



Juvenile Justice Policy and Data Board

Massachusetts Juvenile Justice System

2024 JJPAD ANNUAL REPORT

A REPORT OF THE JUVENILE JUSTICE SYSTEM

MARCH 2025

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Members of the JJPAD Board

Member Name	Affiliation/Appointing Organization
Maria Mossaides, Chair	Office of the Child Advocate
Representative Tram Nguyen*	House of Representatives (Speaker of the House)
<i>Awaiting New Appointment</i>	House of Representatives (Minority Leader)
Senator Adam Gomez^	State Senate (Senate President)
Senator Patrick O'Connor^	State Senate (Minority Leader)
Deputy Court Administrator Thomas Capasso*	Juvenile Court
Commissioner Pamerson Ifill	Massachusetts Probation Service
Commissioner Cecely Reardon*	Department of Youth Services
Assistant Commissioner Rebecca Brink* Deputy General Counsel Cristina Tedstone*	Department of Children and Families
Assistant Commissioner Nancy Connolly, Psy.D.*	Department of Mental Health
Deputy Director of Health Youth and Violence and Injury Prevention Keesha LaTulippe*	Department of Public Health
Dulcinea Goncalves^	Committee for Public Counsel Services
Rachel Gwaltney	Children's League of Massachusetts
Naoka Carey	Citizens for Juvenile Justice
Laura Miller^	Massachusetts District Attorney Association
Dawn Christie^ Latoya Nicholas*	Parent of child who has been subject to Juvenile Court jurisdiction (2)
David Whitham*	Individual with experience or expertise related to design and implementation of state administrative data systems
<i>Awaiting New Appointment</i>	Massachusetts Chiefs of Police Association
<i>Awaiting New Appointment</i>	Juvenile Justice Advisory Committee
<i>Awaiting New Appointment</i>	Executive Office of Education
*Abstained from voting on this report	
^Not present to vote on this report	

Members of the Data Subcommittee

Member Name	Affiliation/Appointing Organization
Kristi Polizzano, Chair	Office of the Child Advocate
Representative Tram Nguyen	House of Representatives (Speaker of the House)
<i>Awaiting New Appointment</i>	House of Representatives (Minority Leader)
Senator Adam Gomez	State Senate (Senate President)
Senator Patrick O'Connor	State Senate (Minority Leader)
Rachel Wallack	Juvenile Court
Laura Lempicki	Massachusetts Probation Service
David Chandler	Department of Youth Services
Kim Occhiuti	Department of Children and Families
Matthew Broderick	Department of Mental Health
Dana Bernson	Department of Public Health
Joe Mulhern	Committee for Public Counsel Services
Michael Ames	Children's League of Massachusetts
Sana Fadel	Citizens for Juvenile Justice
Laura Miller	Massachusetts District Attorney Association
Dawn Christie	Parent of child who has been subject to Juvenile Court jurisdiction

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About the JJPAD Board

In April 2018, the Legislature passed An Act Relative to Criminal Justice Reform, which created the Juvenile Justice Policy and Data (JJPAD) Board under [M.G.L. Chapter 119, Section 89](#). The Legislature charged the JJPAD Board with evaluating juvenile justice system policies and procedures, making recommendations to improve outcomes based on that analysis, and reporting annually to the Governor, the Chief Justice of the Trial Court, and the Legislature.

<https://www.mass.gov/juvenile-justice-policy-and-data-board>

JJPAD and Childhood Trauma Task Force (CTTF) Reports

All prior JJPAD & CTTF reports can be found on the JJPAD website:

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

About the Office of the Child Advocate

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

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

Executive Summary

The Juvenile Justice Policy and Data (JJPAD) Board was created by [An Act Relative to Criminal Justice Reform \(2018\)](#). The Board is chaired by the Child Advocate and comprised of members representing a broad spectrum of stakeholders involved in the juvenile justice system.

The Legislature charged the JJPAD Board with **evaluating juvenile justice system policies and procedures, making recommendations to improve outcomes based on that analysis, and reporting annually** to the Governor, the Chief Justice of the Trial Court, and the Legislature. The statute creating the JJPAD Board also placed an emphasis on improving the quality and availability of juvenile justice system data.

This year's annual report **summarizes the JJPAD Board's work in Calendar Year (CY) 2024**, including:

- The Board's completion of a research project focusing on the pretrial phase of the state's juvenile justice system, which resulted in a report published in January 2025.¹
- An update on the Board's ongoing research project focused on youth with child welfare and juvenile justice system involvement ("dually involved youth").
- The Childhood Trauma Task Force (CTTF)'s 2024 work.
- Monitoring of initiatives launched as a result of JJPAD Board recommendations, including the Massachusetts Youth Diversion Program and OCA's Juvenile Justice Data Website.
 - Current and prior legislation impacting the juvenile justice system.

This report also describes **juvenile justice system Fiscal Year (FY) 2024 data trends** and key takeaways from the data, including:

1. **The increase in entries to the juvenile justice system has slowed significantly in the last year** after two years of large increases following the Covid-19 pandemic. Overall, the use of Massachusetts' juvenile justice system in FY24 was largely consistent with FY23 across most court process points, suggesting that the system has stabilized after the increases in the immediate years after the height of the pandemic.
2. **Despite the plateau in overall system use, the use of physical custody is increasing.** There was an increase in the use of physical custody, such as placing a youth under arrest or holding them in pretrial detention in FY24 compared to FY23. Specifically, the number of pretrial detention admissions increased 17% between FY23 and FY24, and

¹ To download the report, click here: <https://www.mass.gov/doc/improving-massachusetts-juvenile-pretrial-phase-an-assessment-of-the-current-pretrial-system-and-recommendations-for-improvement/download> and to see all the Board's reports, visit: <https://www.mass.gov/lists/jipadcttf-legislative-reports-and-key-documents>

the number of arrests increased 7%, while there was no increase in applications initiated by summons.

3. **This increase in the use of physical custody is primarily driven by an increase in arrests and detention admissions for lower-level offenses.** The increase in arrests is primarily driven by a 13% increase in arrests for misdemeanor offenses, and the increase in pretrial detention is partially driven by a 21% increase in admissions for lower “grid”² level offenses.
4. **The vast majority of youth held in a locked detention facility are not found to be dangerous and not ultimately committed to DYS.** Research on the negative long-term impact that even a short stay in a locked detention facility can have on youth is clear – and yet our system regularly holds youth for a variety of reasons that, the data suggests, have little to do with their potential threat to public safety, but rather are due to other circumstances surrounding the youth.³ In FY24, 86% of detention admissions were a result of something *other* than a determination that the youth alleged of committing an offense was “dangerous” as a result of a 58A hearing. This is consistent with previous years, with data showing that many youth are detained as a result of failing to post cash bail or due to violations of pretrial or probation condition.⁴ Additionally, in FY24, 87% of pretrial detention admissions did not result in commitment once the case was resolved in the court system. This data suggests that if appropriate community supports are provided, a portion of youth detained pretrial could be safely diverted away from pretrial detention.
5. **Racial disparities are worsening across many process points:** Disparities are worsening as a result of a decrease in system use for white youth, and an increase in system use for Black and Latino youth between FY23 and FY24. As the Board has highlighted in previous reports, disparities are starkest at the “front door” of the juvenile justice system. In FY24:
 - Black youth were 4.03 times more likely to be the subject of an application for complaint in Juvenile Court compared to white youth in Massachusetts. **Black youth were 5.42 times more likely to be arrested** compared to white youth in MA, compared to 2.96 times more likely to be issued a summons.

² DYS measures offense severity by a numerical (1-7) “grid level.” Grid levels 1-2 are categorized as low, grid level 3= medium and grid levels 4-7 = high. The most common charge for a youth held in detention is assault & battery, which is classified as Grid Level 2 (low). Grid 2 can also include other assault and battery charges, such as assault and battery with a dangerous weapon (ABDW), no/minor injury. The charge type, which is determined by the District Attorney’s Office, is only one factor among many that the judicial system is legally required to consider when making decisions regarding pretrial detention. For more information on DYS’ grid level system, see Appendix E.

³ Mendel, R. (2023). Why Youth Incarceration Fails: An Updated Review of the Evidence. The Sentencing Project.

<https://www.sentencingproject.org/reports/why-youth-incarceration-fails-an-updated-review-of-the-evidence/>

⁴ For more information, see the Board’s 2025 report “Improving Massachusetts’ Juvenile Pretrial Phase: An Assessment of the Current Pretrial System and Recommendations for Improvement”: <https://www.mass.gov/doc/improving-massachusetts-juvenile-pretrial-phase-an-assessment-of-the-current-pretrial-system-and-recommendations-for-improvement/download>

- Latino youth were 2.53 times more likely to be the subject of an application for complaint in Juvenile Court compared to white youth in Massachusetts. **Latino youth were 3.26 times more likely to be arrested** compared to white youth in MA, compared to 1.98 times more likely to be issued a summons

Further, data shows that applications for complaint for Black and Latino youth are dismissed or diverted at a substantially higher rate than applications for white youth. An estimated 77% and 74% of applications for complaint involving Black and Latino youth, respectively, did not reach a disposition. This is compared to 31% of applications for complaints involving white youth. This suggests that Black and Latino youth may be more likely to be brought to court for situations that the court system ultimately determines do not require prosecution and adjudication than white youth. Given the negative impact that *any* arrest and court involvement, even if it is resolved at an early stage of the process, can have on youth, this is a concerning trend.

- 6. There are substantial increases in the use of physical custody for girls.** Between FY23 and FY24, arrests of girls increased by 19%, overnight arrests by 22%, detention admissions by 49%, and first-time commitments to DYS by 10%. Although the majority of arrests and admissions are for boys, in all cases the rate of increase for girls was substantially higher this past year than in prior years, signaling a concerning change in practice, youth behaviors and needs, or all of these.
- 7. Key state-level reforms have made an impact on the number of young people coming into the system, but room for improvement, particularly in the use of physical custody, remains.** The number of youth coming into contact with the juvenile justice system had declined across almost every process point for which the Board has data since 2018, when Massachusetts passed the *Criminal Justice Reform Act*.⁵ This piece of legislation, along with the 2020 Policing Bill,⁶ were two major pieces of legislation with specific juvenile justice-related provisions. However, as the data in this report highlights, there is room for improvement, most notably in the arrest, overnight arrest, and pretrial detention stages and for the following cohorts of youth:
 - Black and Latino youth
 - Girls
 - Youth alleged of lower-level offenses
 - Youth held pretrial due to reasons other than public safety threats

The Board is concerned about the trends in system use of custodial process points and for certain cohorts of youth, and **encourages the state to implement recommendations that the**

⁵ See: <https://malegislature.gov/Laws/SessionLaws/Acts/2018/Chapter69>

⁶ See: <https://malegislature.gov/Laws/SessionLaws/Acts/2020/Chapter253>

Board has made in prior reports, specifically those aimed at reducing racial and ethnic disparities as well as the use of arrests and pretrial detention:

1. The state should **divert more youth pre-arraignment by expanding opportunities for state diversion** including supporting and expanding both the Massachusetts Youth Diversion Program and the list of offenses eligible for judicial diversion.
2. The state should **improve how pretrial conditions of release are set and re-visited throughout the pretrial process, and create a well-resourced continuum of interventions across state to support youth in the community** rather than pretrial detention.
3. **Police departments should re-examine which department policies and practices may be contributing to racial and ethnic disparities in arrests** through data informed measures such as reviewing the Department's internal data to see if the disparities in arrests highlighted in this report are replicated at the department and/or individual officer level, and requiring officers to document *why* they decided to arrest a youth instead of seeking a summons.

