,526	4.1	503,456
<i>Race and Ethnicity</i>					
American Indian or Alaska Native	53	2.3	87	3.8	2,266
African American/Black	3,243	3.7	6,013	6.9	87,291
Asian	412	0.6	488	0.8	811
Hispanic/Latino	5,743	3.1	10,716	5.7	187,654
Multi-race, non-Hispanic/Latino	673	2.1	1,092	3.4	32,272
White	8,381	1.4	10,337	1.7	605,554

Source: Department of Elementary and Secondary Education, 2017. Data received via email from DESE on March 29, 2017.

Youth Violence and School Safety

Ideally, school should be an environment that fosters teaching and learning, and not where one is exposed to crime and violence. Crime and violence at school can influence negative behaviors such as alcohol and drug use and suicide. It also can have psychological effects such as fear, isolation and depression that can lead to poor academic performance and contribute to truancy and dropping out of school.

In addition to collecting data on sexual activity and pregnancy as noted in a previous section of this analysis, the 2015 *Health and Risk Behaviors of Massachusetts Youth* also captures violence and school safety concerns reported by Massachusetts youth. The following data is collected from high school students during 2015:

- 20% of male students and 5% of female students reported carrying a weapon in the past 30 days;
- 5% of males and 1% of females reported carrying a gun in the past 30 days;
- 9% of males and 7% of females indicated gang membership during the past year; and
- 27% of males and 11% of females reported being in a physical fight.

Generally, student reported physical violence indicators show a decline, leveling off, or a slight uptick between 2005 and 2015. Physical fights declined since 2009, carrying weapons and gang membership increased since 2011, and carrying a gun remained steady. Figure 44; page 44, shows the following indicators for 2015:

- 19% of students report having been involved in a fight in the past year – a slight decline from 2013;
- 13% carried a weapon in the past 30 days – a slight uptick from 2013;
- 8% report gang membership, a slight increase from 2013; and
- 3% carried a gun in the past 30 days – remaining level since 2011.

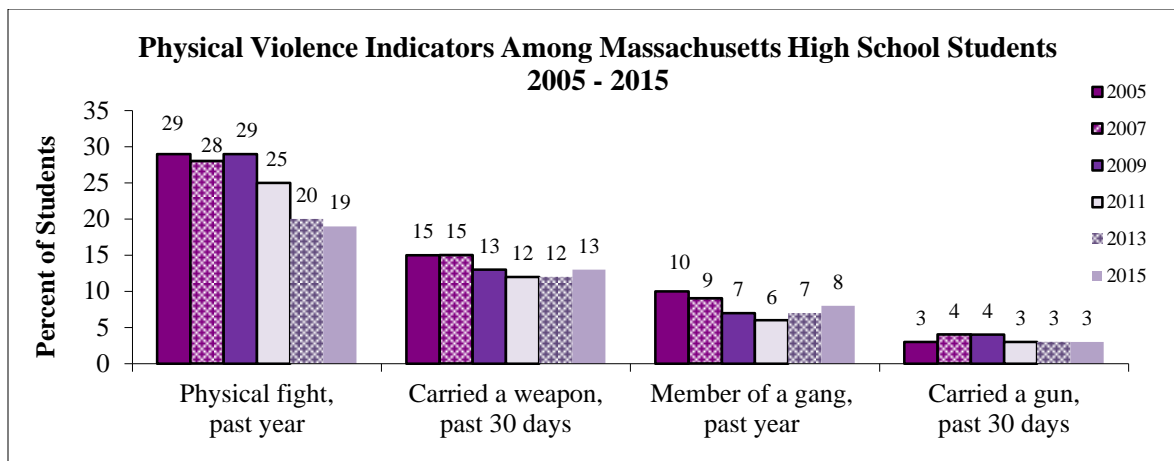


Figure 44. Risk Behaviors of Massachusetts Youth, 2015. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

Figure 45 depicts the violence-related experiences and behavior at high schools for 2015:

- 16% of high school students report being bullied at school in the past year – a slight decline from the previous year;⁶⁸
- 6% of high school students fought on school property in the past year – a slight uptick from 2013;
- 5% skipped school because they felt unsafe in the past month – a slight increase from 2013;
- 3% of students report carrying a gun on school property in the past month – remaining level from the previous year; and
- 4% report being injured or threatened with a weapon at school in the past year – remaining level from 2013, and a 43% decline from the 2011 survey.

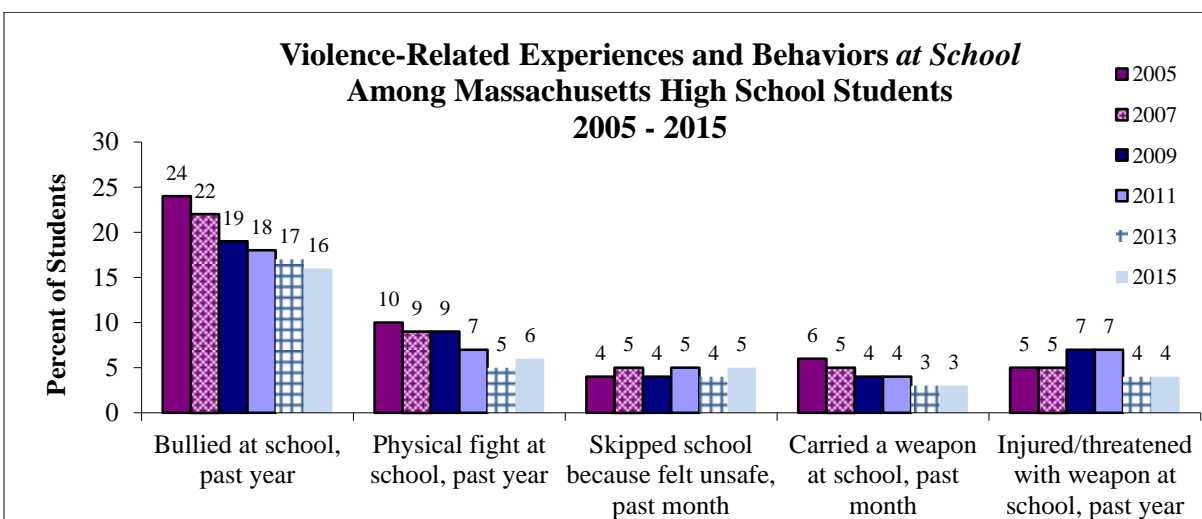


Figure 45. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

⁶⁸ For students who identify their sexual orientation as Gay, Lesbian, and Bisexual, 34% report being bullied at school in the past year in contrast to 14% who identify as heterosexual.

According to additional results from high school students who responded to the survey, 13% report being a victim of cyber bullying, 7% experience dating violence and 6% are a victim of sexual assault (Figure 46).

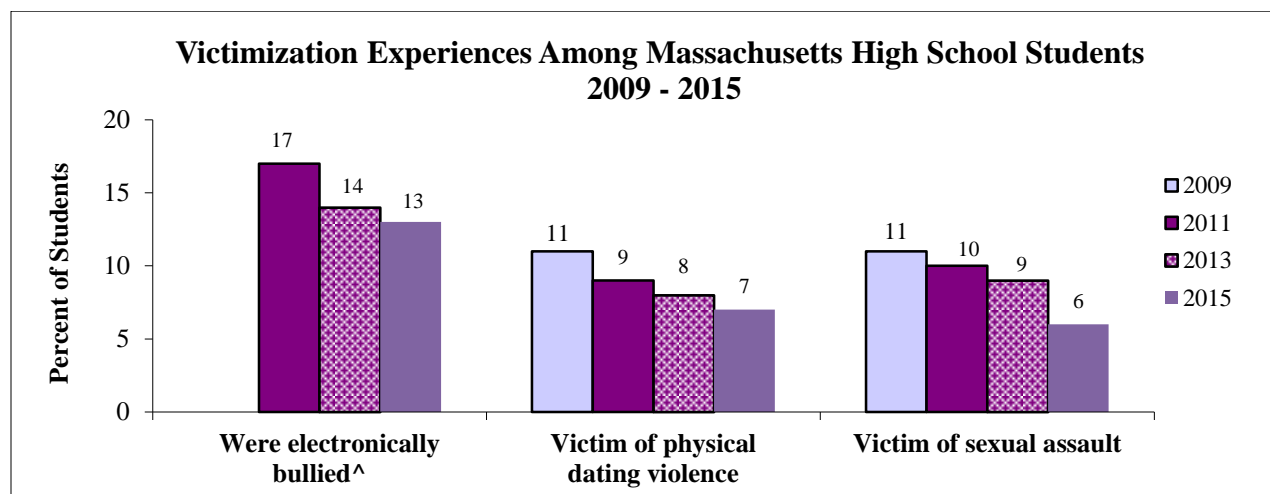


Figure 46. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

^Information for 2009 is unavailable.

The percentage of middle school students who experience family violence declined in 2015 (8%) from 2007 (12%). Middle school students who witness family violence shows a more gradual decrease since the survey began documenting this trend (Figure 47).

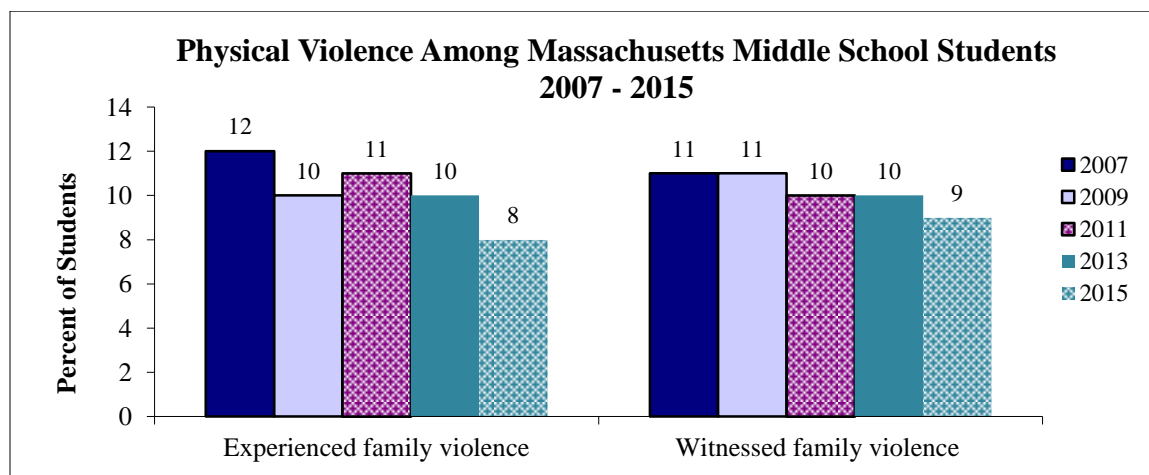


Figure 47. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

Figure 48 (page 46), indicates middle school students initiating bullying, cyber bullying and dating violence exists; however, those initiating bullying have declined each survey year, and initiating cyber bullying and dating violence remained static in 2015. Middle school students who report being a victim of bullying declined 8% in the 2015 survey from the previous 2013 survey. Students who report initiating bullying decreased 38% from 2013.

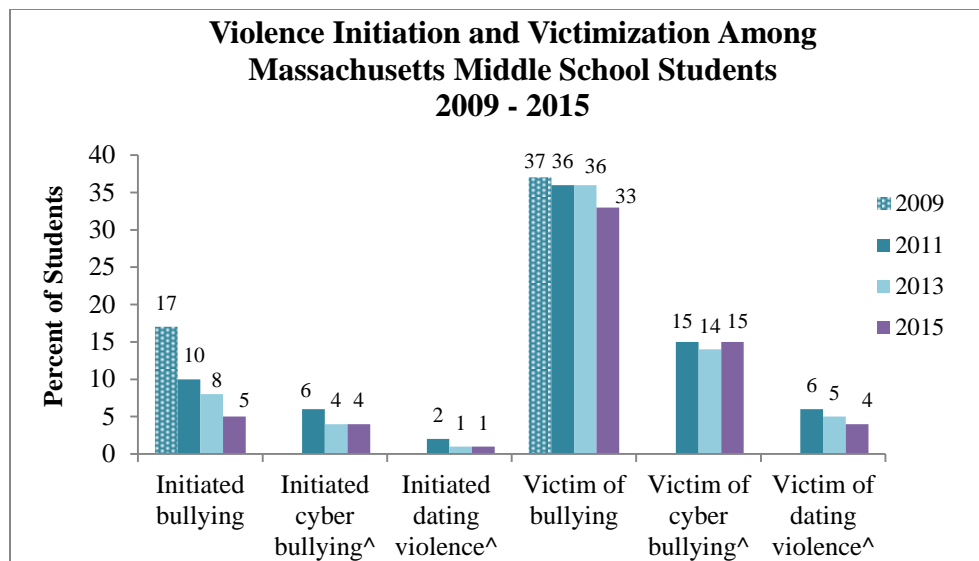


Figure 48. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

^Information for 2009 is unavailable.

