

HOUSE No. 3102

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher M. Markey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to a juvenile justice police and data commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>1/20/2017</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>3/14/2018</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>3/14/2018</i>
<i>Jack Lewis</i>	<i>7th Middlesex</i>	<i>3/14/2018</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>	<i>3/14/2018</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>3/14/2018</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>3/14/2018</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>3/14/2018</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>3/14/2018</i>
<i>Bradford R. Hill</i>	<i>4th Essex</i>	<i>3/14/2018</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>3/14/2018</i>
<i>Natalie Higgins</i>	<i>4th Worcester</i>	<i>3/14/2018</i>
<i>John C. Velis</i>	<i>4th Hampden</i>	<i>3/14/2018</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>	<i>3/14/2018</i>

HOUSE No. 3102

By Mr. Markey of Dartmouth, a petition (accompanied by bill, House, No. 3102) of Christopher M. Markey and others for an investigation by a special commission (including members of the General Court) to study and evaluate policies related to the juvenile justice system. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to a juvenile justice police and data commission.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 There shall be a Juvenile Justice Policy and Data Commission convened by the Child
2 Advocate for Massachusetts. The Commission shall evaluate policies related to the juvenile
3 justice system, oversee the collection and dissemination of aggregate data regarding the system,
4 and study the implementation of any major statutory changes to the juvenile justice system,
5 including but not limited to the expansion of juvenile jurisdiction to include persons eighteen,
6 nineteen and twenty years of age.

7 The Commission shall consist of the following members or their designees: Two
8 members of the General Court, one of whom shall be appointed by the speaker of the House of
9 Representatives, and one of whom shall be appointed by the President of the Senate; the Child
10 Advocate; the chief justice of the juvenile court; the commissioner of probation; the
11 commissioner of youth services; the commissioner of children and families; the commissioner of
12 mental health; the commissioner of public health; the Secretary of Education; the chief counsel

13 of the Committee for Public Counsel Services; the executive director of the Massachusetts
14 District Attorneys' Association; the chair of the Massachusetts Juvenile Justice Advisory
15 Committee; the executive director of Citizens for Juvenile Justice, Inc.; the executive director of
16 the Children's League of Massachusetts; a representative of the Massachusetts Chiefs of Police
17 Association; 2 parents whose children have been subject to Juvenile Court jurisdiction; and 1
18 member to be appointed by the governor who shall have experience or expertise related to the
19 design and implementation of state administrative data systems. All appointments to the
20 Commission shall be made not less than 30 days after the enactment of this legislation.

21 The task force shall have an Executive Director who shall convene the Commission,
22 prepare reports as called for herein; and identify academic research partners in Massachusetts or
23 elsewhere to assist in the analysis and reporting.

24 Not later than January 1, 2019, and no later than each January 1 following, the
25 Commission shall report to the Clerks of the Senate and the House of Representatives, the Chief
26 Judge of the Trial Court, and the Governor, regarding the following:

27 (a) Any statutory changes concerning the juvenile justice system that the committee
28 recommends to (A) improve public safety, (B) promote the best interests of children and youths
29 who are under the jurisdiction, supervision, care or custody of the Juvenile Court, the
30 Commissioner of Youth Services, or the Commissioner of Child Welfare; (C) improve
31 transparency and accountability with respect to state-funded services for children and youths in
32 the juvenile justice system with an emphasis on goals identified by the committee for
33 community-based programs and facility-based interventions; and (D) promote the efficient
34 sharing of information between the Executive Branch and the Judicial Branch to ensure the

35 regular collection and reporting of recidivism data and promote public welfare and public safety
36 outcomes related to the juvenile justice system

37 (b) Short-term goals to be met within twelve months, medium-term goals to be met
38 within eighteen months and long-term goals to be met within thirty-six months, for the
39 Commission and state agencies with responsibilities with respect to the juvenile justice system to
40 meet, after considering existing relevant reports related to the juvenile justice system and any
41 related agency or entity strategic plans;

42 (c) By no later than January 1, 2018, the capacities and limitations of the data systems
43 and networks used to collect and report state and local juvenile caseload and outcome data. The
44 analysis shall include all of the following:

45 i. a review of the relevant data systems, studies and models from the commonwealth and
46 other states;

47 ii. identification of changes or upgrades to current data collection processes to remove
48 inefficiencies, track and monitor state agency and court-involved juveniles and facilitate the
49 coordination of information sharing between relevant agencies and the courts, including without
50 limitation data that is required to be reported under federal law or for purposes of securing
51 federal funding;

52 iii. the identification and evaluation of any racial and ethnic disparities within the juvenile
53 justice system and recommendations regarding ways to reduce such disparities;

54 iv. recommendations for the creation of a web-based statewide clearinghouse or
55 information center that would make relevant juvenile justice information on operations,

56 caseloads, dispositions and outcomes available in a user-friendly, query-based format for
57 stakeholders and members of the public, including a feasibility assessment of implementing such
58 a system;

59 v. a plan for improving the current juvenile justice reporting requirements, including
60 streamlining and consolidating current requirements without sacrificing meaningful data
61 collection and including a detailed analysis of the information technology and other resources
62 necessary to implement improved data collection.

63 vi. any other matters which the task force determines may improve the collection of, and
64 interagency coordination of, juvenile justice data.

65 (d) The impact of any legislation that expands or alters the jurisdiction or functioning of
66 the juvenile court, including but not limited to legislation to include persons eighteen, nineteen
67 and twenty years of age within the jurisdiction of the juvenile system, as measured by the
68 following: (A) Any change in the average age of children and youths involved in the juvenile
69 justice system; (B) The types of services used by designated age groups and the outcomes of
70 those services; (C) The types of delinquent acts or criminal offenses that children and youths
71 have been charged with since the enactment and implementation of such legislation; and (D) The
72 gaps in services identified by the committee with respect to children and youths involved in the
73 juvenile justice system, including, but not limited to, children and youths who have attained the
74 age of eighteen after being involved in the juvenile justice system, and recommendations to
75 address such gaps in services; and (5) Strengths and barriers identified by the committee that
76 support or impede the educational needs of children and youths in the juvenile justice system,
77 with specific recommendations for reforms.

78 (e) The quality and accessibility of diversionary programs available to children and
79 youths in this state;

80 (f) An assessment of the system of community-based services for children and youths
81 who are under the supervision, care or custody of the Department of Youth Services or the
82 Juvenile Court;

83 (g) An assessment of the number of children and youths who, after being or while under
84 the supervision or custody of the Department of Children and Families, are adjudicated
85 delinquent or as a youthful offender; and

86 (h) An assessment of the overlap between the juvenile justice system and the mental
87 health care system for children in Massachusetts.

88 (i) Any appropriations necessary to accomplish any goals or suggested policy changes
89 identified by the Commission.

90 The Commission shall establish a timeframe for review and reporting regarding the
91 responsibilities outlined in this section. Each report submitted by the Commission shall include
92 specific recommendations to improve outcomes and a timeline by which specific tasks or
93 outcomes must be achieved.