The state should also fully implement the juvenile provisions in the 2020 Policing Bill to address the increase in arrests for certain populations like Black youth, Latino youth, and girls. Specific provisions yet to be fully implemented include:⁷

1. The 2020 Policing Act requirement that all law enforcement agencies be certified by the POST Commission regarding juvenile operations, among other procedures. This is ongoing work by POST Commission and, as of January 2025, POST has received public comment on its draft requirement for police department certification regarding juvenile operations. If the POST Commissions' police department certification includes provisions on when to issue a summons, make an arrest, or divert a youth, as recommended by the Board's 2022 Report,⁸ the number of arrests could go down, and youth might be treated more equitably across the state.
2. The 2020 Policing Act directs DESE to report school-based arrests, citations, and court referrals made each school year. DESE started reporting this data in 2020. However, data quality concerns remain given the small number of school districts reporting data and the very low counts reported by some large school districts.⁹ The Commonwealth does not currently have available data on *where* the increase in custodial arrests is

⁷ Several other key provisions have not been implemented in the 2020 Policing Bill. Those are listed in Appendix B.

⁸ [Massachusetts Juvenile Justice Policy and Data \(JJPAD\) Board](https://www.mass.gov/doc/racial-ethnic-disparities-at-the-front-door-of-massachusettsjuvenile-justice-system-understanding-the-factors-leading-to-overrepresentation-of-black-and-latino-youth-entering-the-system/download). (2022). Racial and Ethnic Disparities at the Front Door of Massachusetts' Juvenile Justice System: Understanding the Factors Leading to Overrepresentation of Black and Latino Youth Entering the System. <https://www.mass.gov/doc/racial-ethnic-disparities-at-the-front-door-of-massachusettsjuvenile-justice-system-understanding-the-factors-leading-to-overrepresentation-of-black-and-latino-youth-entering-the-system/download>

⁹ This data report can be found here: <https://profiles.doe.mass.edu/statereport/ssdr.aspx>

taking place, and school-based data could provide an important piece of information for informed policy solutions.

Each year, the JJPAD Board relies on the data presented in this report to determine what new research projects or initiatives to launch. Previous annual reports informed the Board's ongoing work to make recommendations to prevent crossover from DCF to DYS. This year's data also indicates the need for a deeper dive into the data on justice system involvement of girls and Black/Latino youth, as well as county-level differences, to make further policy recommendations. The OCA will release additional analyses of these areas later this year.

Introduction

The Juvenile Justice Policy and Data (JJPAD) Board was created by *An Act Relative to Criminal Justice Reform* (2018).¹⁰ The Board is chaired by the Child Advocate and comprised of members representing a broad spectrum of stakeholders involved in the juvenile justice system.

The **Legislature charged the JJPAD Board with evaluating juvenile justice system policies and procedures, making recommendations to improve outcomes based on that analysis, and reporting annually** to the Governor, the Chief Justice of the Trial Court, and the Legislature. The statute creating the JJPAD Board also placed special emphasis on improving the quality and availability of juvenile justice system data, as well as measuring racial/ethnic and gender disparities in the system.



The JJPAD Board has two standing subcommittees, one focused on data (referred to as the “Data Subcommittee” in this report) and one on community-based interventions (CBI) such as diversion (referred to as the “CBI Subcommittee” in this report). The Childhood Trauma Task Force (CTTF), which was also created by *An Act Relative to Criminal Justice Reform*, and which, by statute, has its membership drawn from the membership of the JJPAD Board, also operates under the umbrella of the JJPAD Board. The CTTF is statutorily mandated to produce an annual report to the Legislature as well.¹¹

Figure 1: JJPAD and CTTF Structure

This report provides a summary of the JJPAD Board and CTTF work in calendar year 2024 and presents and analyzes juvenile justice system and other child-serving entities’ data for FY24.¹²

Summary of JJPAD Board & Childhood Trauma Task Force 2024 Work

The JJPAD Board, CTTF, and Subcommittees met virtually throughout the year. This year, the Board completed a project on the pretrial phase of the juvenile justice system, continued research into a project on youth involved in both DYS and DCF in Massachusetts and continued

¹⁰ See: <https://malegislature.gov/Bills/190/S2371>

¹¹ [The Massachusetts Childhood Trauma Task Force](https://www.mass.gov/doc/childhood-trauma-task-force-cttf-2024-annual-report/download). (2024). Childhood Trauma Task Force Annual Report <https://www.mass.gov/doc/childhood-trauma-task-force-cttf-2024-annual-report/download>

¹² See: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter119/Section89>

its ongoing work of monitoring the implementation of its previous recommendations as well as state legislation.¹³

This next section summarizes these initiatives, as well as the work of each Subcommittee and the JJPAD Board in 2024.

JJPAD Board Research Projects: The Juvenile Pretrial Phase and Dually Involved Youth

Massachusetts has made a concerted effort to directly and indirectly decrease the use of pretrial detention for youth over the past decade-plus by limiting the circumstances in which youth are detained pretrial, as well as limiting overall youth contact with the juvenile justice system. This effort has been driven by a growing body of research showing pretrial detention stays – for any length of time – can be harmful and result in negative outcomes for youth and public safety.¹⁴

At the same time, the effort to keep youth out of pretrial detention has impacted other aspects of the juvenile justice system, specifically throughout the *pretrial phase* (post-arraignment and pre-disposition). Further, not all youth who come into contact with our state’s system have fully realized the benefits of the state’s efforts to limit system contact, most notably youth who are involved in DCF as well as youth of color.

These concerns led the JJPAD Board to launch two initiatives in 2022: one focused on the pretrial phase, and one focused on “dually involved” youth who cross over from the child welfare system to detention or commitment with the Department of Youth Services.

The JJPAD Board’s Pretrial Report was published January 2025 and can be found [here](#)

Work on these two projects has continued throughout 2024, and the pretrial phase project was completed in December.

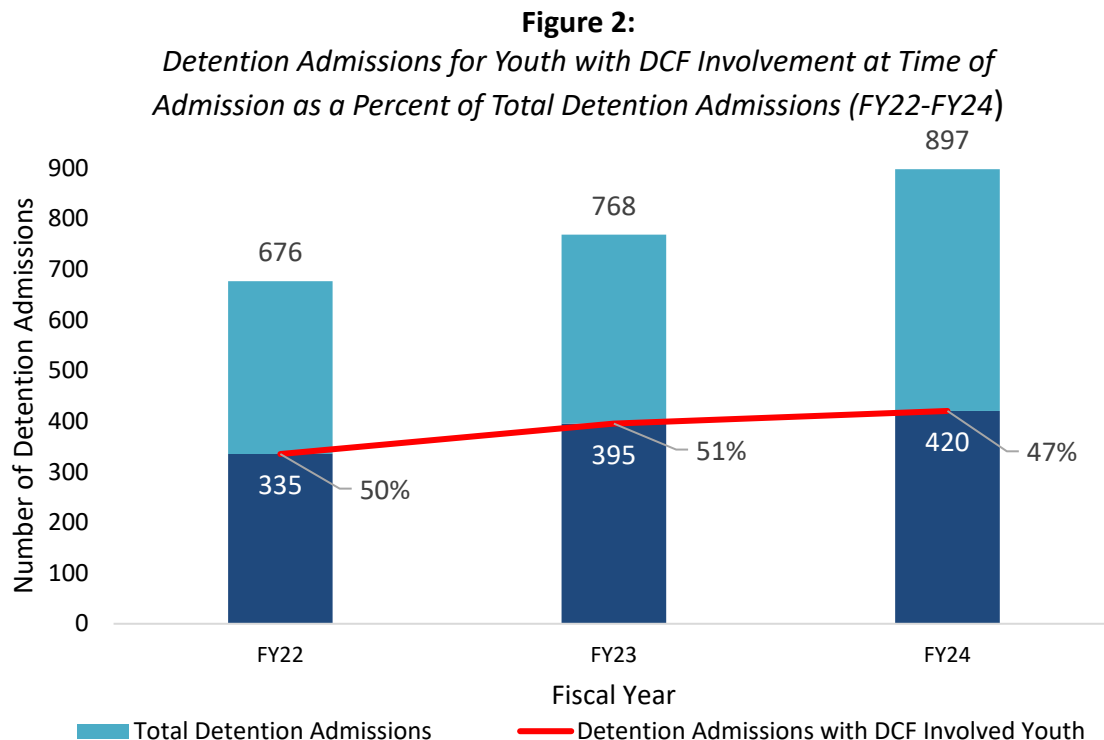
Dually Involved Youth (DIY) Project

Youth with DCF involvement are significantly overrepresented in our state’s juvenile justice system. In FY24, 47% (n=420) of all pretrial detention admissions involved youth with current DCF involvement.¹⁵

¹³ For more information on the JJPAD work plan, see: <https://www.mass.gov/doc/jypad-board-2023-work-objectives-0/download>

¹⁴ The Justice Institute. (2022). The Dangers of Detention: The Impact of incarcerating Youth in Detention and Other Secure Facilities. https://justicepolicy.org/wp-content/uploads/2022/02/06-11_rep_dangersofdetention_ji.pdf; Mendel, R. (2023). Why Youth Incarceration Fails: An Updated Review of the Evidence. <https://www.sentencingproject.org/reports/why-youth-incarceration-fails-an-updated-review-of-the-evidence/>

¹⁵ DYS defines DCF involvement as a youth who enters DYS care/custody and either has a pending response, open case with DCF, or is in the care/custody of DCF. Due to multiple factors including but not limited to the definition of open case, the definition of dually involved youth, the quality of the youth matching process, and the data quality and timeliness of data entry, these counts and rates will vary. Numbers in this report should not be compared to other reports. Data is unavailable for youth with DCF involvement at other points of the juvenile justice system (e.g., arraigned, placed on probation). Further breakdowns can be found in the “Specific Cohorts” section of this report.



A youth may experience more than one detention admission within a fiscal year. A youth may be counted one or more times within a fiscal year. Source: Data provided to the OCA by the Department of Youth Services

Similarly, 37% (n=69) of youth committed to DYS for the first time in FY24 had DCF involvement at the time of their commitment.

While both local and national data clearly demonstrate that child welfare involvement can increase the likelihood of juvenile justice system involvement, we know very little about the unique circumstances specific to Massachusetts that lead to youth involved with DCF being detained pretrial and/or committed to DYS. This project aims to fill that gap by answering the following questions:

1. Who is dually involved and why?
2. Are there policies and practices specific to Massachusetts that are contributing to dual involvement?
3. Are there policies and practices that could help prevent/reduce dual involvement?
4. Can any of these youth be diverted – either from detention or the juvenile justice system entirely?
5. What community-based interventions or supports need to exist for that to happen?