Tobacco and Substance Abuse

According to the 2015 survey, 28% of students report having smoked cigarettes and 4% stated they did so before the age of 13, a decline from 51% and 13% from 2005, respectively. Students who reported being current cigarette smokers declined from 21% in 2005 to 8% in 2015 (Figure 49).

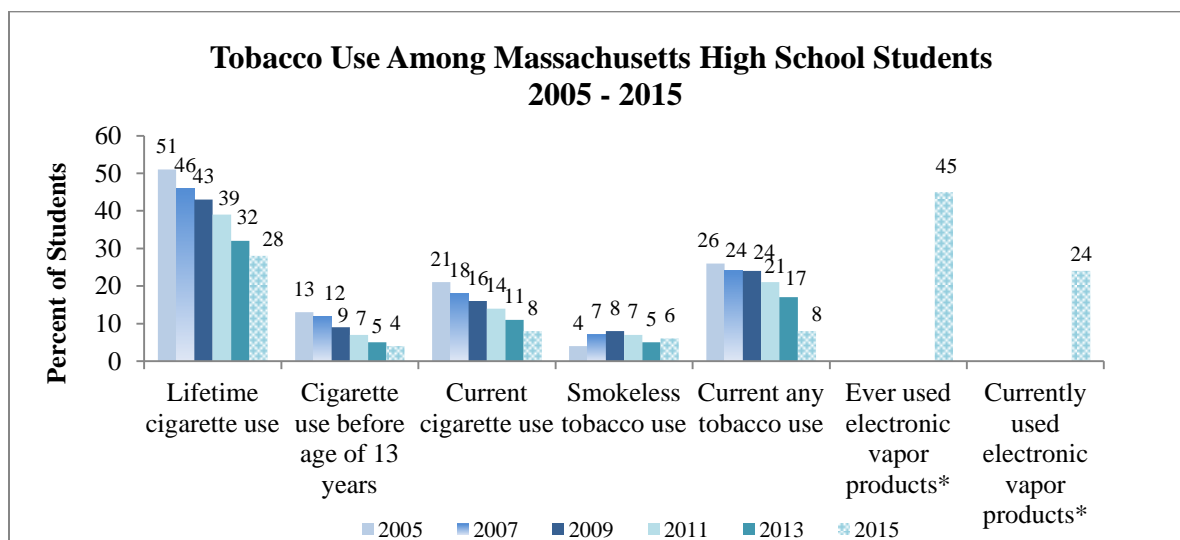


Figure 49. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

*First time this question was asked in the YRBS.

Among middle school students responding to the 2015 survey, 6% report trying a cigarette and 1% report current cigarette use (Figure 50).

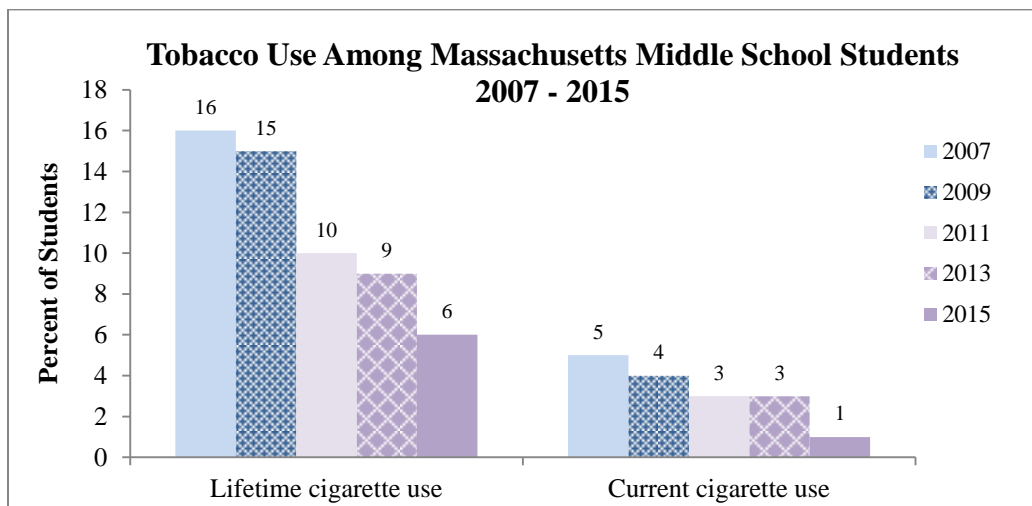


Figure 50. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

The percentage of high school students who report consuming alcohol prior to the age of 13 decreased by half from 22% in 2003 to 11% in 2013, but increased to 13% in 2015 (Figure 51). The rate of students who engage in binge drinking in the 30 days prior to the survey continued to decline from the high in 2007 (28% vs. 18%), (Figure 48). Males are more likely to engage in binge drinking as compared to females (20% vs. 16%), and 79% of students surveyed believe the risk of harm from binge drinking is moderate to great.

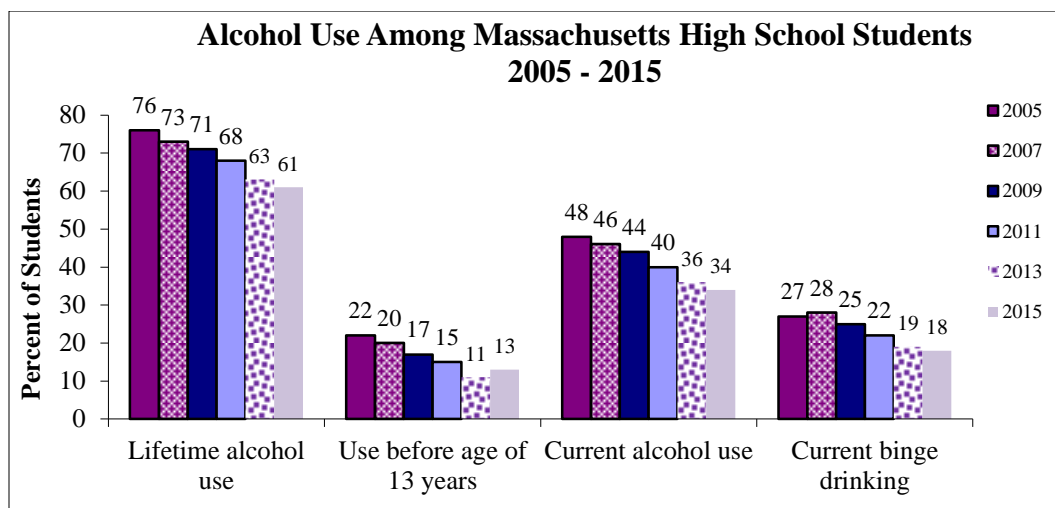


Figure 51. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

Among middle school students, 13% report having at least one drink of alcohol in their lifetime, 4% admit to current alcohol use, and 2% report current binge drinking (Figure 52). Furthermore, 38% of middle school students surveyed think it is very or fairly easy to get alcohol, and 81% think the risk of harm from binge drinking is moderate to great.

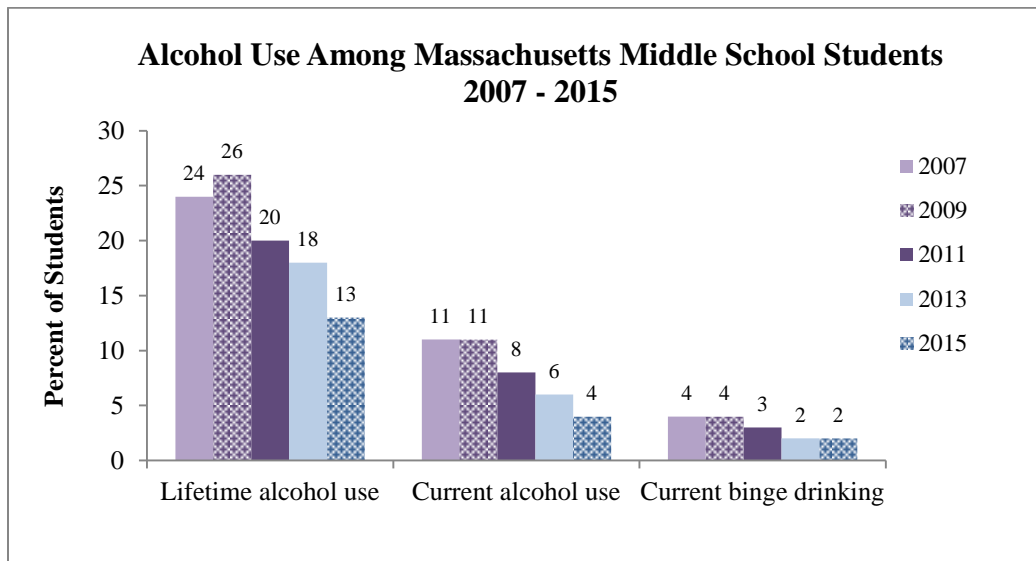


Figure 52. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

Forty-one percent (41%) of high school students report previous marijuana use, and one-quarter (25%) admit they smoked marijuana in the 30 days prior to the report (Figure 53).

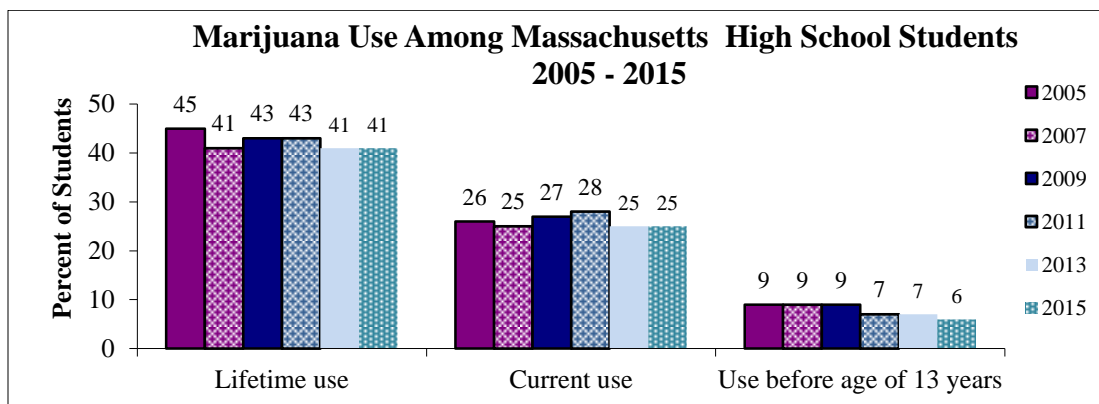


Figure 53. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

Among high school students surveyed, 2% report use of methamphetamines, 4% report taking a prescription drug that was not their own, and 1% used a needle to inject an illegal drug. In 2015, 6% of middle school students report using marijuana at least once in their lives and 2% currently use of marijuana. Reported lifetime marijuana use increased by grade levels; 2% in 6th grade, 6% in 7th grade, and 10% in 8th grade. Additionally, 3% of middle school students report taking prescription drugs that were not their own.

Twenty percent (20%) of high school students report being offered, sold, or given illegal drugs on school property during the past year; this figure marks a decrease from 30% of respondents who responded in the affirmative in 2005, and a decrease from 27% in 2011 and 23% in 2013. Alcohol and marijuana use at school in the past 30 days remained static in 2015 at 3% and 5%, respectively (Figure 54).

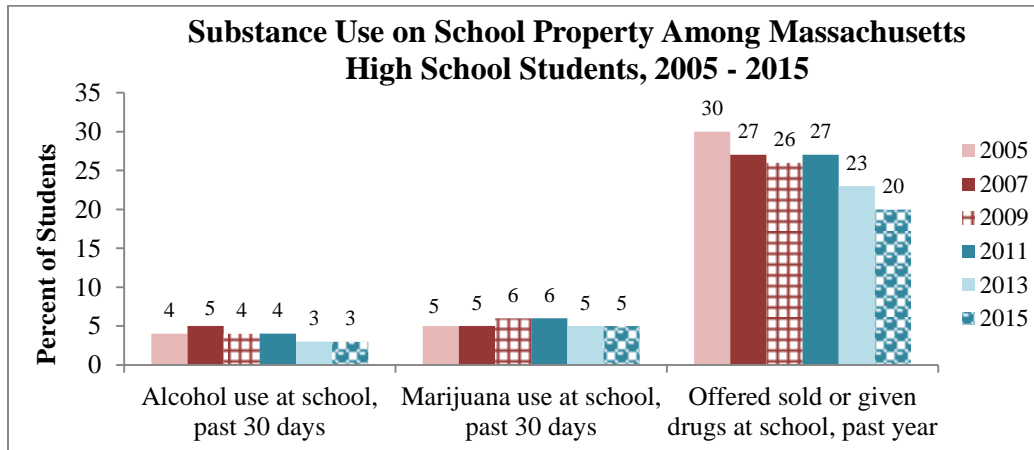


Figure 54. Massachusetts Department of Elementary and Secondary Education and Department of Public Health, *Health and Risk Behaviors of Massachusetts Youth, 2015*.

b. State Priority Juvenile Justice Needs/Problem Statements

This section provides a brief overview of juvenile justice needs as suggested by JJAC analysis of current crime trends and system gaps in the Massachusetts juvenile justice system. Problem statements based on these needs are as follows:

1. There is a need to improve sight and sound separation in all relevant facilities and specifically in Massachusetts court holding facilities.
2. There is a need to reduce disproportionate minority contact in the Massachusetts juvenile justice system.
3. There is a need for more comprehensive collection and reporting of Massachusetts juvenile justice data to inform effective public policy.
4. There is a need to ensure services and initiatives for at-risk and system-involved youth that are trauma-informed.
5. There is a need for a Massachusetts juvenile competence-to-stand-trial statute that recognizes the unique competency issues that confront system-involved youth in order to best protect their constitutional rights.
6. There is a need to promote greater use of best practices for juvenile diversion in Massachusetts counties.

A brief overview of each problem statement, and related goals and action steps, are outlined below.

Problem Statement 1: There is a need to improve sight and sound separation in all relevant facilities and specifically in Massachusetts court holding facilities.

For FFY2011, FFY2012, FFY2013 and FFY2014 the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has designated Massachusetts as out of compliance with the sight and sound separation core requirement of the JJDP Act. (It is anticipated that the Commonwealth will be found out of compliance for FFY2015 also). This results from the fact that numerous court holding facilities do not provide adequate separation between juvenile and adult detainees. All facilities constructed during the past decade and onward are - and will continue to be - compliant. However, many of the older court houses, some dating back several decades, were not built with the intention of separating juveniles and adults. These facilities require significant funding for remedies. They are the focus of a working group consisting of the EOTC, DCAMM, EOPSS, the JJAC and DYS. The working group has been meeting and visiting facilities regularly over the course of the past three years.

The working group has assessed all problematic facilities including their specific challenges and potential remedies. Planning and implementation for remedies has been divided into two rounds based on two sets of problematic court holding facilities. Planning has been completed for the first round. Implementation for the first round of remedies is pending. While Formula Grant funds may be used for some potential remedies, they cannot be used for renovation or construction of buildings. Therefore, EOPSS and the JJAC are using FFY2013 JABG funds, in combination with matching state funds, towards facilities that require renovation as a means of addressing the problem. Yet the funds will fall short of total costs for renovating such facilities. The Commonwealth is covering much of the renovation costs with state funds and will likely

cover the full renovation costs for the second round of facilities. Formula Grant funds are being used to cover the costs of non-renovation strategies, such as equipment that will help mitigate sight and sound violations. The planning process for the second round of facilities is underway. It is expected that all remedies will be completed by December 2018.

This issue relates to the “Separation of Juveniles from Adult Inmates” Formula Grant Program Area.

Problem Statement 2: There is a need to reduce disproportionate minority contact in the Massachusetts juvenile justice system.

In Massachusetts and other states across the country, there are racial disparities in the juvenile justice system. These disparities are often referred to as “Disproportionate Minority Contact” (DMC) or “Racial and Ethnic Disparities” (RED). Based on 2012 data, as compared to white youth, black youth are more than 2.6 times as likely to be arrested, nearly 7 times as likely to be detained pending resolution of their case, and more than 6 times as likely to be committed to the Department of Youth Services (DYS). Latino youth, when compared to white youth, are more than 5 times as likely to be detained, and more than 3 times more likely to be committed to DHS.

Minority youth in Massachusetts are also at greater risk than white youth in a number of other high risk areas. For example, minority youth are overrepresented in the populations of youth who: drop out of school, are excluded from school, become pregnant, and are living below the federal poverty income level. While minority youth make up 28% of the youth population, they made up 56% of the school dropouts and 50% of the children in foster care. Minority youth also have higher percentages of permanent school exclusion (expulsion) than white students. School exclusions are especially problematic since the exclusion rate for minority youth has been increasing at a much higher rate than for white students over the past few years. Studies have shown that there is evidence of differential treatment in school discipline decisions between white and minority youth who engage in similar conduct. School-based arrests add to the problem of DMC.

Efforts to combat DMC are explained in following sections. This issue relates to the “Disproportionate Minority Contact” Formula Grant Program Area.

Problem Statement 3: There is a need for more comprehensive collection and regular reporting of Massachusetts juvenile justice data to inform effective public policy.

Massachusetts does not have a unified and comprehensive data system that collects and reports on the full array of variables and data sets that relate to juvenile justice matters. In addition, the court system’s data collection system – MassCourts – has not been functioning properly, thereby hindering efforts of an array of stakeholders to get important data sets. Stakeholders – including EOPSS and the JJAC – have conveyed to the EOTC the importance of receiving comprehensive and reliable data in order to inform juvenile justice policy as well as maintain compliance with the JJDP ACT. The EOTC has projected that the system will be fully operational in November 2015.

The most reliable and regularly reported data is provided by the Department of Youth Services. DYS provides data on the numbers and characteristics of detained and committed youth. The Massachusetts State Police provide arrest data. However, there are gaps. For example, while the Boston Police Department is moving towards reporting NIBRS data, currently it only reports UCR data. There is also inadequate data collection and reporting with regard to youth who are diverted from the system.

When more comprehensive data is collected and regularly and widely reported, it will help support the call for more juvenile justice programming and will help guide decisions on the specific types of programming that are needed for various regions of the Commonwealth. This issue relates to the “Juvenile Justice System Improvement” Formula Grant Program Area.

Problem Statement 4: There is a need to ensure services and initiatives for at-risk and system-involved youth that are trauma-informed.

According to the Substance Abuse and Mental Health Services Administration (SAMHSA), trauma can occur from a variety of causes: maltreatment, separation, abuse, criminal victimization, physical and sexual abuse, natural and manmade disasters, war, and sickness. Some individuals who experience trauma are able to move on with their lives, experiencing few symptoms. However, many individuals who experience trauma, especially those who experience repeated or multiple traumas, suffer a variety of negative physical and psychological effects. (Source: Leading Change: A Plan for SAMHSA’s Roles and Actions 2011-2014 Executive Summary and Introduction. HHS Publication No. (SMA) 11-4629 Summary. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2011.)

There is evidence that youth in the juvenile justice system have experienced significant trauma in their lives. Recently, the Massachusetts Juvenile Court Clinic (JCC) conducted a study of Adverse Childhood Experiences (ACE) related to a selection of children seen by the JCC. Of 258 children who were given extended evaluations by the Juvenile Court Clinic from 7/1/13 – 12/31/13:

- 48.8% had experienced emotional abuse
- 39.1% had experienced physical abuse
- 14.7% had experienced sexual abuse
- 55.4% had experienced emotional neglect
- 29.5% had experienced physical neglect
- 46.5% had a mother who was treated violently
- 55.8% experienced substance abuse in the household
- 53.9% lived with had a household member with mental illness
- 82.6% experienced parental separation or divorce, and
- 32.2% had a household member who was incarcerated.

According to SAMHSA these types of experiences often lead to mental health and co-occurring disorders such as chronic health conditions, substance abuse, eating disorders, and HIV/AIDS, as well as contact with the criminal justice system. Preventing trauma, and effectively responding to children and adults who have been traumatized can be an effective tool in preventing future health problems and criminal behavior. This issue relates to the “Juvenile Justice System Improvement” Formula Grant Program Area.

Problem Statement 5: There is a need for a Massachusetts juvenile competency-to-stand-trial statute that recognizes the unique competency issues that confront system-involved youth in order to best protect their constitutional rights.

In Massachusetts, the adult competency-to-stand-trial (CST) statute is currently applied to juveniles. Massachusetts and other states are now considering CST legislation that is specific to juveniles. A recent study funded by the MacArthur Foundation suggests that states examine the following areas related to JCST proceedings:

- Psychological “predicates” or underlying reasons for a finding of incompetence
- Legal protections in the evaluation process
- Protection against self-incrimination
- Qualifications of the examiner
- Location of the evaluation
- Time limits for evaluation
- Content of the evaluation and report
- Remediation services
- Provision of services in the event that incompetence cannot be remediated

(Source: Juvenile Delinquency Proceedings: A Guide for Lawmakers; Kimberly Larson, Ph.D., J.D.; Thomas Grisso, Ph.D.; National Youth Screening & Assessment Project)

Efforts are underway to advocate for a statute that will address the above listed issues. This issue relates to the “Juvenile Justice System Improvement” Formula Grant Program Area.

Problem Statement 6: There is a need to promote greater use of best practices for juvenile diversion in Massachusetts counties.

Pre-arraignment juvenile diversion practices in Massachusetts vary from county to county. While most counties are making valiant efforts – that are not required by law and that are not adequately funded - to provide diversion opportunities to some non-violent, first-time offenders, it is the opinion of the JJAC that there is opportunity to expand the use of best practices - as identified by the national literature - for diversion throughout the Commonwealth. To the extent that there is room for enhancing the diversion programs that currently exist the JJAC intends to work with district attorneys’ offices and stakeholders to promote wider use of best practices such as: use of assessment and screening tools, comprehensive collection of data to monitor effectiveness, use of trained diversion staff, and enhancement of collaboration with stakeholders such as those who can provide services for diverted youth.

Youth should be able to benefit from fair and effective diversion practices regardless of which county they live in. Thus the JJAC will seek to ensure best practices for diversion across the Commonwealth and will promote amongst all counties the practices currently in use in the counties with the most comprehensive and promising programs. Where appropriate, the JJAC will support district attorney offices in their advocacy for more state funding for their programs. In addition, the JJAC has identified the “Diversion” Formula Grant Program Area as a priority under which to use Formula Grant funds should funds be available.

FY 2016 UPDATE

Please see the “Goals and Objectives” section below for updates relating to the Problem Statements.

FY 2017 UPDATE

Please see the “Goals and Objectives” section below for updates relating to the Problem Statements.

B. COORDINATION OF STATE EFFORTS

i. Overview of state efforts and plans to promote youth development and well-being.

Several years ago the JJAC adopted a youth development approach promoted by EOHHS to serve as a framework and philosophy for how the JJAC should approach understanding of juvenile justice issues and potential solutions. This framework was made part of the criteria for evaluating all proposals for juvenile justice grant funds over which the JJAC has authority.

With Formula Grant funding from the JJAC, DYS has sponsored and facilitated the JJAC Leadership Training Series during the winter and spring of 2015. This leadership series consists of seven half-day trainings from national experts on an array of related topics such as: adolescent brain development, positive youth justice, desistance, childhood trauma, and the use of risk assessment tools. The last segment of the series will focus on “next steps.” Participating stakeholders involve upper management personnel and others from the juvenile court, DYS, DCF, EOHHS, CPCS, the probation department, and EOPSS. All participants have been provided with the book “Reforming Juvenile Justice: A Developmental Approach.” This book is the guiding text for the leadership series and for the values and practices that the JJAC and DYS hope to promote amongst all stakeholders who serve youth.

Many of the stakeholder leadership from the above agencies also comprise the Child Welfare and Juvenile Justice Leadership Forum. This forum serves as a space for multiple agencies to align their juvenile justice and child welfare goals under a comprehensive vision that is largely informed by a positive youth development model. While the diverse array of agencies may play different roles in the system (such as public defenders and juvenile probation officers) there is a common understanding of the need to serve youth in developmentally-appropriate ways with the common goal of ensuring their pro-social development for the benefit of their own individual success as well as for the public safety of their communities.

JDAI - initially funded several years ago with Formula Grant funds - is another initiative that has helped to bring stakeholders to the same table to learn from each other and advocate for ways to improve the juvenile justice system in the Commonwealth. This effort has reached hundreds of stakeholders such as probation officers, judges and DYS staff. DYS leads the JDAI effort.

EOHHS has recently set up several “Family Resource Centers” throughout the Commonwealth. These centers provide services on-site and/or make appropriate referrals for services for any youth and/or parent that seeks their assistance for any reason. Recognizing that family-involvement, along with positive parenting practices, are crucial to serving young people, the

centers represent a holistic way for helping vulnerable children and families and is an accessible path for them to get relevant services. DYS also understand the importance of family involvement and of parents and parent advocacy groups as important participants in assisting troubled youth. For instance, DYS contracts with the Parent/Professional Advocacy League to assist parents of detained youth in navigating the juvenile justice system.

Another project that is recently underway in Massachusetts is the planning and eventual creation of a multi-disciplinary professional development curriculum and course. “A Positive Youth Development Mindset: A Cross-Systems Approach” is led by Wheelock College and School & Main Institutes. (Please see below for more discussion on this project).