To answer these questions, the Board is employing mixed methods:

Interviews with stakeholders: OCA staff have been conducting interviews with professionals, stakeholders, and people with experience in the juvenile justice and child welfare system to learn about first-hand experiences and practices within these systems. To date, OCA staff have

conducted 64 interviews, representing 94 stakeholders. The OCA plans to continue these interviews in 2025.

Data Analysis: In partnership with DYS, DCF, and OCA, the Data Subcommittee will analyze data on youth with both DYS and DCF involvement in FY22 or FY23.

Case File Review: Additionally, OCA staff will conduct a case file review for each youth identified. The goal of this case file review is to collect and analyze detailed qualitative data on the circumstances surrounding the alleged delinquent offense that initiated contact with the juvenile justice system (e.g., time and place of arrest) as well as the youth's involvement with DCF.

In addition to the methods above, the CBI Subcommittee will also conduct a review of any current policies that could be contributing to youth being dually involved and conduct a national review of other state's policies and practices for this population.

Childhood Trauma Taskforce (CTTF) 2024 Work

In 2024, the CTTF continued its legislative mandate to determine how the Commonwealth can better identify and provide services to youth who have experienced trauma. The CTTF Annual Report¹⁶ summarizes the work of the CTTF and the Office of the Child Advocate's (OCA) Center on Child Wellbeing & Trauma (CCWT).

The CTTF's 2024-2025 Work Plan (detailed more in the group's Annual Report) focuses on Massachusetts state agencies' and partners' training on childhood trauma and resilience. This project has three goals:

1. Map out training provided to state employees and contracted providers working with children and families.
2. Assess whether state agencies have adequate resources and capacity to increase child serving professionals' knowledge of childhood trauma and resilience.
3. Develop recommendations to support agencies in offering child trauma and wellbeing training to their staff and contracted providers.

The CTTF is actively engaged in the research phase of this project and anticipates developing findings and recommendations in the Task Force's 2025 Annual Report

Continued Oversight of Prior Initiatives and Impact of Legislation

The JJPAD Board is charged with studying "the implementation of any statutory changes to the juvenile justice system" and continues to monitor prior recommendations and projects.

¹⁶ [The Massachusetts Childhood Trauma Task Force](https://www.mass.gov/doc/childhood-trauma-task-force-cttf-2024-annual-report/download). (2024). Childhood Trauma Task Force Annual Report <https://www.mass.gov/doc/childhood-trauma-task-force-cttf-2024-annual-report/download>

Maintaining and Updating the Interactive Juvenile Justice Data Website

As recommended in the JJPAD Board's June 2019 report, and as envisioned by the Legislature in *An Act Relative to Criminal Justice Reform*, the OCA, in partnership with the Executive Office of Technology Services and Security (EOTSS) and with the Data Subcommittee as advisors, launched a juvenile justice system data website in 2020 which makes aggregate juvenile justice system data publicly accessible.

In July 2024, the Office of the Child Advocate published a new [data dashboard reporting data on racial and ethnic disparities](#). The JJPAD Board has highlighted the persistent racial and ethnic disparities in the juvenile justice system in each of its annual reports¹⁷ and in its 2022 report titled *Racial and Ethnic Disparities at the Front Door of Massachusetts' Juvenile Justice System*.¹⁸

This new racial and ethnic disparities page explains how the state measures disparities in the juvenile justice system and gives users the ability to explore the racial and ethnic disparities that exist across juvenile justice process points and over time.

Monitoring the Implementation of the Massachusetts Youth Diversion Program

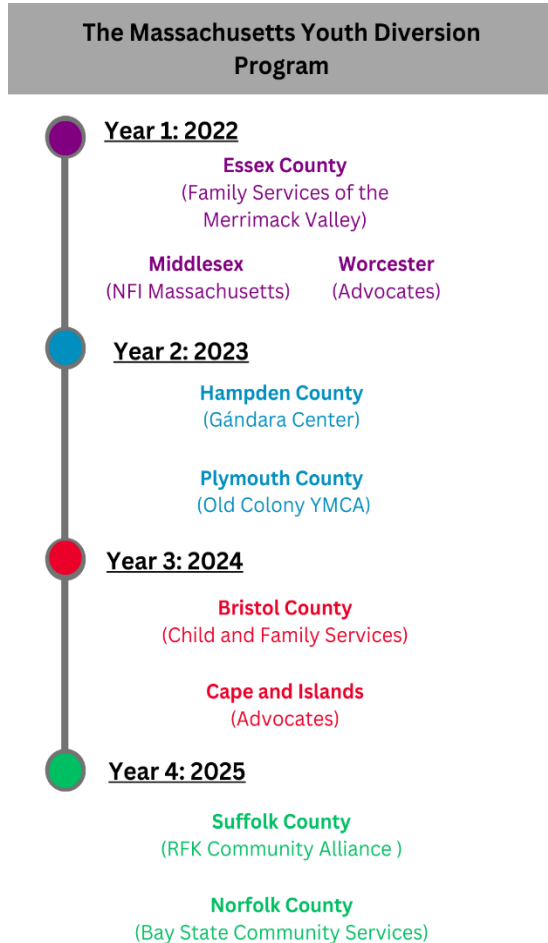
In its 2019 report on diversion, the JJPAD Board found that there were no statewide standards or guidelines in Massachusetts regarding the use of diversion, and no entity that provided oversight for diversion practices.¹⁹ That report recommended the creation of a statewide diversion program to ensure that youth across the Commonwealth had equitable access to high quality, state-funded diversion programming.

¹⁷ [Massachusetts Juvenile Justice Policy and Data \(JJPAD\) Board](https://www.mass.gov/lists/jpadcttf-legislative-reports-and-key-documents). (n.d.) JJPAD/CTTF Legislative Reports and Key Documents <https://www.mass.gov/lists/jpadcttf-legislative-reports-and-key-documents>

¹⁸ [Massachusetts Juvenile Justice Policy and Data \(JJPAD\) Board](#). (2022). *Racial and Ethnic Disparities at the Front Door of Massachusetts' Juvenile Justice System: Understanding the Factors Leading to Overrepresentation of Black and Latino Youth Entering the System*. <https://www.mass.gov/doc/racial-ethnic-disparities-at-the-front-door-of-massachusettsjuvenile-justice-system-understanding-the-factors-leading-to-overrepresentation-of-black-and-latino-youth-entering-the-system/download>

¹⁹ [Massachusetts Juvenile Justice Policy and Data Board](#). (2019). *Improving Access to Diversion and Community- Based Interventions for Justice-Involved Youth*. <https://www.mass.gov/doc/improving-access-to-diversion-and-community-based-interventions-for-justice-involved-youth-0/download>

Graphic 1: Massachusetts Youth Diversion Program Timeline



As a result of that report, with funding allocated by the Legislature in the state budget, the Office of the Child Advocate (OCA) partnered with the Department of Youth Services (DYS) to launch the Massachusetts Youth Diversion Program (MYDP), a multiphase state-funded youth diversion initiative that provides high-quality, evidence-based programming that can serve as an alternative to arresting youth or prosecuting them through the Juvenile Court.

In 2024, the OCA contracted with ForHealth, the consulting division at UMass Chan Medical School, to provide an independent assessment of the MYDP program, examining initial data from the first three pilot sites and conducting qualitative interviews to identify what was working and what could be improved. The evaluation found high levels of program fidelity to the original evidence-based model and high rates of satisfaction among referrers. Importantly, youth participants also reported high levels of satisfaction with the program. This evaluation is available online [here](#).

In June of 2024,²⁰ the OCA released a report analyzing the implementation of the second year of diversion programming.²¹ Key findings from the report include:

- The program grew its reach: In CY23, 229 youth participated in the program, a 151% increase (n=91) from CY22.
- More youth completed diversion successfully: by the end of CY23, 178 diversion cases were closed, with 160 of those youth (90%) completing the program successfully, compared to 74% (n=45) in CY22.

Monitoring and Reporting on the Implementation of Any New Legislation Impacting the Juvenile Justice System

Each year, the JJPAD Board monitors the implementation of new legislation and uses available data to analyze whether legislative and agency policy changes are having their intended effect

²⁰ For FY24 data, see the "Diversion" section in the data report below.

²¹ [Massachusetts Office of the Child Advocate](https://www.mass.gov/doc/o-ca-report-on-the-massachusetts-youth-diversion-program-year-two/download). (2024). The Massachusetts Youth Diversion Program: Year Two Program Data. <https://www.mass.gov/doc/o-ca-report-on-the-massachusetts-youth-diversion-program-year-two/download>

and if there are any implementation challenges. Since the Board began meeting in 2018, two major pieces of legislation have passed that impact the juvenile justice system: ***An Act relative to criminal justice reform*** (2018), which established the JJPAD Board²² and ***An Act relative to justice, equity and accountability in law enforcement in the Commonwealth*** (2020)²³ referred to in this report as the “2020 Policing Act.”

As the “Key Takeaways” section below notes, these state reforms have made a positive impact on the Commonwealth’s juvenile justice system, but room for improvement remains.

Implemented Juvenile Provisions of the 2018 Criminal Justice Reform Act

- Raised the lower age of criminal responsibility from age 7 to age 12
- Removed Juvenile Court jurisdiction for violations of local ordinances and first, low-level misdemeanor offenses including disorderly conduct
- Decriminalized “disturbing lawful assembly” and “disorderly conduct” offenses for students under 18 when in school or at school events
- Authorized Juvenile Court judges to divert youth pre-arraignment for certain charges
- Removed the requirement that police departments contact Probation when there is a written request to detain a child overnight
- Mandates that a child shall not be placed in restraints during court proceedings unless there is reason to believe that a juvenile presents an immediate and credible risk of escape or poses a threat to their safety or the safety of others.
- Mandates the creation of a uniform booklet of informational material provided to youth in the custody of DYS regarding their juvenile record and how that information can be accessed and distributed, as well as information on sealing records. EOPSS published this booklet of information in 2019. *

* <https://www.mass.gov/doc/cori-booklet/download>

²² See: <https://malegislature.gov/Laws/SessionLaws/Acts/2018/Chapter69>

²³ See: <https://malegislature.gov/Laws/SessionLaws/Acts/2020/Chapter253>

Implemented Juvenile Provisions of the 2020 Policing Bill

- Established a “Model School Resource Officer MOU Commission” to address Memoranda of Understanding (MOU) between schools with school resource officers (SROs) and local police departments to reconvene every five years. As a result of a state-led commissions, in February 2022, a model SRO MOU was released by EOPSS and DESE with minimum standards for all school districts with an SRO to follow. *
- Mandated that DESE “collect data on the number of mental and social emotional health support personnel and school resource officers ... employed by each local education agency and shall publish a report of the data on its website.” **
- Required the Municipal Police Training Committee (MPTC) to establish an in-service training program on multiple domains including developmentally appropriate de-escalation tactics and other alternatives to use of force on youth.
- Required MPTC to establish an in-service training program School Resource Officer (SRO) training to include specific components as outlined by statute, and that the curriculum be created shall be created in consultation with experts.
- Gave the POST Commission power to create a specialized certification for SROs. The POST Commission establishes minimum police certification standards and can deny an application or limit, condition, restrict, revoke, or suspend a certification for any reasonable cause. There is an SRO-specific certification that is required of all SROs in order to serve.
- Required that the Massachusetts Peace Officer Standards and Training (POST) Commission issue guidance on developmentally appropriate de-escalation and disengagement tactics and other alternatives to the use of force on youth. ^

*For more information, click here: <https://www.mass.gov/model-school-resource-officer-memorandum-of-understanding-sro-mou-review-commission>

**For more information, click here: <https://profiles.doe.mass.edu/statereport/teacherbyracegender.aspx>

^This guidance can be found on the POST Commission website here: <https://399759da.rocketcdn.me/wp-content/uploads/2024/05/Youth-Guidance1298662.1.pdf>

For more information on the implementation of this law, see Appendix B.