Due to the penalty for non-compliance with the Separation core requirement of the JJDP Act, the Commonwealth is unlikely to have FFY 2015 Formula Grant funds available to sub-grant to delinquency prevention and intervention programs or system improvement projects. However, the Commonwealth is now at a stage where multiple agencies, institutions and organizations are moving forward with collaborative efforts designed to inform juvenile policy and practices; simultaneously, organizations such as UTEC (discussed in Section 1A) have been expanding their direct services and positive youth development approach to working with at-risk and system-involved youth.

FY 2016 UPDATE

The initiatives discussed above continue to expand. They reach an array of stakeholders across the Commonwealth most of whom are committed to the vision of juvenile justice outlined in “Reforming Juvenile Justice: A Developmental Approach.” The JJAC again funded DYS to coordinate a second round of the Leadership Training Series. This has included six four-hour trainings on adolescent brain development, trauma-informed practices, understanding and working with at-risk girls, implicit bias, characteristics of desistance, and effective service dosage. Wheelock College and School & Main Institute have completed the planning stages of their certificate program that will be focused on professional development and system-improvement relating to various aspects of positive youth development. This certificate program will begin in the June 2016.

FY 2017 UPDATE

The Child Welfare and Juvenile Justice Leadership Forum describes itself as: “a collective impact group comprised of key government and non-profit sector stakeholders who believe that promoting the positive development of young people and families is the best path to child well-being, healthy communities and public safety.” It states: “The members have agreed upon a set of shared goals to ensure that children and families who come into contact with child-serving systems are treated in a fair and effective manner that promotes the healthy development of self-sufficient and law abiding adults.” Because the Leadership Forum is comprised of upper management stakeholders from child-serving agencies such as DCF and DYS, as well as key managers from non-profit agencies, it is in the best position – especially with the benefits of collaboration and coordination arising from the collective efforts of the group - to infuse the work of their agencies and organization s with policies and practices that are optimal for youth development and child well-being.

JDAI also maintains a strong presence throughout the Commonwealth that spreads values and ideas for effective services and approaches to working with vulnerable youth that are supportive of youth development and child well-being. JDAI has multiple county-based and statewide committees that form a strong network of stakeholders with the common vision of – amongst other things – ensuring fair, effective and developmentally-appropriate treatment of at-risk and system-involved youth.

The JJAC is another body of stakeholders that supports (sometimes with available Formula Grant funds) and participates in the work of the Leadership Forum and JDAI and other initiatives that share common visions for the healthy development of the Commonwealths youth.

The Family Resource Centers (discussed above) and numerous child serving non-profits across the Commonwealth continue to expand access to their services and enhance collaborative efforts to best address the needs of clients and their families.

ii. Description of what is being done by the designated state agency to partner with non-justice system agencies and other stakeholders.

Stakeholders in Massachusetts realize the inter-relatedness of child welfare and juvenile justice matters. Many of the youth who become juvenile justice system-involved have been or will be involved in the child welfare system. The Massachusetts Juvenile Justice Specialist is a member of the Child Welfare and Juvenile Justice Leadership Forum. The forum provides a space for cross-agency sharing of ideas, problem solving, goal setting, and discussion of how the two systems intersect and can benefit from multidisciplinary coordination of values, initiatives and programming. In addition, the Juvenile Justice Specialist (as well as JJAC members) is also involved in the planning stages the joint project by Wheelock College and School & Main Institute to create a multidisciplinary, cross-system professional development curriculum and course that will enhance awareness of a positive youth development approach to working with children as well as create a space and means for networking and systems coordination.

FY 2016 UPDATE

The Juvenile Justice Specialist maintains involvement and collaboration with other initiatives such as those listed above. Juvenile justice initiatives such as the Child Welfare and Juvenile Justice Leadership Forum and JDAI have participation from members who are not juvenile justice system agencies and organizations.

FY 2017 UPDATE

EOPSS has recently appointed several new members to the JJAC that come from non-justice system backgrounds. For example, there are child psychologists, educators and social workers recently appointed to the group. They provide important perspectives and improve networking with non-justice system agencies. Work on priorities such as promoting trauma-informed practices will benefit from their knowledge. The professional contacts that they have should prove fruitful in convening stakeholders for further collaboration on issues such as trauma-informed practices.

iii. Challenges and plans to improve coordination and joint decision making.

Collaborative efforts have been gaining strength in Massachusetts over the past few years with initiatives such as JDAI, the Child Welfare and Juvenile Justice Leadership Forum, and, more recently, the project sponsored by Wheelock College and School & Main Institute which is in its beginning stages. These initiatives bring a variety of stakeholders together who serve in diverse roles within their agencies and organizations and who range from young social workers to experienced agency commissioners. Stakeholders are defining shared values and goals, most of which are aligned with a positive youth development approach to serving vulnerable youth. The challenge for the Commonwealth will be to get from the discussion and planning stages of these initiatives to the implementation of day to day programming and practices across all of the agencies, institutions and organizations that have the responsibility and opportunity to effectively assist young people. Many people serve on numerous committees which helps spread and reinforce positive youth development values among all stakeholder groups. However, clear action steps and accountability will need to be delineated and enforced in order to reap large-scale, systemic results over the upcoming years. It will be important for stakeholders to maintain motivation for continual learning and improvement as well as practical implementation of proven or promising policies and practices. The JJAC and EOPSS' staff - like others - are taking a proactive approach with regard to discussing juvenile justice priorities with various stakeholder leaders while seeking opportunities to collaborate and coordinate efforts on an array of issues as reflected, in part, below.

FY 2016 UPDATE

Collaboration, interdisciplinary learning and networking among stakeholders, including within the various initiatives listed above, have developed momentum. There is continual progress with regard to clarification of a shared vision and values for how to benefit at-risk and system-involved youth.

FY 2017 UPDATE

Please see the FY 2017 update to Section B (i) above for a description of the type of collaboration and coordination that is occurring on juvenile justice and child welfare matters in the Commonwealth.

C. GOALS AND OBJECTIVES

PRIORITY #1: Separation of Juveniles from Adult Inmates – Court Holding Facilities

Program Area: Separation of Juveniles from Adult Inmates

Goal: Ensure that all of the Commonwealth's court holding facilities are sight and sound compliant by December 2018.

Objectives:

1. Complete the Interdepartmental Service Agreement (ISA) between EOPSS and the Court in order to begin both renovation and non-renovation projects for facilities assessed for the first round of remedies. **June 2015.**

2. Obtain a schedule from the Court and/or the Division of Capital Asset Management and Maintenance (DCAMM) as to the estimated completion dates for the first round of remedies. **August 2015.**
3. Ensure completion of work on the first round of facilities according to schedule. **March 2016.**
4. Assess the effectiveness of the first round of remedies after they have been completed. **May 2016.**
5. Ensure completion of the planning stage of the second round of facilities. **January 2016.**
6. Determine how the second round renovation and non-renovation projects will be funded and facilitate the contracting process to the extent that JJAC/EOPSS administered funds are involved. **August 2016.**
7. Complete the ISA process for assistance with the funding of the second round of remedies. **October 2016.**
8. Obtain a schedule from the Court and/or DCAMM as to the estimated completion dates for the second round of remedies. **November 2016.**
9. Ensure completion of the second round of facilities according to schedule. **December 2017.**
10. Assess the effectiveness of the second round of remedies after they have been completed. **August 2018.**
11. Inform OJJDP and other stakeholders of progress. **Ongoing.**

FY 2016 UPDATE

The following activities were undertaken towards remedying the inadequate separation of juvenile and adult detainees in some of the Commonwealth's court holding facilities:

- Twenty-seven sites were identified for the second (final) round of courthouse assessments. All sites were visited by the work group.
- An architectural firm was contracted with to assess and determine the feasibility of renovations in the in the second round facilities.
- EOPSS provided \$426,350 of Formula Grant funds to the EOTC to help address sight and sound separation in the several of the facilities. Funds were used to purchase cameras, screens, access controls etc. to help provide sight and sound separation.
- Courthouses that must have renovations in order to be compliant were identified as were courthouses that may only need policy and/or minor modifications.
- The use of magnetically attachable screens as a possible remedy was piloted in three court houses. This is a viable option in some facilities. Because the various facilities have different cell layouts this type of remedy – while it will be effective in some facilities -will not work in all of them.
- Policy changes were piloted in several facilities to determine whether such changes alone can ensure adequate sight and sound separation between juvenile and adult detainees.
- Sound masking devices were tested to study their effectiveness in preventing sound contact.
- The EOTC developed a master schedule for project completion.
- EOPSS and EOTC officials met with OJJDP officials to discuss the problems and potential remedies.

FY 2017 UPDATE

Efforts such as those listed above continued during the past year. EOPSS subgranted \$75,000 from the Juvenile Accountability Block Grant (JABG) to help fund renovation designs and construction in some of the non-compliant facilities. The Commonwealth will match the JABG funds and will contribute a substantial amount of additional funds to move closer to completing all remedies. Operational policies specific to each non-compliant facility (those whose physical design does not by itself provide complete separation) have been permanently implemented in several facilities to ensure maximum separation at all times under the circumstances. For some facilities these operational policies alone or with the assistance of sound-reducing curtains result in daily compliance. Other non-compliant facilities, especially those with a high volume of both juvenile and adult detainees, cannot be remedied by operational and/or sound-reducing curtains alone. For some of these facilities, renovations are feasible and are currently being designed. It is expected that renovation projects will be completed by December 2018. For others, where renovation is not feasible, remedies such as relocation to another courthouse or video-conferencing are under consideration. Unfortunately, there are collateral concerns for such remedies that require input and agreement from multiple stakeholders as well as additional resources. The Division of Capital Asset Management and Maintenance (DCAMM) is fully invested in diligently planning and implementing remedies for all problematic facilities across the Commonwealth to the fullest extent possible.

The Court Holding Facilities working group will continue to meet periodically to ensure completion of remedies for all facilities by December 2018.

The modified objectives and timeline for FY 2017 regarding the court holding facilities' priority are delineated below:

Separation Goal: Ensure that all of the Commonwealth's court holding facilities are sight and sound compliant by December 2018 in order to achieve and maintain full compliance with Section 223 (a)(12) of the JJDP Act.

Objectives

1. Convene meetings of the Court Holding Facilities Working Group as needed to ensure effective coordination and monitoring of activities and their timely completion. **Ongoing.**
2. Complete the Interdepartmental Service Agreements (ISA) as necessary between EOPSS and the EOTC in order to begin both renovation and non-renovation projects for the remaining non-compliant facilities. **Complete.**
3. Assess the effectiveness of the remedies at each court within two to four months (trial period) after the remedies have been implemented. **Ongoing.**
4. Assess which courts if any require different remedies than those initially attempted and identify potential alternative remedies. **Ongoing.**
5. For each relevant facility, plan and implement alternative remedies where necessary within one to three months of a finding that the initial attempted remedies were inadequate or as soon as feasible for alternative remedies that require more time. **Ongoing.**
6. For each relevant facility, assess the effectiveness of alternative remedies within two to four months (trial period) of their implementation. **Ongoing and completed by July 2018.**
7. Ensure completion of effective remedies for all non-compliant facilities. **December 2018.**
8. Monitor facilities for compliance. **Ongoing.**

9. Inform OJJDP and other stakeholders of progress. **Ongoing.**

PRIORITY #2: Disproportionate Minority Contact (DMC)

Program Area: Disproportionate Minority Contact

Goal: Assess, Monitor and Reduce DMC in Massachusetts with a primary focus on the “front end” of the juvenile justice system (police, schools, and diversion practices) and the following core activities:

1. Increase DMC-related training opportunities for police;
2. Promote alternative values, policies and practices to the unnecessary use of suspension, expulsion, and arrests for school-based behavior problems;
3. Support the use of pre-arraignment diversion in urban jurisdictions and the collection of race and ethnicity data at the diversion contact point;
4. Facilitate the completion of a DMC Assessment Study.