Monitoring New Legislation

In addition to monitoring the implementation and impact of enacted legislation, the Board makes recommendations to the Legislature for needed changes to statutes impacting the juvenile justice system.

A majority of JJPAD Board members are not able, due to their position in state government, to endorse specific pieces of legislation. The table below outlines bills that have been filed in the 2025-2027 legislative session that relate to prior policy recommendations made by the JJPAD Board.²⁴

²⁴ Inclusion of a bill in this list should not be interpreted as an endorsement of the JJPAD Board.

Table 1: 2025-2027 Bills Filed Related to Prior JJPAD Policy Recommendations		
Bill Name/Number	Summary	Status
<i>An Act regarding families and children in need of assistance (HD.2453/SD.1693)</i>	<p>If implemented, this bill would make changes to the Commonwealth’s Child Requiring Assistance (CRA) system by:</p> <ul style="list-style-type: none"> • Expanding the role and functions of the state’s Family Resource Centers (FRCs) • Changing the CRA filing process to require a probation officer to determine that all community-based options have been exhausted prior to the filing of a CRA, and connect the family to the local FRC if not • Raising the age of Juvenile Court jurisdiction from 6 to 12 <p>These changes were recommendations made by the Board in its 2022 report.²⁵</p>	Re-filed in the 2025 legislative session
<i>An Act promoting diversion of juveniles to community supervision and services (HD.3434/SD.246)</i>	<p>If implemented, this bill would expand the opportunity for judicial diversion for youth charged with certain offenses. The JJPAD Board recommended increased opportunities for diversion in its 2019 report,²⁶ and, in its 2025 report on “Improving Massachusetts’ Juvenile Pretrial Phase” made the</p>	Re-filed in the 2025 legislative session

²⁵ [Massachusetts Juvenile Justice Policy and Data \(JJPAD\) Board](https://www.mass.gov/doc/improving-massachusetts-child-requiring-assistance-system-an-assessment-of-the-current-system-and-recommendations-for-improvement-10-years-post-chins-reform/download). (2022). Improving Massachusetts' Child Requiring Assistance System: An Assessment of the Current System and Recommendations for Improvement 10 Years Post “CHINS” Reform. <https://www.mass.gov/doc/improving-massachusetts-child-requiring-assistance-system-an-assessment-of-the-current-system-and-recommendations-for-improvement-10-years-post-chins-reform/download>

²⁶ [Massachusetts Juvenile Justice Policy and Data Board](https://www.mass.gov/doc/improving-access-to-diversion-and-community-based-interventions-for-justice-involved-youth-0/download). (2019). Improving Access to Diversion and Community- Based Interventions for Justice-Involved Youth. <https://www.mass.gov/doc/improving-access-to-diversion-and-community-based-interventions-for-justice-involved-youth-0/download>

	recommendation to expand the list of offenses eligible for judicial diversion. ²⁷	
<i>An Act to enhance fairness and increase positive outcomes for children (HD. 3240/ SD.242)</i>	<p>If implemented, this bill would mandate the Juvenile Court review pretrial cases in which youth are given GPS as a condition of release every 30 days to determine if monitoring is still necessary. The bill also would require the Juvenile Court to report annually on data on GPS use.</p> <p>Considering the harmful effects of GPS on youth, the JJPAD Board recommended the state provide more guidance on GPS use in Juvenile Court in its 2025 report.²⁸</p>	Introduced in the 2025 legislative session
<i>An Act to expand juvenile court justice access (HD.398)</i>	<p>If implemented, this bill would increase the state cap on the number of Juvenile Court judges from 42 to 80.</p> <p>The JJPAD Board recommended the state increase the cap on the number of Juvenile Court judges in its 2025 report in order to address issues of timeliness during the delinquency pretrial phase.²⁹</p>	Introduced in the 2025 legislative session
<i>An Act updating bail procedures for justice-involved youth (SD.1104)</i>	<p>If implemented, this bill would eliminate the \$40 bail administrative fee for youth and give the authority to decide to detain a youth overnight to the Bail Magistrate (not the officer in charge) and allow virtual payment options.</p> <p>This was a JJPAD Board recommendation made in 2019.³⁰</p>	The FY25 Massachusetts state budget included an outside section that eliminates the \$40 bail fee currently charged to a defendant when bail is set after hours.

²⁷ [Massachusetts Juvenile Justice Policy and Data Board](#). (2025). Improving Massachusetts' Juvenile Pretrial Phase: An Assessment of the Current Pretrial System and Recommendations for Improvement. <https://www.mass.gov/doc/improving-massachusetts-juvenile-pretrial-phase-an-assessment-of-the-current-pretrial-system-and-recommendations-for-improvement/download>

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid.

Juvenile Justice System Data Trends

This section provides an overview of Massachusetts’ juvenile justice system data for fiscal year (FY) 2024 (July 1, 2023- June 30, 2024) and identifies recent trends in use of the system at various points in the process.

This section is further broken down into three major parts of the juvenile justice system process in Massachusetts:

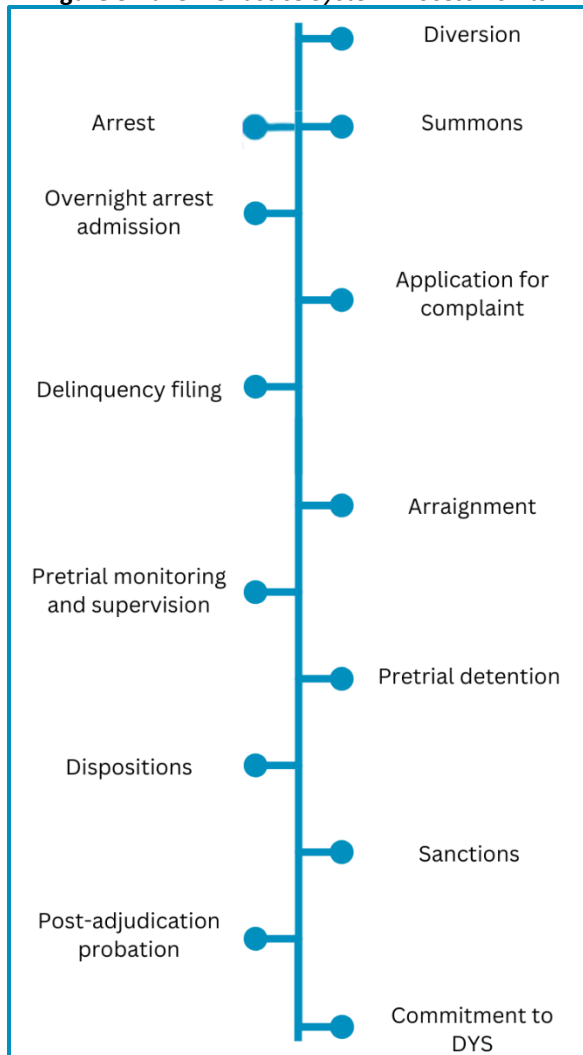
1. **The “initial stages” of the juvenile justice system**, including data on the use of diversion, overnight arrest admissions, applications for complaint, the manner in which youth come to the Juvenile Court’s attention (i.e., via an arrest or summons), and delinquency filings.
2. **Arraignments and pretrial proceedings**, including data on 58A (“dangerousness”) hearings, pretrial supervision and monitoring, pretrial detention admissions, and the reasons why youth are detained pretrial.
3. **Dispositions, sanctions, and dismissals** as determined at the time of the initial dismissal or disposition, as well as data on probation supervision levels and first-time commitments to DYS.

To the extent available, the data is broken down by:

- offense severity and type,³¹
- race/ethnicity, gender, sexual orientation, and transgender status of youth at the point of analysis

³¹ *Offense types* tell us what kind of offenses youth involved with the justice system are alleged of committing; *offense severity* measures the seriousness of offenses. For data tables detailing offense *types*, and common examples listed, please see Appendix D.

Figure 3: Juvenile Justice System Process Points



Whenever possible, data on each process point is compared to data from:

1. FY23: The Board compares this year's data to the prior fiscal year to see what, if any, changes occurred throughout the system.

2. FY18: Given the JJPAD Board's charge to measure the impact of statutory changes to the juvenile justice system, this report also compares changes in system use in FY24 to FY18. FY18 is one year prior to the implementation of the Criminal Justice Reform Act (CJRA), which included provisions aimed at keeping youth out of the juvenile justice system, particularly those youth accused of first time, lower-level offenses.

The data presented in this annual report is the most comprehensive to date. This is due to the JJPAD Board and Data Subcommittee identifying critical data elements in the state's juvenile justice system and the **JJPAD member entities fulfilling increasingly detailed and complex data requests each year.** As discussed in the Board's *2022 Data Availability Report*, data gaps exist in some places/process points, but since the JJPAD

Board began meeting in FY19, tremendous progress has been made in the amount of publicly reported data.³²

This year, new data reported in this report includes **initial bail decisions**³³ and data on all **lead charges filed in Juvenile Court**, due to increased reporting by the Trial Court on its public dashboards.³⁴

³² For more information, see the 2022 Data Availability report: <https://www.mass.gov/doc/improving-access-to-massachusetts-juvenile-justice-system-data-2022-update/download>

³³ For more information, see: <https://public.tableau.com/app/profile/drap4687/viz/MassachusettsJuvenileCourtDelinquencyInitialBailDecisions/InitialDecisionbyDivision>

³⁴ "Lead charge" is the first listed charge at case filing, not disposition. This is often, though not *always*, the most serious charge alleged against the youth. For more information, see: <https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtChargesDashboard/AllCharges>

The OCA's Interactive Data Dashboard

In addition to the state-level trends detailed in this report, the OCA's interactive data website also presents*:

- county level trends by demographics whenever possible and total system utilization heat maps at each process point adjusting for youth population rates
- data broken down by age at each process point
- overnight arrest admissions, detention admissions, first-time commitments, and YES transitions by calendar year
- monthly probation caseload and violation of probation notices issued
- detention and commitment caseload (i.e., individual youth) utilization trends and demographic breakdowns

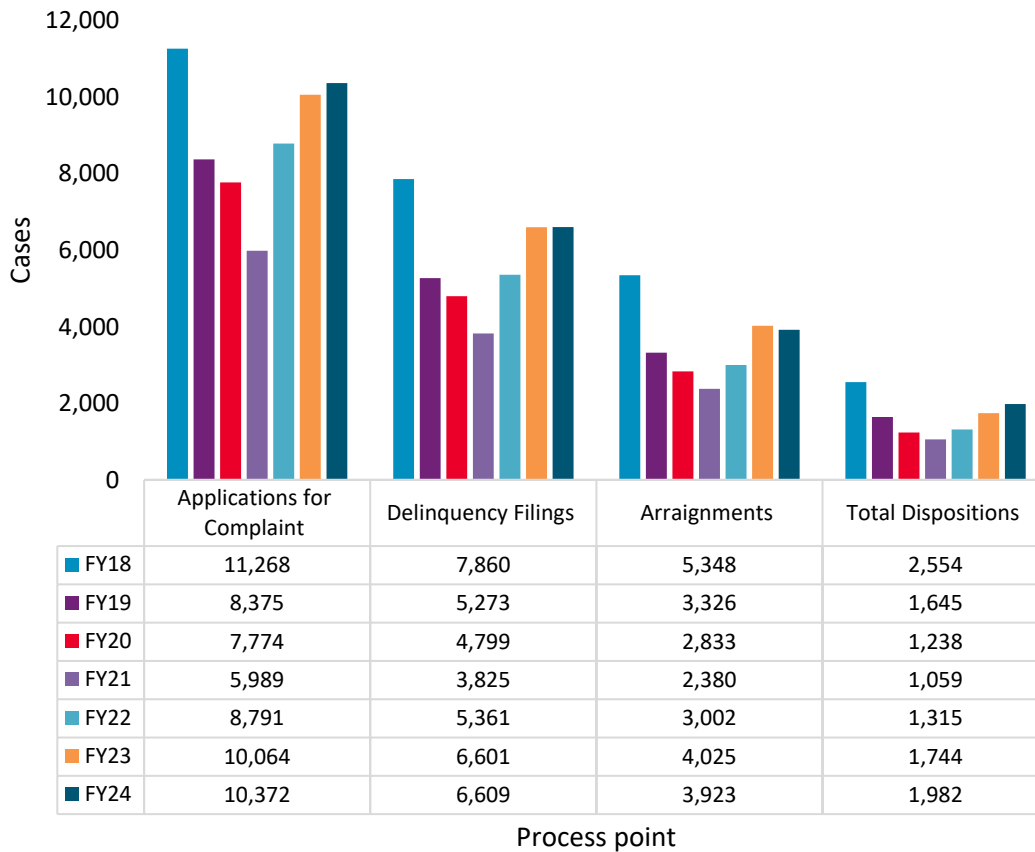
*Click here to visit the Juvenile Justice Data Website: <https://www.mass.gov/resource/massachusetts-juvenile-justice-system-data-and-outcomes-for-youth>.

Due to continuous data updates, it is recommended that readers do not compare the numbers in this report to previous reports or presentations. Further, data presented in this report and on the OCA's website should not be compared to agency's public data reporting, as individual entities may update their data at different points in time.

Key Takeaways

- 1. The increase in entries to the juvenile justice system has slowed significantly in the last year** after two years of large increases following the Covid-19 pandemic. Overall, the use of Massachusetts' juvenile justice system in FY24 was largely consistent with FY23 across most court process points, suggesting that the system has stabilized after the increases in the immediate years after the height of the pandemic.

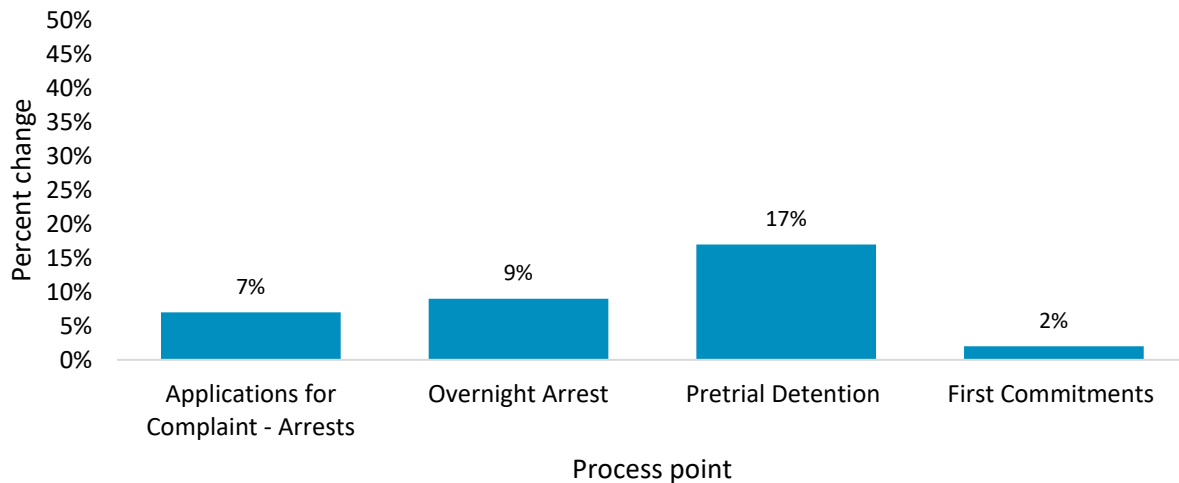
Figure 4:
Court Process Points (FY18-FY24)



Source: FY18-FY23 data retrieved from the JJPAD's FY23 Annual Report ; FY24 data retrieved between 10/2024 and 1/2025 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687>

- Despite the plateau in overall system use, the use of physical custody is increasing.** There was an increase in the use of physical custody, such as placing a youth under arrest or holding them in pretrial detention, in FY24 compared to FY23. Specifically, the number of pretrial detention admissions increased 17% between FY23 and FY24, and the number of arrests increased 7%, while there was no increase in applications initiated by summons.

Figure 5:
Custodial Process Point Percent Change (FY23-FY24)



Source: Application for complaint data retrieved on 1/2025 from the Massachusetts Trial Court's Tableau Public page here:

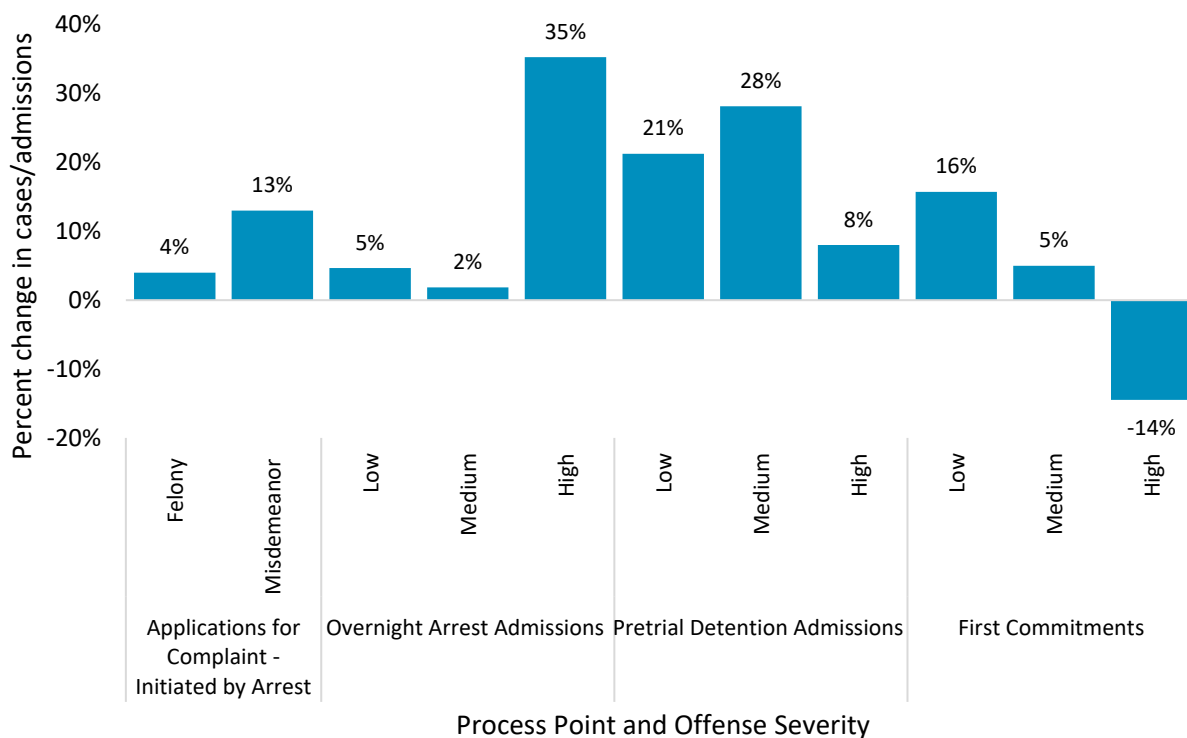
<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation> ; Overnight arrest, pretrial detention and first-time commitment data provided to the OCA by DYS' Department of Research

3. This increase in the use of physical custody is primarily driven by an increase in arrests and detention/commitment admissions for lower-level offenses.

- The increase in arrests is primarily driven by a 13% increase in arrests for misdemeanor offenses.
- The increase in overnight arrest admissions is primarily driven by a 35% increase in admissions for higher-level severity offenses. However, consistent with prior years, the majority (60%, n=382) of ONA admissions were for still for an alleged lower “grid” level offense.
- The increase in pretrial detention admissions is primarily driven by a 21% and 28% increase in admissions for lower and moderate “grid” level offenses respectively.³⁵ Almost half (48%, n=428) of all detention admissions were for youth alleged of committing a lower “grid” level offense (i.e., Grid 1 or 2). This is the third year in a row in which the number of detention admissions has gone up for youth alleged of committing lower-level offenses, reversing the downward trend of the prior years.
- The increase in first-time commitments was primarily driven by a 16% increase in commitments for lower “grid” level offenses.

³⁵ DYS measures offense severity by a numerical (1-7) “grid level.” Grid levels 1-2 are categorized as low, grid level 3= medium and grid levels 4-7 = high. The most common charge for a youth held in detention is assault & battery, which is classified as Grid Level 2 (low). Grid 2 can also include other assault and battery charges, such as assault and battery with a dangerous weapon (ABDW), no/minor injury. The charge type, which is determined by the District Attorney’s Office, is only one factor among many that the judicial system is legally required to consider when making decisions regarding pretrial detention. For more information on DYS’ grid level system, see Appendix E.