Objectives:

1. Advocate for improved and unbiased interactions and relations between the police and youth of color:

- a) Incorporating local, state and national information, research and develop expertise on matters related to this objective (e.g. implicit bias, cultural proficiency, adolescent development, effective and equitable police practices, justice by geography, studies/findings/recommendations regarding police practices and problems, police-community relations, etc.) **June 2015 & ongoing.**
- b) Coordinate the Effective Police Interactions with Youth Training of Trainers. **August 2015.**
 - i. establish expectations during the TOT regarding participant responsibility for training officers in their departments and departments in their regions
 - ii. continuously encourage accountability of those trained in the TOT to regularly offer the training to officers in their regions.
- c) Conduct focus groups and/or surveys and/or forums to learn about and educate on this objective. **June 2016.**
- d) Meet with Chiefs of Police of Major Cities to explore further collaboration. **November 2015.**

2. Advocate for fair, effective and unbiased school discipline and school-based arrest policies and practices:

- a) Incorporating local, state and national information, research and develop expertise on matters related to this objective (study issues such as: how to build a positive school culture and mutual trust between students, staff and SROs; fair discipline procedures and unbiased discipline practices; studies/findings/recommendations regarding school discipline and referral practices and problems, particularly as they relate to racial/ethnic disparities, etc.). **June 2015 & ongoing.**
- b) Identify districts and schools that have the highest school exclusion and school-based arrest rates. **October 2015.**

- c) Establish connections with school personnel in key urban districts, assess their current practices and degree of need for reform, and encourage them to develop more positive, fair and effective policies and practices based on the national literature and what is working in Massachusetts school districts such as Boston. **April 2016.**
- d) Review the impact of the Boston Public Schools/Suffolk University JABG project and assess the usefulness of its model for reducing disparities. **August 2015.**
- e) Advocate for expanding the Boston Public Schools model of restorative practices in other jurisdictions if it is deemed effective. **October 2015 & ongoing.**

3. Maximize the use of pre-arraignment diversion in urban jurisdictions:

- a) Release the Diversion Study, raise awareness of its recommendations and encourage adoption of its recommendations in each jurisdiction. **October 2015.**
- b) Encourage the collection of race/ethnicity data by DA offices in order to identify racial disparities at the diversion contact point in the future. **October 2015.**
- c) Coordinate with EOHHS and DCF regarding the use of the Family Resource Centers as a diversion and services resource. **October 2015.**
- d) Encourage the development of formal, systemic relationships between the Family Resource Centers and police and DA offices in order to facilitate and maximize the use of diversion in each jurisdiction (particularly in urban areas). **December 2015.**
- e) Assess the development and effectiveness of the Suffolk County diversion project and its potential for replication. **May 2016.**
- f) If assessed to be effective, collaborate with the diversion project in Suffolk County to promote its practices in other counties. **September 2016.**

4. Complete a New DMC Assessment Study:

- a) Conference with Court Officials and a national DMC expert as needed to create and update a work plan. **October 2015.**
- b) Clarify information required by OJJDP to satisfy their assessment study requirements. **September 2015.**
- c) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to have a valid and reliable dataset. **December 2015.**
- d) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to complete a DMC analysis of the data. **May 2016.**
- e) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to write the DMC Assessment Study. **July 2016.**
- f) Share the DMC Assessment Study with stakeholders and promote awareness of its findings and recommendations. **October 2016.**

5. Advocate with the Executive Office of the Trial Court for reliable data collection (including race/ethnicity data) and regular data sharing and reporting with stakeholders and the public.

- a) The JJAC Chair and the DMC Reduction Specialist will advocate with the EOTC about data issues, including concerns about the functioning of MassCourts, concerns about the reliability and consistency of race and ethnicity data collection, and the request of stakeholders to have data shared and made accessible to the public on a regular basis. **September 2015 & ongoing.**

6. **Coordinate and collaborate with other agencies and groups working on DMC issues, such as JDAI and the Child Welfare and Juvenile Justice Leadership Forum. Ongoing.**
7. **Assess the potential value of a Juvenile Bail Statute based on validated J-PAST factors.**
 - a) Get feedback from key stakeholders (including those who constitute the Child Welfare and Juvenile Justice Leadership Forum) regarding their thoughts on the potential value of a Juvenile Bail Statute based on the validated J-PAST factors, including concerns about potential unintended consequences. **January 2016.**

FY 2016 UPDATE

Massachusetts engaged in numerous DMC related activities since the submission of the FY 2015 Three Year Plan. Racial and ethnic disparities in the juvenile justice system continued to be a priority and area of collaboration amongst the JJAC, JDAI and the Child Welfare and Juvenile Justice Leadership Forum (all of which consist of a diverse array of stakeholders). The DMC Reduction Specialist, the Chair of the JJAC DMC Subcommittee, JJAC members and others stay abreast of the latest research related to racial and ethnic disparities in the juvenile justice system and share resources amongst each other. This priority will be discussed in greater detail in the Annual Compliance Monitoring Report due on July 15, 2016. DMC activities in Massachusetts included, but were not limited to, the following:

- implicit bias training for all trial court judges in the Commonwealth;
- implicit bias training for police officers;
- a Connecticut police training of trainers on the Effective Police Interactions with Youth Training;
- discussions with the Municipal Police Training Committee (MPTC) regarding incorporation of the Effective Police Interactions with Youth Training into the MPTC mandatory training curriculum;
- JJAC-sponsored implicit bias training for an array of juvenile justice stakeholders across the state;
- JDAI-sponsored implicit bias training for Leadership Forum members and other stakeholders;
- development of an objective screening tool for police officers to use to determine whether to arrest and how to serve youth during encounters and which is currently being used in Brookline, MA;
- implementation of a objective risk assessment tool in juvenile courts across the Commonwealth to assist judges in making bail decisions;
- technical assistance and training on racial and ethnic disparities from the Center for Children's Law and Policy (CCLP);
- analysis of racial and ethnic discipline disparity rates in Massachusetts schools;
- advocacy for reliable collection and timely reporting of race and ethnicity data, particularly from the EOTC;
- development of a training video on racial and ethnic disparities as part of the JDAI initiative;
- improvements in the availability of race and ethnicity data from the juvenile court;
- planning for the creation of a formal diversion program in Suffolk County;

- conducting of a focus group at Roca, Inc in Boston, a non-profit organization that serves at-risk and system-involved young people, most of whom are Black and Latino; and,
- assessment of race and ethnicity data needs and assessment of best practices regarding race and ethnicity data collection to recommend to all stakeholders.

The Commonwealth hopes to make progress towards the completion of a DMC assessment study. There has been a delay due to problems with the data system of the juvenile court. However, recent positive developments regarding juvenile court data may make this a feasible goal over the course of the 2016 federal fiscal year. Regarding the possibility of creating juvenile bail statute based on the elements of the validated risk assessment instrument that has recently been used in the juvenile court to help judges make informed decisions, it is too early for stakeholders to commit to such legislation. A longer trial period of the discretionary risk assessment instrument is necessary before stakeholders will feel comfortable with the possibility of codifying it in a statute.

FY 2017 UPDATE

The Juvenile Justice Specialist housed within EOPSS's Office of Grants and Research remains current on relevant local, state and national information, research and news relating to race and police practices. Such information is often passed along to - and discussed amongst - members of the JJAC DMC Subcommittee. Other stakeholders, such as those involved with the Massachusetts JDAI effort and the Child Welfare and Juvenile Justice Leadership Forum, are also well-informed on these topics, including how police interactions with youth, in general, and youth of color, specifically, can be improved.

In May 2016, a member of the MPTC staff who designs police training curriculum attended an Effective Police Interactions with Youth Training in Connecticut. The MPTC is considering incorporating aspects of the training into its police training curriculum. MPTC trains virtually all municipal police across the Commonwealth. In addition, JDAI has been working with the MPTC to develop trainings on effective police interactions with juveniles.

This year the EOTC has provided EOPSS with the most complete sets of court level race and ethnicity data to date. Currently the only OJJDP DMC contact point for which Massachusetts does not have data for is diversion practices.. The EOTC data collection system is now functioning in a manner sufficient to share the required race and ethnicity data. During the past several years, stakeholders, including the JJAC and EOPSS, have continuously advocated for the collection and sharing of the relevant juvenile justice and race and ethnicity data sets.

Progress is underway towards completing a DMC Assessment Study. Technical assistance was requested and is being provided by the Developmental Services Group, Dr. Michael Leiber and Dr. Bill Feyerherm. The EOTC drafted a study design and conference calls between the technical assistance providers, the EOTC and the Juvenile Justice Specialist have occurred. The group has discussed how to improve upon the study design and ensure it is reliable and useful for understanding racial and ethnic disparities at some of the court-level contact points. Technical assistance will continue to be provided throughout the project. It is anticipated that a study will be completed by December 2017.

The JJAC has a strong commitment to the JDAI priorities, including the goal of reducing racial and ethnic disparities in the juvenile justice system. The staffing of JDAI has expanded to assist the various counties on a local level. JDAI collects and analyzes multiple data sets – statewide and county-based - that help identify concerns and trends with regard to disparities. JDAI has hosted trainings on topics such as implicit bias, as has the Child Welfare and Juvenile Justice Leadership Forum, and the JJAC-DYS Leadership Training Series. Recently, JDAI produced and released a training video on racial and ethnic disparities in the Massachusetts juvenile justice system entitled *Seeing RED*. Several stakeholders – including the Juvenile Justice Specialist – have been trained on facilitating viewings and discussion sessions of *Seeing RED*. The video and training sessions are intended to raise awareness of DMC, including its causes and potential remedies, and generate individual commitment from stakeholders to play a part in reducing the disparities across all segments of the juvenile justice system. (The video can be found at <http://www.mass.gov/eohhs/gov/commissions-and-initiatives/jdai/seeing-red.html>). JDAI is working with the MPTC to help ensure officers are trained to effectively interact with diverse youth. Members of the JJAC also participate in JDAI.

In addition, the Chair of the JJAC is a member of the Child Welfare and Juvenile Justice Leadership Forum which has the reduction of racial and ethnic disparities as one of its primary goals. The Leadership Forum launched a Training Committee which hosted a two-day training for 55 people from 10 agencies and organizations on racial and ethnic disparities. The Leadership Forum also developed a best practice guide for collecting race and ethnicity data and adopted a five-point racial and ethnic disparities reduction strategy. These collaborative initiatives encompass a wide array of stakeholder groups and personnel with diverse roles in state and local agencies and organizations.

In addition to the above efforts, the Commonwealth’s probation department has undertaken implicit bias training for all staff. It has also launched a Cultural Proficiency Strategic Plan Initiative which lays out tactics to enhance cultural, racial, ethnic, and gender competence across the organization. It has recruited over 100 volunteer cultural proficiency champions, one per court, and is training them on leading cultural awareness development at the local court level.

The modified objectives, activities and timeline for FY 2017 regarding the DMC priority are delineated below:

The DMC Reduction Plan remains essentially the same as outlined in the FY2015 Three Year Plan. Many objectives and activities are of an “ongoing” nature for which it is expected there will be continuing progress. Others were not completed during FY2016 but will be addressed in the upcoming fiscal year. Due to the penalty imposed on Massachusetts for non-compliance with the Separation from Adult Inmates core requirement of the JJDP Act, there are inadequate Formula Grant funds available for significant, grant related DMC interventions. Therefore, interventions listed below are “no cost” interventions that involve advocacy, education and collaboration on behalf of appointed members of the JJAC as opposed to the provision of funds disseminated from EOPSS for programs.

DMC Goal: The JJAC will Assess, Monitor and Reduce DMC in Massachusetts with a primary focus on the “front end” of the juvenile justice system (police, schools, and diversion practices) and the following core activities:

1. Increase DMC-related training opportunities for police;
2. Promote alternative values, policies and practices to the unnecessary use of suspension, expulsion, and arrests for school-based behavior problems;
3. Support the use of pre-arraignment diversion in urban jurisdictions and the collection of race and ethnicity data at the diversion contact point;
4. Facilitate the completion of a DMC Assessment Study.

DMC Objectives:

1. The JJAC will advocate for improved and unbiased interactions and relations between the police and youth of color:

- a) Incorporating local, state and national information, research and develop expertise on matters related to this objective (e.g. implicit bias, cultural proficiency, adolescent development, effective and equitable police practices, justice by geography, studies/findings/recommendations regarding police practices and problems, police-community relations, etc.) **Ongoing. No cost.**
- b) Conduct focus groups and/or surveys and/or forums to learn about and educate on this objective. **Ongoing. No cost and/or SAG allocation.**
- c) Meet with the MPTC and/or Massachusetts Chiefs of Police Association and/or Massachusetts Major Cities Chiefs of Police to explore further collaboration. **August 2017. No cost.**

2. The JJAC will advocate for fair, effective and unbiased school discipline and school-based arrest policies and practices:

- a) Incorporating local, state and national information, research and develop expertise on matters related to this objective (study issues such as: how to build a positive school culture and mutual trust between students, staff and SROs; fair discipline procedures and unbiased discipline practices; studies/findings/recommendations regarding school discipline and referral practices and problems, particularly as they relate to racial/ethnic disparities, etc.). **Ongoing. No cost.**
- b) JJAC identify districts and schools that have the highest school exclusion and school-based arrest rates. **Ongoing annually. No cost.**
- c) Establish connections with school personnel in key urban districts, assess their current practices and degree of need for reform, and encourage them to develop more positive, fair and effective policies and practices based on the national literature and what is working in Massachusetts school districts such as Boston. **September 2017. No cost.**
- d) Review the impact of the Boston Public Schools/Suffolk University JABG project and assess the usefulness of its model for reducing disparities. **May 2017. No cost.**
- e) Advocate for expanding the Boston Public Schools model of restorative practices in other jurisdictions if it is deemed effective. **September 2017 & ongoing. No cost.**

3. The JJAC will maximize the use of pre-arraignment diversion in urban jurisdictions:

- a) Coordinate with EOHHS and DCF regarding the use of the Family Resource Centers as a diversion and services resource. **May 2017. No cost.**
- b) Encourage the development of formal, systemic relationships between the Family Resource Centers and police and DAs' offices in order to facilitate and maximize the use of diversion in each jurisdiction (particularly in urban areas). **July 2017. No cost.**

- c) Assess the development and effectiveness of the Suffolk County diversion project and its potential for replication. **December 2017. No cost and/or SAG allocation.**
- d) If assessed to be effective, collaborate with the diversion project in Suffolk County to promote its practices in other counties. **March 2018. No cost.**

4. The JJAC will complete a New DMC Assessment Study:

- a) Conference with Court Officials and DMC technical assistance providers as needed to create and update a work plan. **In process. No cost.**
- b) Clarify information required by OJJDP to satisfy their assessment study requirements. **April 2017. No cost.**
- c) Consultation with the Court as needed to have a valid and reliable dataset. **In process. No cost.**
- d) Consultation with the Court as needed to complete a DMC analysis of the data. **October 2017. No cost.**
- e) Consultation with the Court as needed to write the DMC Assessment Study. **December 2017. No cost.**
- f) Share the DMC Assessment Study with stakeholders and promote awareness of its findings and recommendations. **February 2018. No cost.**

5. The JJAC will advocate with the Executive Office of the Trial Court for reliable data collection (including race/ethnicity data) and regular data sharing and reporting with stakeholders and the public.