Figure 6:
Percent Change in Cases/Admissions (FY23-FY24)



DYS measures offense severity by a numerical (1-7) “grid level.” Grid levels 1-2 are categorized as low, grid level 3= medium and grid levels 4-7 = high. For more information on DYS’ grid level system, see Appendix E. Application for complaint data retrieved on 1/2025 from the Massachusetts Trial Court’s Tableau Public page here: <https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation> ; Overnight arrest, pretrial detention and first-time commitment data provided to the OCA by DYS’ Department of Research

4. The vast majority of youth held in a locked detention facility are not found to be dangerous as a result of a court hearing and not ultimately committed to DYS. Research on the negative long-term impact that even a short stay in a locked detention facility can have on youth is clear – and yet our system regularly holds youth for a variety of reasons that, the data suggests, has little to do with their potential threat to public safety.³⁶ Indeed, holding a youth perceived to be a flight risk or who might not have a safe place to return to are each legal reasons why a youth may be held who is not subject of a 58A Hearing. In FY24:

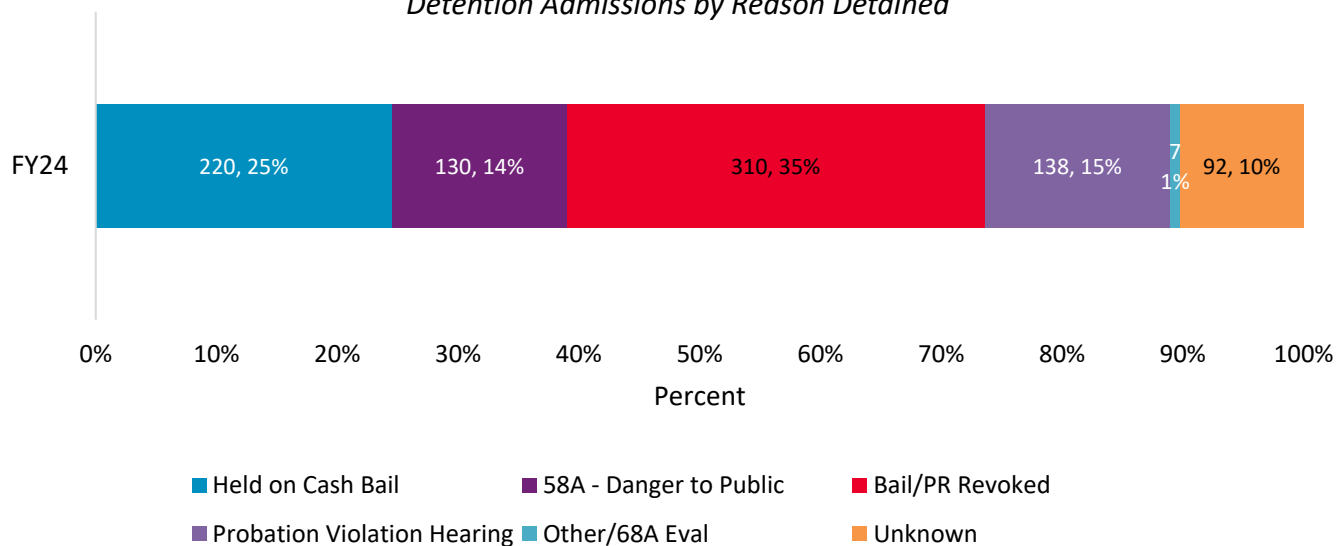
- 49% of overnight arrest admissions did not result in a detention admission. This means that half of youth admitted on an ONA are arrested and then detained for anywhere between a couple hours to up to about four days, but ultimately released by a judge who decides the youth does not need to be detained pretrial. The

³⁶ Mendel, R. (2023). Why Youth Incarceration Fails: An Updated Review of the Evidence. The Sentencing Project. <https://www.sentencingproject.org/reports/why-youth-incarceration-fails-an-updated-review-of-the-evidence/>

percentage of ONA admissions that *have* resulted in a detention admission has gone down in recent years (58% in FY21 to 51% in FY24).

- 87% of pretrial detention admissions did not result in commitment. This means that for every 10 detention admissions, almost 9 are held pretrial for an average of about a month and a half, and ultimately those cases are resolved without a commitment to the Department of Youth Services post-adjudication.³⁷
- 86% of detention admissions were a result of something other than a determination that the youth alleged of committing an offense was “dangerous” as a result of a 58A hearing. This is consistent with previous years, with data showing that many youth are detained as a result of not posting cash bail or due to violations of pretrial or probation conditions. This may be a result of an increase in the use of pretrial conditions of release for youth over releasing youth on personal recognizance, or a lack of community or school supports. In FY24, youth were initially released on PR in an estimated 56% cases, down from 62% of cases in FY23.³⁸

Figure 7:
Detention Admissions by Reason Detained



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

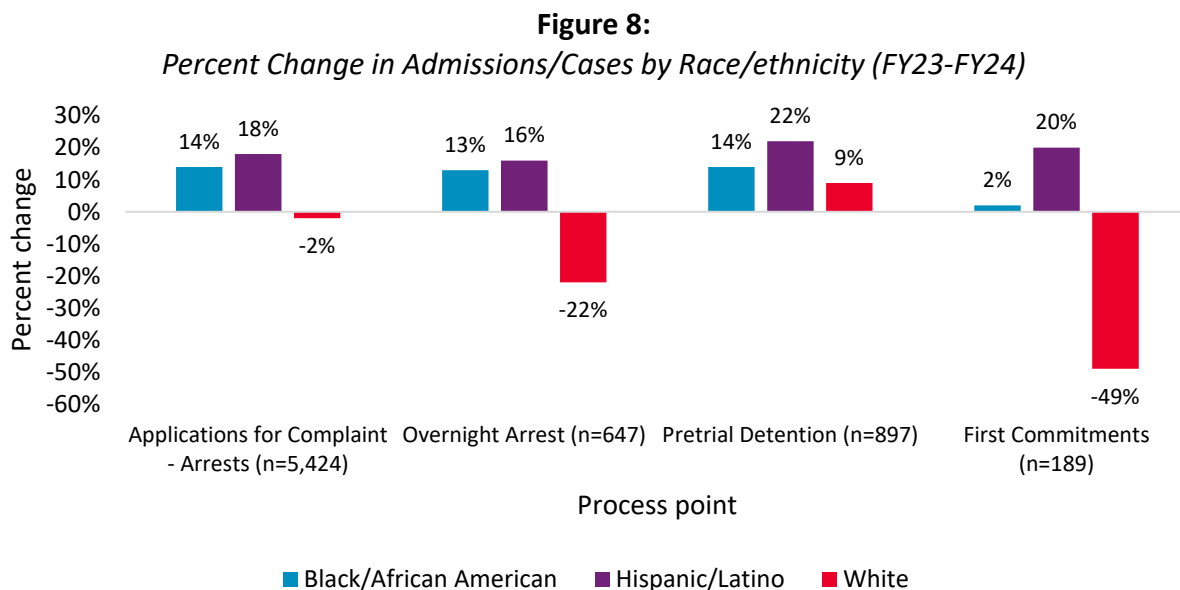
5. Racial disparities are worsening across many process points: Disparities are worsening as a result of a decrease in system use for white youth and an increase in system use for Black

³⁷ There are a number of reasons youth detained pretrial are not ultimately committed to the Department including, but not limited to, a judge using a probation sanction rather than commitment, the case was dismissed, the youth was adjudicated not delinquent, etc.

³⁸ For more information, see the Board's 2025 report "Improving Massachusetts' Juvenile Pretrial Phase: An Assessment of the Current Pretrial System and Recommendations for Improvement:" <https://www.mass.gov/doc/improving-massachusetts-juvenile-pretrial-phase-an-assessment-of-the-current-pretrial-system-and-recommendations-for-improvement/download>

and Latino youth between FY23 and FY24. As the Board has highlighted in previous reports, disparities are starkest at the “front door” of the juvenile justice system. In FY24:

- Black youth were 4.03 times more likely to be the subject of an application for complaint in Juvenile Court compared to white youth in Massachusetts. Black youth were 5.42 times more likely to be arrested compared to white youth in MA, compared to 2.96 times more likely to be issued a summons.
- Latino youth were 2.53 times more likely to be the subject of an application for complaint in Juvenile Court compared to white youth in Massachusetts. Latino youth were 3.26 times more likely to be arrested compared to white youth in MA, compared to 1.98 times more likely to be issued a summons.

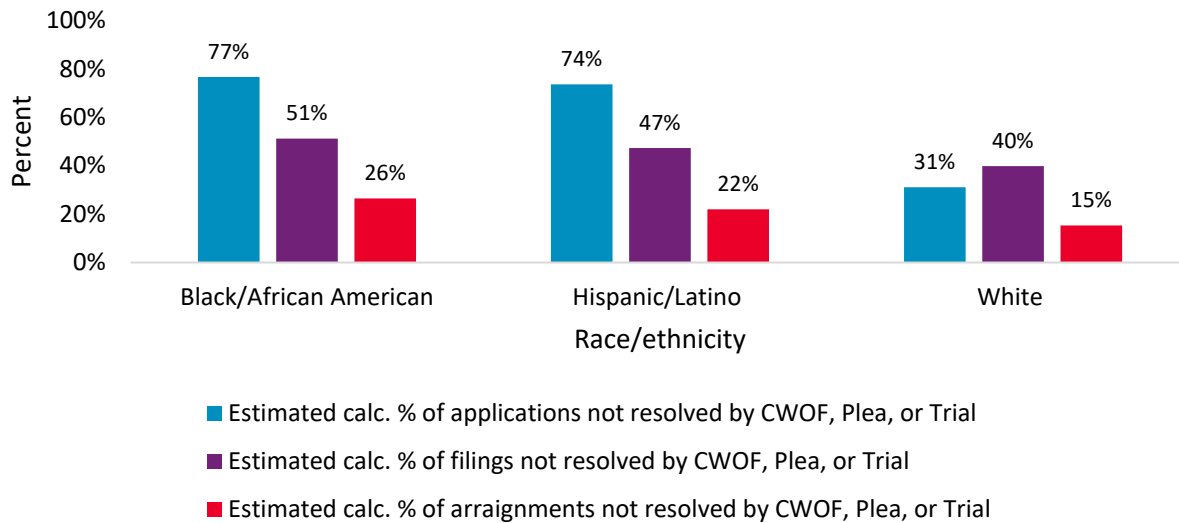


Source: Application for complaint data retrieved on 1/2025 from the Massachusetts Trial Court's Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation> ; Overnight arrest, pretrial detention and first-time commitment data provided to the OCA by DYS' Department of Research

Further, data shows that applications for complaints for Black and Latino youth are dismissed or diverted at a substantially higher rate than applications for white youth. An estimated 77% and 74% of applications for complaint involving Black and Latino youth, respectively, did not reach a disposition. This is compared to 31% of applications for complaints involving white youth. This suggests that Black and Latino youth may be more likely to be brought to court for situations that the court system ultimately determines do not require prosecution and adjudication than white youth. Given the negative impact that *any* arrest and court involvement, even if it is resolved at an early stage of the process, can have on youth, this is a concerning trend.