The JJAC Chair will continue to advocate with the EOTC about data issues, including concerns about the functioning of MassCourts, concerns about the reliability and consistency of race and ethnicity data collection, and the request of stakeholders to have data shared and made accessible to the public on a regular basis. **Ongoing. No cost.**

6. The JJAC will coordinate and collaborate with other agencies and groups working on DMC issues, such as JDAI and the Child Welfare and Juvenile Justice Leadership Forum. Ongoing. No cost.

7. The JJAC will assess the potential value of a Juvenile Bail Statute based on validated J-PAST factors.

Get feedback from key stakeholders regarding their thoughts on the potential value of a Juvenile Bail Statute based on the validated J-PAST factors, including concerns about potential unintended consequences. **Efforts relating to this activity will be put on hold until more is known about the impact of the J-PAST tool as it has currently been implemented as a tool to assist but not determine judicial bail decisions.**

PRIORITY #3: Juvenile Justice Data

Program Area: Juvenile Justice System Improvement

Goal: Successfully advocate for comprehensive, reliable and consistent juvenile justice data collection, sharing among stakeholders, and public reporting by all key juvenile agencies and institutions in order to inform effective public policy.

Objectives:

1. Identify data and organizations responsible for data that should be available at each decision point in the juvenile justice system. **August 2015.**
2. Identify currently available juvenile justice data and the entity responsible for the data. **September 2015.**
3. Identify missing data, determine if it is collected and, if so, by whom; if not collected, identify the entity that should collect said data. **September 2015.**
4. Meet with Governor and Court Administrator of the Massachusetts Trial Court (or key representative) to educate the Governor's Office and the Administrative Office of the Juvenile Court regarding the need for data to inform juvenile justice practice, policy and program development. **November 2015.**
5. Convene a meeting of stakeholders to: educate about the need for data; identify systemic obstacles to the production of data; brainstorm strategies to remove obstacles to data production; and secure commitment to provision of identified data on a regular basis. **February 2016.**
6. Successfully define what a comprehensive, reliable and consistent Massachusetts juvenile justice data system looks like inclusive of what each agency is responsible for collecting and reporting. **April 2016.**
7. Assess the feasibility of creating and implementing the data system identified in Objective 6 and begin advocacy for such a system or the next best feasible alternative. **June 2016.**

FY2016 UPDATE

The importance of collecting and analyzing juvenile justice data is consistently emphasized and reinforced during meetings and communications involving committees and initiatives such as the JJAC, JDAI and the Child Welfare and Juvenile Justice Leadership Forum. JDAI and the Leadership Forum each have data-specific subcommittees. The Leadership Forum subcommittee has mostly determined what data currently exists, where there are gaps in data, which stakeholders do or can collect the data, and which indicators should be prioritized for measuring juvenile justice and child welfare areas of concern. The Leadership Forum consists of upper management personnel from all of the key juvenile justice and child welfare agencies. The Leadership Forum has great potential to enact necessary changes relating to the collection, reporting and analysis of juvenile justice and child welfare data and to enact reforms based on the analysis of such data. Regarding race and ethnicity data, there is a pending bill in the state legislature that, if passed, will require all juvenile justice stakeholders to collect and report such data.

FY 2017 UPDATE

Data collection, analysis and reporting is a priority for juvenile justice and child welfare system stakeholders. The Leadership Forum and JDAI stress the importance of data collection and are deeply involved in the analysis of various types of juvenile justice data with the purpose of using

it to guide and monitor policies and practices that can improve the juvenile justice system. For instance, JDAI has implemented an interactive web-based data site that allows users to search for the racial and ethnic relative rate indices at various contact points and across the different counties and statewide. The JDAI Data Subcommittee meets on a monthly basis, reviewing data to identify concerning and/or significant trends and developing ideas on new types of data to collect and new ways of looking at the data that exists.

The EOTC is now able to report more data. For instance, this year Massachusetts was able to report on the relative rate indices for all of the OJJDP DMC contact points with the exception of diversion.

The Office of the Commissioner of Probation has also taken a lead in improving data practices. Changes in the MassCourts system are underway to properly capture self-reported language preference, race and ethnicity data and gender orientation.

The modified objectives, activities and timeline for FY 2017 regarding the juvenile justice data priority are delineated below:

Data Goal: The JJAC will successfully advocate for comprehensive, reliable and consistent juvenile justice data collection, sharing among stakeholders, and public reporting by all key juvenile agencies and institutions in order to inform effective public policy.

Objectives:

1. Identify data and organizations responsible for data that should be available at each decision point in the juvenile justice system. **Complete.**
2. Identify currently available juvenile justice data and the entity responsible for the data. **Complete.**
3. Identify missing data, determine if it is collected and, if so, by whom; if not collected, identify the entity that should collect said data. **Complete.**
4. Meet with Governor and Court Administrator of the Massachusetts Trial Court (or key representative) to educate the Governor's Office and the Administrative Office of the Juvenile Court regarding the need for data to inform juvenile justice practice, policy and program development. **December 2018.**
5. Convene a meeting of stakeholders to: educate about the need for data; identify systemic obstacles to the production of data; brainstorm strategies to remove obstacles to data production; and secure commitment to provision of identified data on a regular basis. **Spring 2018.**
6. Submit testimony on data collection and reporting in the current legislative session. **TBD based on legislative process.**

PRIORITY #4: Trauma-Informed Practices

Program Area: Juvenile Justice System Improvement

Goal: Successfully promote and support trauma- informed juvenile justice practices at each stage of the juvenile justice system.

Objectives:

1. Develop JJAC member understanding of the intersection between trauma and juvenile delinquency. **October 2015.**
2. Develop JJAC expertise of best practices for trauma-informed services. **October 2015 & ongoing.**
3. Promote understanding among stakeholders of the intersection between trauma and juvenile delinquency.
 - a. Gather information from DYS, DCF and the Department of Mental Health (DMH) about their use of trauma-informed services. **September 2015.**
 - b. Promote the use of best practices for trauma-informed services by establishing a web-enabled/web-based resource list for practitioners, policy makers and the general public. **January 2016.**
 - c. Develop a strategy to help inform professionals, policy makers and the general public about trauma-informed tools and resources. **January 2016.**
 - d. Support interagency agreements with other state and/or national trauma-informed training and research groups to ensure that resources are kept up to date, new research is translated to practice, and to help leverage Massachusetts state resources. **January 2016 & ongoing.**

FY 2016 UPDATE

On February 22, 2016 the JJAC-DYS Leadership Training Series sponsored a training dedicated specifically to the topic of childhood trauma for approximately 25 stakeholders by national expert Jessica Griffin of UMass Medical School, Department of Psychiatry. The training was highly educational and stakeholders were pointed to specific resources that are available to them and their clients who struggle with childhood trauma. UMass Medical School is an institution that leads the field in the area of trauma. In addition, DYS personnel presented at a JJAC meeting on the trauma-related services that youth who are detained and/or committed to DYS receive. A useful discussion followed about ways the JJAC, EOHHS and DYS can collaborate and continue to raise awareness and share resources on trauma, its link to delinquency and effective trauma-informed practices.

FY 2017 UPDATE

Trauma expert, Jessica Griffin of the University of Massachusetts Medical School, trained all juvenile probation officers on trauma-related matters as they pertain to youth. A JJAC member presented to the group on the development and components of the statewide trauma plan created by child welfare and juvenile justice stakeholders and facilitated by EOHHS. The JJAC discussed the possibility of convening a conference on trauma-informed practices. EOPSS intends to use JABG funds to support the development of a trauma-informed practices curriculum that will be spearheaded by the Essex County District Attorney's Office.

The modified objectives, activities and timeline for FY 2017 regarding the trauma-informed practices priority are delineated below:

Trauma-Informed Practices Goal: Successfully promote and support trauma-informed juvenile justice practices at each stage of the juvenile justice system.

Objectives:

1. Develop JJAC member understanding of the intersection between trauma and juvenile delinquency. **Ongoing.**
2. Develop JJAC expertise of best practices for trauma-informed services. **Ongoing.**
3. Promote understanding among stakeholders of the intersection between trauma and juvenile delinquency.
 - a. Gather information from DYS, DCF and the Department of Mental Health (DMH) about their use of trauma-informed services. **Ongoing.**
 - b. Promote the use of best practices for trauma-informed services by establishing a web-enabled/web-based resource list for practitioners, policy makers and the general public. **Spring 2018.**
 - c. Develop a strategy to help inform professionals, policy makers and the general public about trauma-informed tools and resources. **Spring 2018.**
 - d. Support interagency agreements with other state and/or national trauma-informed training and research groups to ensure that resources are kept up to date, new research is translated to practice, and to help leverage Massachusetts state resources. **Spring 2018.**

PRIORITY #5: Juvenile Competency

Program Area: Juvenile Justice System Improvement

Goal: Successfully advocate for passage of a comprehensive juvenile competency to stand trial statute in the current state legislative session.

Objectives:

1. Rely on the expertise of the JJAC to advise legislators and stakeholders as to the best practices regarding juvenile competency and attainment so that legislation is passed within the current legislative session. **June 2015.**
2. Provide oral testimony and/or submit written testimony regarding the bill(s) if deemed constructive. **TBD based on legislative process.**

FY 2016 UPDATE

There is a pending juvenile competency to stand trial bill in the state legislature. The JJAC prepared and submitted written and oral testimony to the legislature on the issue as did other juvenile justice stakeholders. Should the legislation pass, it will be a positive development with regard to ensuring an age appropriate and fair process in the juvenile court for juveniles who may be incompetent to stand trial.

FY 2017 UPDATE

The juvenile competency to stand trial bill was not passed in the last legislative session. It has been re-introduced in the current legislative session. The JJAC is working with EOPSS on the possibility of submitting testimony.

The modified objectives, activities and timeline for FY 2017 regarding the juvenile competency priority are delineated below:

Juvenile Competency Goal: The JJAC will successfully advocate for passage of a comprehensive juvenile competency to stand trial statute in the current state legislative session.

Objectives:

1. Rely on the expertise of the JJAC to advise legislators and stakeholders as to the best practices regarding juvenile competency and attainment so that legislation is passed within the current legislative session. **TBD based on legislative process.**
2. Provide oral testimony and/or submit written testimony regarding the bill(s) if deemed constructive. **TBD based on legislative process.**

PRIORITY #6: Juvenile Diversion

Program Area: Diversion

Goal: Successfully promote the expanded use of effective pre-arraignment juvenile diversion practices in the Commonwealth, especially in communities of color.

Objectives:

1. Consult strategically with the Massachusetts District Attorneys' Association (MDAA). **August 2015.**
2. Release the Diversion Study. **September 2015.**
3. Promote awareness of the findings and recommendations among DAs, DA diversion staff and other stakeholders within 60 days of consulting with the President of MDAA and other District Attorneys. **October 2015.**
4. Advocate for the implementation of the Diversion Study recommendations (and other potential improvements) among DA offices within 90 days of the release of the report. **December 2015.**

FY 2016 UPDATE

The study of statewide diversion practices completed by ICF International with Formula Grant funds, was presented to members of the Child Welfare and Juvenile Justice Leadership Forum by the Chair of the JJAC. Discussions with the Massachusetts District Attorney's Association (MDAA) have been ongoing regarding the potential public release of the Diversion Study. During the past year, the Suffolk County District Attorney's Office has engaged in planning in order to implement a formal diversion program for juveniles.