Figure 9:
Estimated Percent of Cases Not Disposed by Race/ethnicity (FY24)



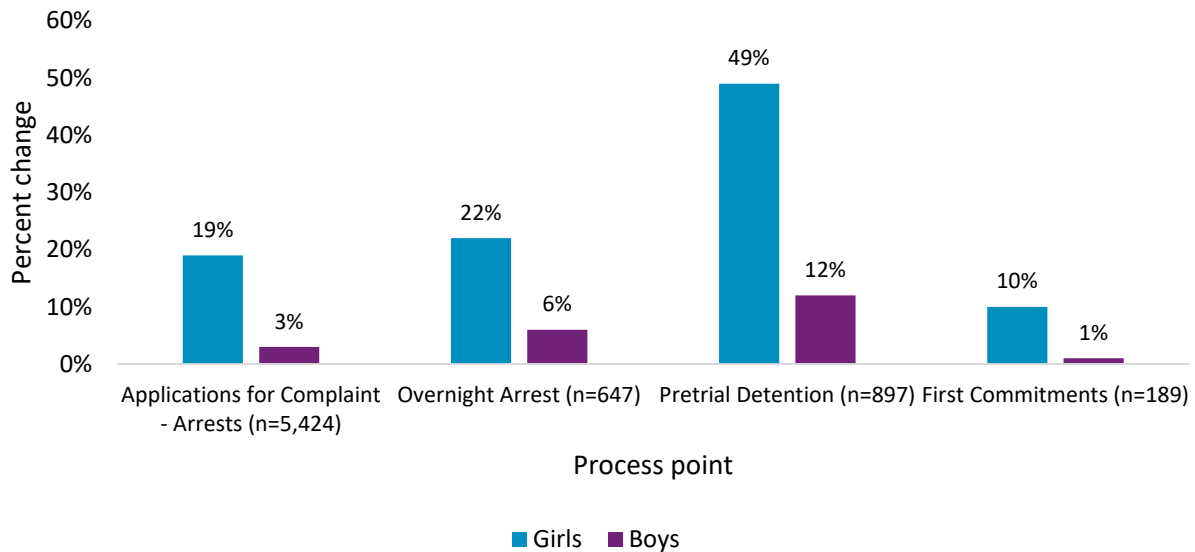
Source: Application for Complaint data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation> ; Delinquency filing data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation> ; Case disposition data retrieved 11/2024 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/viz/DelinquencyDismissalsandAdjudications/AdjudicationRates>

- 6. There are substantial increases in the use of physical custody for girls.** Between FY23 and FY24, arrests of girls increased by 19% (from 1,095 in FY23, to 1,304 in FY24), overnight arrests by 22% (from 104 in FY23 to 127 in FY24), detention admissions by 49% (from 106 in FY23, to 158 in FY24) and first-time commitments to DYS by 10% (from 20 in FY23 to 22 in FY24). Although the majority of arrests and admissions are for boys, in all cases the rate of increase for girls was substantially higher this past year than in prior years.

This higher rate of increase is at least partially driven by the fact that the number of girls in the system overall is smaller – which means even a small increase in numbers will lead to a higher percent change. That said, the increases this year are notably higher than prior years, signaling a concerning change in practice, youth behaviors and needs, or all of these.

Although further research on the underlying drivers of this increase is needed, numerous interviewees for recent JJPAD Board research projects have raised concerns about the use of pretrial detention for girls involved with DCF, girls perceived as being at risk for sexual exploitation, and girls who run away from placements.

Figure 10:
Percent Change in Admissions/Cases by Gender (FY23-FY24)



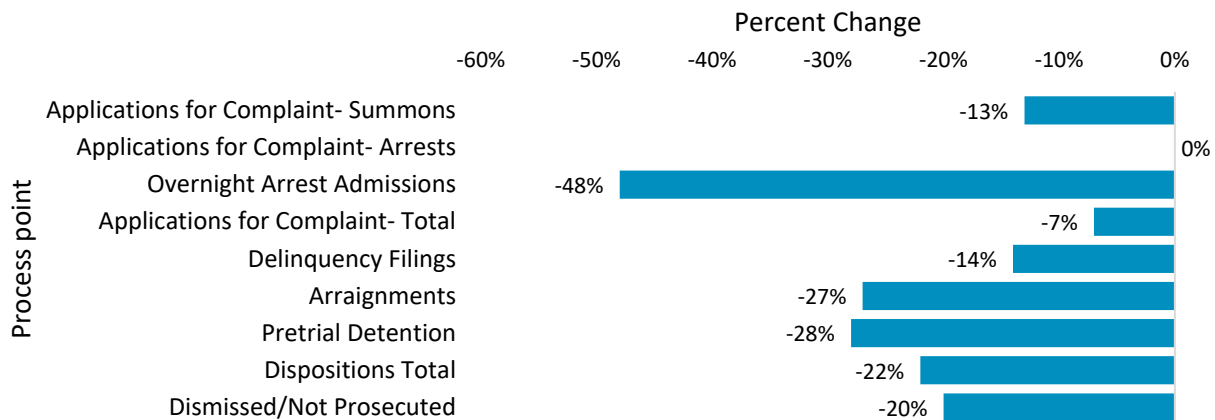
Source: Application for complaint data retrieved on 1/2025 from the Massachusetts Trial Court's Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation> ; Overnight arrest, pretrial detention and first-time commitment data provided to the OCA by DYS' Department of Research

- Key state-level reforms have made an impact on the number of young people coming into the system, but room for improvement, particularly in the use of physical custody, remains.** As Figure 11, details, the number of youth coming into contact with the juvenile justice system declined across almost every process point for which the Board has data since 2018, when Massachusetts passed the *Criminal Justice Reform Act*. This piece of legislation, along with the 2020 Policing Bill, were two major pieces of legislation with specific juvenile justice-related provisions.

The CJRA aimed to reduce the number of youth coming into contact with the system in general. This has largely been successful. The number of applications for complaint is down 7%, and the number of arraignments has declined 28% since pre-CJRA implementation.

Figure 11:
FY18-FY24 Change in Cases/Admissions



FY18 data retrieved from the from the JJPAD's FY23 Annual Report ; FY24 data retrieved between 10/2024 and 1/2025 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687> ; Overnight arrest and pretrial detention data provided to the OCA by DYS' Department of Research

However, as the data in this report highlights, there is room for improvement, most notably across the following stages:

- **Arrests and overnight arrests:** In FY24, the number of arrests for youth returned to pre-CJRA implementation numbers, partially driven by an increase in misdemeanor arrests. The increase in custodial arrests led to an increase in overnight arrests admissions, which is a departure from the large decreases in previous years. While that increase was driven partially by higher-grid level severity offenses and felonies, about half (49%, n=320) of the youth held on an overnight arrest are not held pretrial by a judge once the court is back in session.

Further, there is room for improvement in *who* arrests are used for. As this report highlights, racial and ethnic disparities are particularly stark at this stage of the juvenile justice system, and there were increases in arrests and overnight arrests for both Black and Latino youth between FY23 and FY24, while arrests and ONA admissions declined for white youth during the same period. Data indicate Black youth and Latino youth are more likely to be arrested (compared to being issued a summons) and more likely to be held overnight than white youth in Massachusetts. Further, while boys make up the majority of arrests, the use of arrests increased 19% for girls between FY23 and FY24.

- **Pretrial detention admissions:** While overall detention admissions are down 28% from pre-CJRA, the data indicate room for improvement in the reasons *why* detention is used, especially as the number of detention admissions increased between FY23 and FY24. As mentioned, the increase in pretrial detention admissions is primarily driven by an

increase in admissions for lower and moderate “grid” level offenses. Still, almost half (48%, n=428) of all detention admissions were for youth alleged of committing a lower-level offense (i.e., Grid 1 or 2 at DYS).

Data indicates that many youth detained pretrial are not deemed “dangerous” or are not held as a result of threats to public safety following a 58A hearing. The majority of detention admissions do not result in youth being committed each year. Instead, many youth are detained pretrial as a result of failure to post cash bail or violations of pretrial or probation conditions. This may be a result of an increase in the use of pretrial conditions of release for youth over releasing youth on personal recognizance, or a lack of community supports.

Further, there is room for improvement in *who* is detained pretrial. Data shows that many detention admissions are for youth with underlying (potentially unmet) needs and traumatic histories who could be better served in the community prior to juvenile justice involvement. There are a variety of reasons youth with unmet needs may not have access to community-based supports. For example, some youth may not be given that chance due to systemic biases, while other youth may experience institutional barriers like eligibility requirements, service deserts in the youth’s area, or long waiting lists.

There are also stark racial disparities. While pretrial detention admissions increased between FY23 and FY24 across all races, the rate of increase was steepest for Black and Latino youth. In FY24, Hispanic/Latino youth and Black youth were 2.47 and 2.08 times more likely to be detained pretrial than white youth, respectively. Additionally, the number of detention admissions for girls during this time increased 49%.

These concerning trends were also documented in the Board’s Pretrial Report. In the Board’s research for that report, stakeholders expressed concern that youth were being held due to factors outside of the alleged offense. This included factors such as inability to find an appropriate DCF placement for the youth if released, a parent/caregiver’s refusal to take a youth home from court, or other safety concerns a judge may have for a youth like if they are sexually exploited or at risk of running away from home.³⁹

The Board is concerned about the trends in system use of custodial process points, and **encourages the state to implement recommendations that the Board has made** in prior reports, specifically those aimed at reducing racial and ethnic disparities as well as the use of arrests and pretrial detention:

³⁹ The Board is exploring this concept in its ongoing “Dually Involved Youth” project.

- The state should **divert more youth pre-arraignment** by expanding opportunities for state diversion including supporting and expanding both the Massachusetts Youth Diversion Program and the list of offenses eligible for judicial diversion.
- The state should **improve how pretrial conditions of release are set and re-visited** throughout the pretrial process. This could include providing more guidance on when to set conditions for youth, re-developing the form used by the Juvenile Court when conditions are set for release, and/or providing more guidance on the process for revisiting pretrial conditions of release for youth and addressing violations.
- The state should **create a well-resourced continuum of interventions** across state entities (e.g., agencies within the Executive Office of Health and Human Services, Massachusetts Probation Service) **for supervision in the community** that meet the individual needs of each youth rather than pretrial detention.
- **Police departments should review internal data** to see if the disparities in arrests highlighted in this report and the Board’s 2022 report are replicated at the department and/or individual officer level to guide further practice recommendations.
- **Police departments should require officers to document *why* they decided to arrest a youth** instead of seeking a summons and publish their findings.
- **Police departments should re-examine which department policies and practices may be contributing to racial and ethnic disparities in arrests**, including policies and practices regarding how decisions on where (e.g., what neighborhood), when (e.g., during the day, in school, overnight), how (e.g., traffic stops, on foot patrol, in schools) and in what manner (e.g., use of stop & frisk techniques) police enforce public safety.

The state should also fully implement the juvenile provisions in the 2020 Policing Bill to address the increase in arrests for certain populations like Black youth, Latino youth, and girls. Specific provisions yet to be fully implemented include:⁴⁰

- The 2020 Policing Act requirement for all law enforcement agencies to be certified by the POST Commission regarding juvenile operations, among other procedures. This is ongoing work by POST Commission and, as of January 2025, POST has received public comment on its draft requirement for police department certification regarding juvenile operations. If the POST Commissions’ police department certification includes provisions on when to issue a summons, make an arrest, or divert a youth, as recommended by the

⁴⁰ Several other provisions have not been implemented in the 2020 Policing Bill. Those are listed in Appendix B.