FY 2017 UPDATE

An event relating to the Diversion Study did not occur; however, the JJAC and other stakeholders in the Commonwealth consider diversion a juvenile justice priority. The Suffolk County District Attorney's Office has contributed considerable resources towards a new diversion program which will likely be the most comprehensive pre-arraignment diversion program in the Commonwealth. It will incorporate the use of multiple risk assessment instruments, targeted services amongst several non-profit providers and components such as restorative justice. In addition, the Legislature has provided funding for the Office of the Commissioner of Probation to sub-grant to pre-arrest and pre-arraignment diversion projects in Massachusetts. Proposals are currently under review and awards will be made in April 2017.

The modified objectives, activities and timeline for FY 2017 regarding the juvenile diversion priority are delineated below:

Diversion Goal: The JJAC will successfully promote the expanded use of effective pre-arraignment juvenile diversion practices in the Commonwealth, especially in communities of color.

Objectives:

1. Consult strategically with the Massachusetts District Attorneys' Association (MDAA). **Fall 2017.**
2. Encourage DA offices to divert non-violent, low-level juvenile offenders from prosecution thorough information and grants. **Ongoing.**
3. Encourage Police Departments to divert non-violent, low-level juvenile offenders from arrests through use of MASTLE and grants. **Ongoing.**

D. IMPLEMENTATION (Activities and Services)

Note: Please see the “Goals and Objectives” section above for the clearest delineation of the activities (reflected within the objectives) that will be pursued during this grant period for each of the identified priorities. Below is a general, narrative description of the activities and other efforts that will be engaged in to improve Massachusetts juvenile justice system.

In order to regain compliance with the “Separation of Juveniles from Adult Inmates” core requirement of the JJDP ACT, the Commonwealth’s Court Holding Facility Working Group – consisting of stakeholders including: the Executive Office of the Trial Court, the Division of Capital Asset Management and Maintenance , the Executive Office of Public Safety and Security , the Juvenile Justice Advisory Committee and the Department of Youth Services as well as an architectural firm retained by DCAMM – will continue to meet regularly to manage the project. Remedies for the first round of court holding facilities will be implemented shortly. The planning phase for the second round of facilities will also proceed shortly. This is a long term project which we expect will be fully completed by December 2018.

For a description of DMC-related activities that the JJAC and EOPSS will implement please see the detail provided in the preceding sections as well as the DMC Plan as described in the Compliance and Compliance Monitoring sections of the Three Year Plan. DMC is a major priority, not just for the JJAC and EOPSS, but for other state agencies, institutions and initiatives such as DYS, JDAI, the EOTC, Citizens for Juvenile Justice (CfJJ), the Youth Advocacy Division of the Committee for Public Counsel Services, the Office of the Commissioner of Probation and others. The Child Welfare and Juvenile Justice Leadership Forum – consisting of leadership from the above listed stakeholders – meets regularly and is focusing collaborative efforts on assessing and reducing DMC. Efforts to reduce DMC by the DMC Reduction Specialist will focus primarily on the “front-end” of the juvenile justice system. For example, police officers from major Massachusetts’ cities will participate in the Effective Police Interactions with Youth Training of Trainers and will be expected to conduct trainings in their regions of the Commonwealth in the future.

There have been some difficulties obtaining comprehensive, complete and reliable juvenile justice data in Massachusetts. Currently, the data system used by the court system is not fully operational. This problem hinders the ability to supply full DMC data to OJJDP and the deficits in data regarding the characteristics of court-involved youth compromises efforts to make data driven funding and policy decisions. The JJAC and EOPSS have communicated concerns to the EOTC of the critical and immediate need to have a fully operational system as soon as possible. A comprehensive mapping of available data and data gaps will take place in the Fall 2015. The JJAC, EOPSS and other stakeholders will work collaboratively to develop strategies to remove obstacles to access of important data and will put forward a model of the best forms of data collection and reporting that can realistically be implemented in Massachusetts in the near future.

While most juvenile justice stakeholders recognize that client trauma is an important issue to comprehend when serving at-risk and system-involved youth it is not clear to what extent stakeholder initiatives, policies and services are trauma-informed. Thus, the JJAC and EOPSS staff will seek to assess the current state of trauma-informed practices in the Commonwealth. We will educate ourselves and others on the intersection of trauma and juvenile justice and trauma-informed practice through activities such as soliciting experts to train interested stakeholders on the matter. After assessing the state of trauma-informed practices in the Commonwealth, the JJAC and EOPSS will advocate and promote specific policy and practice changes where necessary. The JJAC intends to serve as a resource for educating stakeholders on best practices associated with trauma-informed practice.

Currently, there is a bill pending in the state legislature for the creation of a juvenile competency-to-stand-trial statute. The JJAC is in the process of gathering information on the bill and determining how it may be improved. The JJAC, as it did in the previous legislative session, may submit written and/or oral testimony relating to the need for a juvenile competency statute and specific elements that should be addressed in it in order to ensure legislation that addresses the uniqueness of juvenile competency issues and establishes best practice requirements to protect the constitutional rights of juveniles.

The JJAC intends to promote the expanded use of pre-arraignment juvenile diversion practices, particularly practices that have been identified as best practices in the national literature on the topic. The focus will be on working with district attorneys' offices and the Massachusetts District Attorneys' Association to enhance their current practices where beneficial.

FY 2016 UPDATE

For an update on the implementation of activities please see the responses provided under the above "Goals and Objectives" section and below.

FY 2017 UPDATE

For an update on the implementation of activities please see the responses provided under the above "Goals and Objectives" section and below.

Gender-specific Services, Rural Area Services and Mental Health Services

Child-serving agencies and non-profit organizations throughout the Commonwealth use gender-specific approaches to working with youth. DYS is responsible for the pre-trial detention and

post-adjudication confinement and treatment of juveniles. DYS staff receive training on gender-specific services as part of basic training. In the past, DYS staff received a specialized training on the My Life My Choices Curriculum which is a curriculum for girls who have been exposed to sexual exploitation. DYS intends to make this training available again in the near future. DYS has female-specific caseworkers and female-specific programming. Recently, The JJAC-DYS Leadership Training Series held a four-hour training for an array of juvenile justice stakeholders on working with at-risk and system-involved girls.

DCF and DYS services are available throughout the Commonwealth in a manner such that rural youth are not disadvantaged. Caseworkers routinely visit the homes of clients regardless of where they live. Clients have individualized case plans. DCF recently opened Family Resource Centers in every county in the Commonwealth. These centers provide easy access to an array of free services and referrals. The Commonwealth also maintains a hotline whereby residents throughout the Commonwealth can call to get referrals to services that are appropriate and available for their needs. In addition, many cities and towns operate their own recreational, counseling, and other child and family services in efforts to impact delinquency in their communities.

DCF, DYS, the Department of Mental Health (DMH), and dozens of hospitals and non-profit organizations in the Commonwealth provide mental health services for at-risk and system-involved youth. DYS works directly with the Massachusetts Behavioral Health Partnership (MBHP) to obtain proper mental health services for their clients (i.e. mobile screening services, emergency hospital placements when appropriate/necessary for particular clients in their care, etc.). As part of the work with MBHP, community mental health clinics are routinely reviewed to ensure that they are responsive to DYS youth and families. DYS has regional clinical staff members who work with the case workers and the DYS youth to ensure that they and their family receive the community health services needed. Youth in residential programs who are in acute mental health distress are evaluated by Emergency Screening Teams (provided state-wide through MBHP) who can access and place individuals in acute psychiatric hospitals. Clinical Staff in DYS actively work with staff from the DMH to ensure that youth with significant mental health disorders receive the appropriate treatment and can be placed into DMH care when indicated. All youth detained and committed in DYS residential programming engage in Dialectical Behavior Therapy Groups, Substance Abuse Prevention Groups and Crisis Management Supports facilitated by licensed clinical staff. Committed DYS youth in residential programs receive group therapy in specific topics related to the youth's risk areas and offending behaviors. They participate in one hour of individual therapy weekly, and more if indicated. They are offered and encouraged to participate with their families in therapy. And they receive support and encouragement from their DYS caseworker who works with them throughout their commitment. Committed youth in the community receive supervision by their caseworkers who develop case plans which target positive youth development. Caseworkers arrange community based supports (such as community based counseling, vocational training in addition to school, etc.). One measure of the way that DYS committed youth feel about the services being provided to them is that a large number of youth who are eligible for termination from DYS at age 18 decide to voluntarily stay involved with DYS services. In addition to DYS, the Juvenile Court Clinic also plays an important role for system-involved youth with mental health needs.

FY 2017 UPDATES

There have not been significant updates to the gender-specific services, rural area services, and mental health services described above.

E. PLANS FOR COMPLIANCE

[Note: These plans were submitted separately to OJJDP as part of the Annual Compliance Monitoring Report].

F. ADDITIONAL REQUIREMENTS

1. SAG Membership

In Massachusetts, the SAG is called the Juvenile Justice Advisory Committee (JJAC).

The JJAC has supervisory authority over the Formula Grant Program.

Three members of the JJAC have been or are currently under the jurisdiction of the juvenile justice system.

Below is a table of current members.

	Name/ Email	Represents	F/T Govt.	Youth Member	Date of Appointment	Residence
1.	Robert Gittens, Chair r.gittens@neu.edu	D			8/4/03	Dorchester, MA
2.	Cecely Reardon cecely.a.reardon@MassMail.State.MA.US	C	X		8/4/03	Jamaica Plain
3.	Wes Cotter wcotter@key.org	D			8/4/03	Worcester, MA
4.	Ed Dolan edward.dolan@jud.state.ma.us	B	X		8/4/03	Peabody, MA

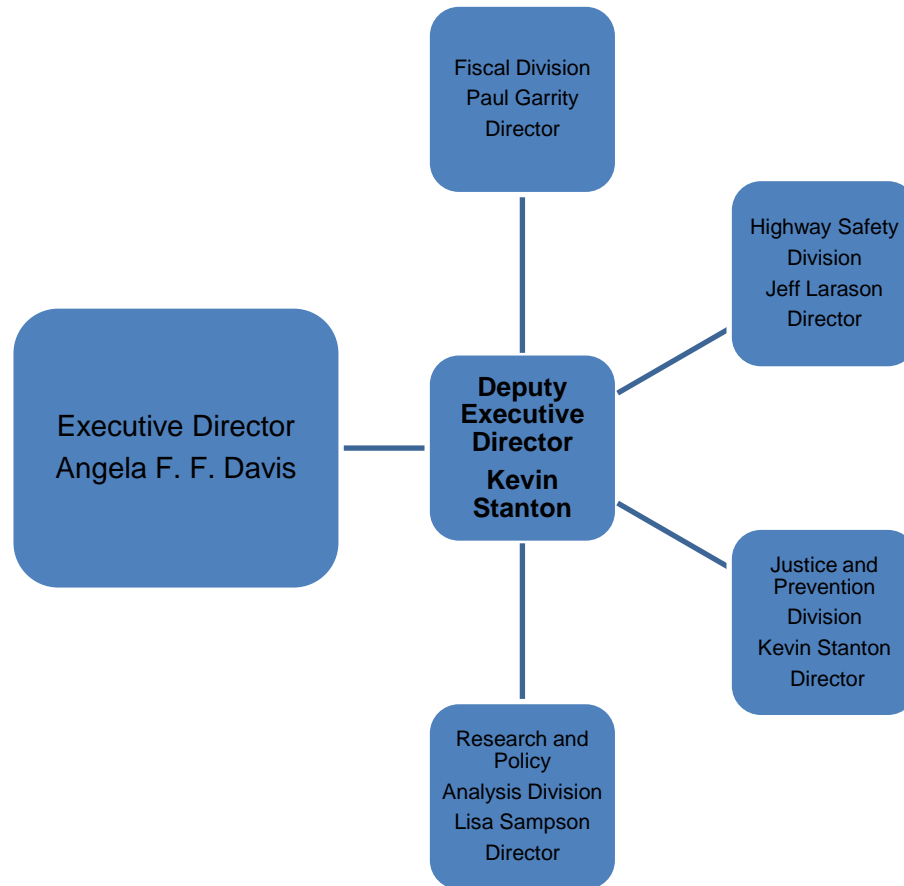
5.	Glenn Daly glenn.daly@state.ma.us	C	X		8/4/03	Holliston, MA
6.	Jeff Butts jeffhbutts@gmail.com	C,D			09/26/11	Boston, MA
7.	Peter Forbes Peter.J.Forbes@MassMail.State.MA.US	B	X		7/28/11	Braintree, MA
8.	Ken Smith ksmith@ybboston.org	D			5/25/12	Roxbury, MA
9.	Adam Foss adamjohnfoss@gmail.com	B	X		6/14/13	Dorchester, MA
10.	Kim Larson kimberly.larson@umassmed.edu	C			6/14/13	Worcester, MA
11.	Reynolds Graves reynolds.graves@cityofboston.gov	E			6/14/13	Boston, MA
12.	Austin Lessin ailessin@gmail.com	E		X	8/18/14	Sudbury, MA
13.	Mark Booher mark.boohar@verizon.net	E			3/24/14	Westborough, MA
14.	Kanchana Fernando KanchanaNFernando@gmail.com	B	X		4/29/16	Leominster, MA
15.	Michele Arroyo michelearroyo@yahoo.com	C			4/29/16	Somerville, MA

16.	Constance Constantine Connie_Constantine@comcast.net	D			4/29/16	Hanson, MA
17.	Janelle Ridley janelle.ridley@yahoo.com	D			4/29/16	Danvers, MA
18.	Elisabeth Jackson EJackson@bridgeotw.org	C			4/29/16	E. Bridgewater, MA
19.	Ruth Budelmann Ruth.budelmann@state.ma.us	B	X		5/16/16	Beverly, MA
20.	Margie Daniels Margie.daniels@state.ma.us	D			5/16/16	Topsfield, MA
21.	George Johnson pdavis@iccdpartners.org			X	9/23/16	Wellesley, MA
22.	Keith Lane keithlane1997@me.com			X	7/29/16	Amesbury, MA
23.	Bridget Mussafer bmussafer18@nobles.edu			X	8/29/16	Weston, MA
24.	Alisa Yang yangnq@bc.edu			X	8/5/16	Acworth, GA
25.	Jon Blodgett Jonathan.Blodgett@MassMail.State.MA.US	A, B	X		6/24/16	Peabody, MA

26.	Dr. Judy Bevis moondottir@aol.com	C, H			9/30/16	Swampscott, MA
27.	Michele Arroyo michelearroyo@yahoo.com	C, H			4/29/16	Somerville, MA
28.	Carlton Campbell cecamp17@g.holycross.edu			X	6/17/16	Duxbury, MA
29.	Dr. Elizabeth Puccio drepuccio@gmail.com	C			3/31/17	Mashpee, MA
30.	Michelle Bloomer michelleeliasbloomer@gmail.com	C			3/31/17	Watertown, MA
31.	Francis J. Murphy f_murphy1@salemstate.edu	E		X	3/31/17	Salem, MA

2. Staff of the JJDP Act Formula Grants Program

Office of Grants and Research Executive Office of Public Safety & Security



EOPSS OGR is the State Administering Agency for several federal grant funds from the U.S. Department of Justice, the U.S. Department of Homeland Security/Federal Emergency Management Agency, and the National Highway Traffic Safety Administration. The Justice and Prevention Division (JPD) administers the funds from OJJDP, as well as those from the Bureau of Justice Assistance and the Office on Violence Against Women. Additionally the unit is responsible for administering several state-funded initiatives as well such as the Shannon Community Safety Initiative for youth violence prevention (based on OJJDP's comprehensive gang model) and the Municipal Public Safety Grant.

OGR's Research, Policy and Analysis Division serves as the Commonwealth's Statistical Analysis Center with support from the Bureau of Justice Statistics' State Justice Statistics Program for Statistical Analysis Centers and Justice Assistance Grant (Byrne JAG) funding.

Justice and Prevention Division

Currently, the Deputy Director of OGR also serves as the Director of JPD. The Title II Formula Grant and other OJJDP grant streams (when available) are managed within JPD. The juvenile team consists of the Juvenile Justice Specialist/DMC Reduction Specialist and the Compliance Monitor.

Juvenile Justice Team funded with Formula Grant Funds

Juvenile Justice Specialist– Andrew Polk

Andrew Polk is the Juvenile Justice Specialist for OGR. He is responsible for administering the Formula grant funds and serves as an advisor to the JJAC regarding rules and regulations associated with these funds. In addition, he assists with JJDP Act compliance monitoring activities. Activities include: various duties associated with staffing the JJAC and submitting the Three Year Plan, the OJJDP DMC Reduction Cycle, and carrying out compliance activities such as compliance site visits and facilitation of efforts to regain compliance with the Separation core requirement of the JJDP Act. His position is funded approximately 80% from the Formula Grant (from combinations of funds from the Administration, DMC, and Separation program areas). Approximately 20% of his salary consists of a state funding match.

Compliance Monitor – (TBD)

The Compliance Monitor spends approximately 100% of his/her time on compliance-related activities such as: data collection, site visits, work related to regaining compliance with the Separation core requirement of the JJDP Act, grant management of compliance-related sub-grantees and technical assistance with facilities in the monitoring universe. His/her position is funded approximately 100% from the Formula Grant.

Assistant Budget Director – Brenda Barton

Brenda Barton spends approximately 10% of her time on the OJJDP juvenile justice grant programs. Her activities cover various fiscal duties related to managing the federal awards. 5% of her salary is paid for with the Formula Grant and 5% is paid for with the state match for the Formula Grant.

Fiscal Specialist – Jennifer Keating

Jennifer Keating spends approximately 10% of her time on fiscal activities related to processing of Interdepartmental Service Agreements from juvenile justice grants sub-recipients. 5% of her salary is paid for with Formula Grant funds and 5% is paid for with the state match for the Formula Grant.

Programs Administered by the EOPSS OGR Justice and Prevention Division

Below is a list of the programs that fall under the purview of the Justice and Prevention Division.

Youth Programs

- Juvenile Justice and Delinquency Prevention Act Formula Grant
- Juvenile Accountability Block Grant

Violence Against Women

- Sexual Assault Evidence Collection Kits (state-funding)
- Violence Against Women Act STOP

Law Enforcement and Crime Prevention

- Bulletproof Vest Program (state match for federal bulletproof vest partnership)
- Byrne Justice Assistance Grants
- Municipal Public Safety Staffing (state-funded)
- Residential Substance Abuse Treatment
- Shannon Community Safety Initiative (state-funded and co-administered with the Research and Policy Analysis Division)
- Prison Rape Elimination Act (PREA) Grant

Other

- John R. Justice Program

3. Performance Measures

Massachusetts will collect and report data on the mandatory performance measures for each applicable program area for each year of the award period through the Data Reporting Tool. EOPSS will collect data from sub-recipients on a quarterly basis. Quarterly reporting of applicable mandatory data will be a condition of the sub-grants. EOPSS will review and report the mandatory data. Due to the Separation from Adult Inmates JJDP Act core requirement non-compliance penalty, however, there may not be significant funds to sub-grant to typical prevention, intervention and systems improvement programming. Many of the mandatory performance measures may not be applicable to the Separation from Adult Inmates projects towards which the funds must be allocated. As a result of this situation, there may not be a significant amount of data to report that relate to the delineated OJJDP performance measures.

Assurances of Compliance with the JJDP Act: Responses and Reference Guide

1.	The Executive Office of Public Safety and Security (EOPSS) is the sole agency for supervising the preparation and administration of the plan. See attached Executive Order #522.
2.	See attached Executive Order #522. Also, as demonstrated in the Annual Compliance Monitoring Reports, all relevant stakeholders comply with compliance monitoring activities of EOPSS.
3.	See SAG Roster on page 75 and attached. 3(B): Via meetings and communications with EOPSS, the SAG participates in the development and review of the juvenile justice plan. The SAG serves as the supervisory board. 3 (C): The SAG reviews and comments on sub-grant applications. The SAG votes on when and under what program areas to release a request for proposals. A review team consisting primarily of SAG members reviews and comments on the sub-grant proposals and recommends to the full SAG proposals that should receive sub-grant awards. The SAG votes on which proposals should receive sub-grant awards. EOPSS administers the sub-awards. 3 (D): (i) The SAG serves as the supervisory board and advises EOPSS via meetings and other communications. (ii) The SAG submits an annual report with recommendations regarding state compliance with the JJDP Act to the chief executive officer and the state legislature. (iii) The SAG seeks input from juveniles currently under the jurisdiction of the juvenile justice system. The SAG has members who are or have been under the jurisdiction of the juvenile justice system, holds meetings which involve presentations from system involved youth and conducts focus groups of at-risk and system-involved youth.
4.	Massachusetts meets this requirement with a survey of mayor's offices and police departments across the Commonwealth.
5.	See attached Waiver Renewal Letter.
6.	See attached Waiver Renewal Letter.
7.	(A) See pages 4 - 73; (B) See pages 73 – 75.
8.	See pages 54 – 57.
9.	Massachusetts is out of compliance on the Separation core requirement of the JJDP Act and therefore will not be able to meet this condition given the requirements of the non-compliance penalty.
10.	The Research, Policy and Analysis Division (RPAD) of EOPSS has the capacity to provide assistance with research and evaluation. Other state agencies such as the Department of Youth Services, the Executive Office of the Trial Court, the Office of the Commissioner of Probation, the Municipal Police Training Committee, the Department of Children and Families and the Committee for Public Counsel Services have their own research, evaluation and training personnel and capacity (to varying degrees).
11.	The Child Requiring Assistance law (M.G.L. c. 119, § 39) in Massachusetts provides that it is unlawful for any stakeholder to detain status offenders in secure detention facilities or secure correctional facilities. Documentation can be found in the information submitted in the compliance tool.
12.	There are no collocated facilities in Massachusetts. The Department of Youth Services maintains the detention and commitment facilities and it is their policy that

	all employees who work with juveniles receive juvenile-specific training. Upon completion of the training they receive a certificate of completion. In addition, part of the training includes becoming certified in First Aid/CPR AED. Documentation can be found in the information submitted in the compliance tool.
13.	EOPSS monitors all jails and lockups to ensure compliance with the Jail Removal core requirement of the JJDP Act. Documentation can be found in the information submitted in the compliance tool.
14.	Massachusetts maintains an adequate system of monitoring jails, detention facilities, correctional facilities and non-secure facilities in order to meet the requirements of paragraphs 11, 12 and 13. Documentation can be found in the information submitted in the compliance tool.
15.	It is the priority of all juvenile justice stakeholders and agencies to ensure that youth are treated equitably on the basis of gender, race, family income, and disability.
16.	Massachusetts assures that consideration will be given to - and that assistance will be available for - approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency.
17.	Under Massachusetts and federal confidentiality laws the rights of recipients of services and their privacy with regard to records relating to such services are protected.
18.	Massachusetts assures that: (A) Any assistance provided under this Act will not cause the displacement of any currently employed employee; (B) Activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and (C) No such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved.
19.	Please see the attachment entitled: "Financial Capability Questionnaire."
20.	Massachusetts provides the reasonable assurance that federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the state, local, and other nonfederal funds that would in the absence of such federal funds be made available for the programs described in this part, and will in no event replace such state, local, and other nonfederal funds.
21.	Massachusetts provides that the state agency designated under paragraph (1) will— (A) To the extent practicable give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based – The sub-granting process includes criteria and a review evaluation process that prioritizes evidence-based programs; (B) From time to time, but not less than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of state and local needs, that it considers necessary – This has been addressed in the Crime Data section and will be addressed in the annual progress report and DCTAT; and (C) Not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the state agency. - The SAG reviews and comments on sub-grant applications. The SAG

	votes on when and under what program areas to release a request for proposals. A review team consisting primarily of SAG members reviews and comments on the sub-grant proposals and recommends to the full SAG proposals that should receive sub-grant awards. The SAG votes on which proposals should receive sub-grant awards. EOPSS administers the sub-awards. Sub-recipients are required to submit quarterly reports during the period of their contract. The reports include updates on progress towards achieving their goals and objectives, performance measure data, problems and challenges encountered, and narrative information on the status of the success of the program. This information is used to assess the quality of the program and is considered in future sub-granting decisions should the sub-grantee apply for additional funds.
22.	See pages 60 - 66. Documentation can be found in the information submitted in the compliance tool.
23.	Massachusetts does not allow for a valid court order exception for detaining status offenders. Under Massachusetts law status offenders cannot be securely detained at any time. Documentation can be found in the information submitted in the compliance tool.
24.	Massachusetts assures that if the state receives under section 222 [42 USC § 5632] for any fiscal year an amount that exceeds 105 percent of the amount the state received under such section for fiscal year 2000, all of such excess shall be expended through or for programs that are part of a comprehensive and coordinated community system of services.
25.	Massachusetts does not intend to dedicate any funds (0%) received under section 222 [42 USC sec. 5632] towards incentive grants to reduce the caseloads of probation officers.
26.	Massachusetts provides that, to the maximum extent practicable, it will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court. Juvenile Court oversees child welfare cases and is aware of those cases when juveniles appear on delinquency cases.
27.	The Department of Youth Services receives information from the Department of Children and Families on clients who are involved in both systems in order to assist in their treatment. MOUs exist between DYS and DCF.
28.	Massachusetts assures that juvenile offenders whose placement is funded through section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675).