Board's 2022 Report,⁴¹ the number of arrests could go down, and youth might be treated more equitably across the state.

- The 2020 Policing Act directs DESE to report school-based arrests, citations, and court referrals made each school year. DESE started reporting this data in 2020. However, data quality concerns remain given the small number of school districts reporting data and the very low counts reported by some large school districts.⁴² The Commonwealth does not currently have available data on where the increase in custodial arrests is taking place, and school-based data could provide an important piece of information for informed policy solutions.

Each year, the JJPAD Board relies on the data presented in this report to determine what new research projects or initiatives to launch. Previous annual reports informed the Board's ongoing work to make recommendations to prevent crossover from DCF to DYS. This year's data also indicates the need for a deeper dive into the data on justice system involvement of girls and Black/Latino youth, as well as county-level differences, to make further policy recommendations. The OCA will release additional analyses of these areas later this year.

⁴¹ [Massachusetts Juvenile Justice Policy and Data \(JJPAD\) Board](https://www.mass.gov/doc/racial-ethnic-disparities-at-the-front-door-of-massachusettsjuvenile-justice-system-understanding-the-factors-leading-to-overrepresentation-of-black-and-latino-youth-entering-the-system/download). (2022). Racial and Ethnic Disparities at the Front Door of Massachusetts' Juvenile Justice System: Understanding the Factors Leading to Overrepresentation of Black and Latino Youth Entering the System. <https://www.mass.gov/doc/racial-ethnic-disparities-at-the-front-door-of-massachusettsjuvenile-justice-system-understanding-the-factors-leading-to-overrepresentation-of-black-and-latino-youth-entering-the-system/download>

⁴² This data report can be found here: <https://profiles.doe.mass.edu/statereport/ssdr.aspx>

The Initial Stages of the Juvenile Justice System

If a youth is accused of committing an offense, a police officer has the option to:

- Issue a warning or formally divert the youth to a program.
- Physically arrest the youth, which is called a “arrest” (i.e., using handcuffs and placing a youth in a police cruiser and/or police lock up).
- Seek a summons for the youth to appear before the Court on a set day.

Massachusetts’ general law states that “a summons is the preferred method of bringing a juvenile to court.”⁴³ This is reiterated in the state’s Municipal Police Training Committee’s training and resource materials and in guidance issued by the Peace Officer Standards and Training (POST) Commission.⁴⁴ Police officers are instructed to reserve arrests for when an alleged offense threatens public safety, or if there is “reason to believe the child will not appear upon a summons.”⁴⁵

If a youth is arrested, they will be taken back to a police station. Youth cannot be held in a police lock-up facility for more than six hours, at which point the officer in charge must determine whether to request the youth be detained or released to a parent/guardian.⁴⁶ If this occurs at a time when the Juvenile Court is not in session, a youth may be held overnight or until the next business day if the arrest is on a weekend at a secure placement operated by or contracted by the Department of Youth Services (This is called an “overnight arrest”).

If an officer chooses to proceed by summons, they then file an application for complaint with the Juvenile Court. This is the first step of the Juvenile Court process. After review, or hearing, a Clerk Magistrate may issue a delinquency complaint. A Clerk Magistrate may decline to issue a delinquency complaint for a number of reasons, including if they believe there is not probable cause to find that the youth committed the alleged delinquent act, or if they choose to divert the youth from further court proceedings. As a result of the 2018 CJRA, Clerk Magistrates automatically dismiss cases in which youth are alleged to have committed their first misdemeanor offense away from the Juvenile Court.

Collectively, we refer to these initial steps taken by law enforcement and Clerk Magistrates as the “initial stages” of the juvenile justice system.

⁴³ [MGL c. 119 § 54](#)

⁴⁴ See: <https://399759da.rocketcdn.me/wp-content/uploads/2024/05/Youth-Guidance1298662.1.pdf>

⁴⁵ In certain instances, police officers do not have the option to seek a summons and must use an arrest (e.g., domestic violence offenses). For many offenses, however, police officers have the sole discretionary authority to decide whether to arrest a youth, seek a summons, or give them a warning or offer diversion. MPTC Legal Standards & Procedures for Police Interactions with Youth, September 2021.

⁴⁶ See: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter119/Section67>

Diversion

Diversion is a process that allows a youth who is alleged to have committed a delinquent offense to be directed away from formal juvenile justice system processing. Diversion is considered an alternative response to arrest and/or prosecution.

In general, diversion types can be divided into two categories:

1. **Informal diversion** can include any measure that turns youth away from the system, such as a police officer letting a youth go with a warning.
2. **Formal diversion** typically takes the form of a specific, structured program with eligibility and completion requirements. This may include an agreement with a youth that they will take a specific action, such as writing an apology letter, participating in a therapeutic program or performing community service.

In Massachusetts, four separate decision-makers – police, clerk magistrates, district attorneys, and judges – may apply formal and informal diversion practices at various points for youth involved with the system, from initial contact with police to pre-arraignment.

The point in the process at which youth are diverted matters: earlier use of diversion or case dismissal can reduce the length of time a youth is involved with the juvenile justice system and therefore help minimize some of the documented harmful effects to youth of contact with the justice system.⁴⁷

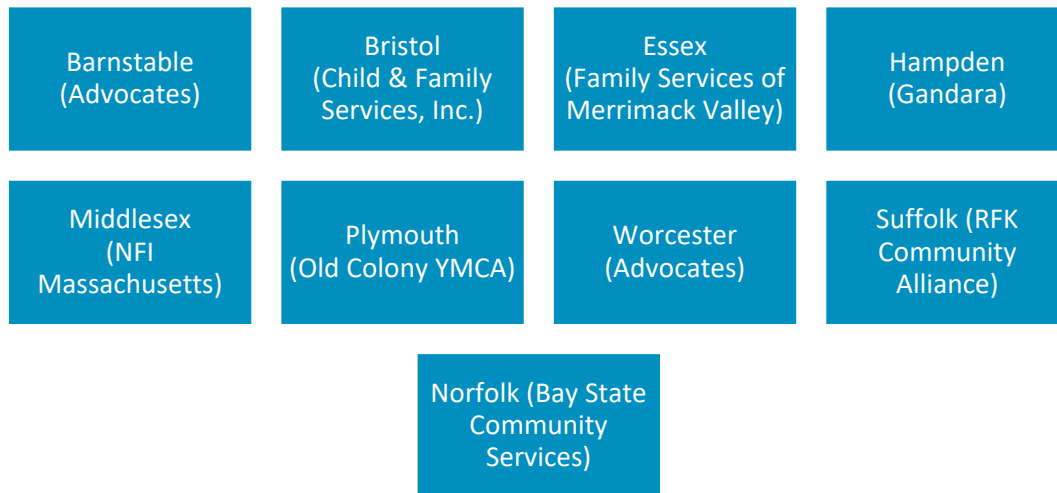
State Diversion: Massachusetts Youth Diversion Program (MYDP)

The Massachusetts Youth Diversion Program (MYDP) is a multiphase state-funded youth diversion initiative that provides high-quality, evidence-based programming that can serve as an alternative to arresting youth or prosecuting them through the Juvenile Court.

The MYDP is currently operational in seven counties and will be expanding to Norfolk and Suffolk County in early 2025 (Graphic 2).

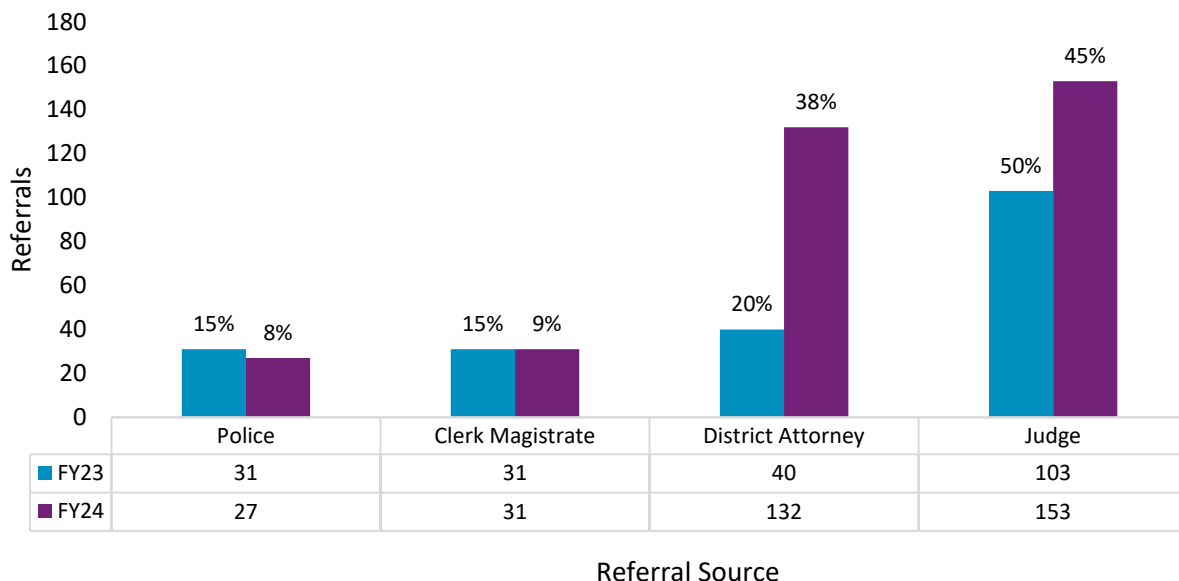
⁴⁷ Shah, S. & Strout, J. (2016). Future Interrupted: The Collateral Damage Caused by Proliferation of Juvenile Records. Juvenile Law Center. <https://jlc.org/resources/future-interrupted-collateral-damage-caused-proliferation-juvenile-records>; Vera Institute. (2022). The Social Costs of Policing. The Vera Institute. <https://www.vera.org/publications/the-social-costs-of-policing>; National Academies of Sciences, Engineering, and Medicine. (2022). The Impact of Juvenile Justice System Involvement on the Health and Well-Being of Youth, Families, and Communities of Color: Proceedings of a Workshop. Washington, DC: The National Academies Press. <https://doi.org/10.17226/2662>; Del Toro, J., Jackson, D. B., & Wang, M.-T. (2022). The policing paradox: Police stops predict youth's school disengagement via elevated psychological distress. *Developmental Psychology*, 58(7), 1402–1412. <https://doi.org/10.1037/dev0001361>; Holman, B. & Ziedenberg, J. (2022). The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities. The Justice Policy Institute. https://justicepolicy.org/wp-content/uploads/2022/02/06-11_rep_dangersofdetention_ji.pdf

Graphic 2: Massachusetts Youth Diversion Program Counties and Providers



In FY24, the MYDP received 343 referrals, representing a 67% increase in referrals from FY23. This increase was largely a result of a 230% increase in referrals from District Attorneys.

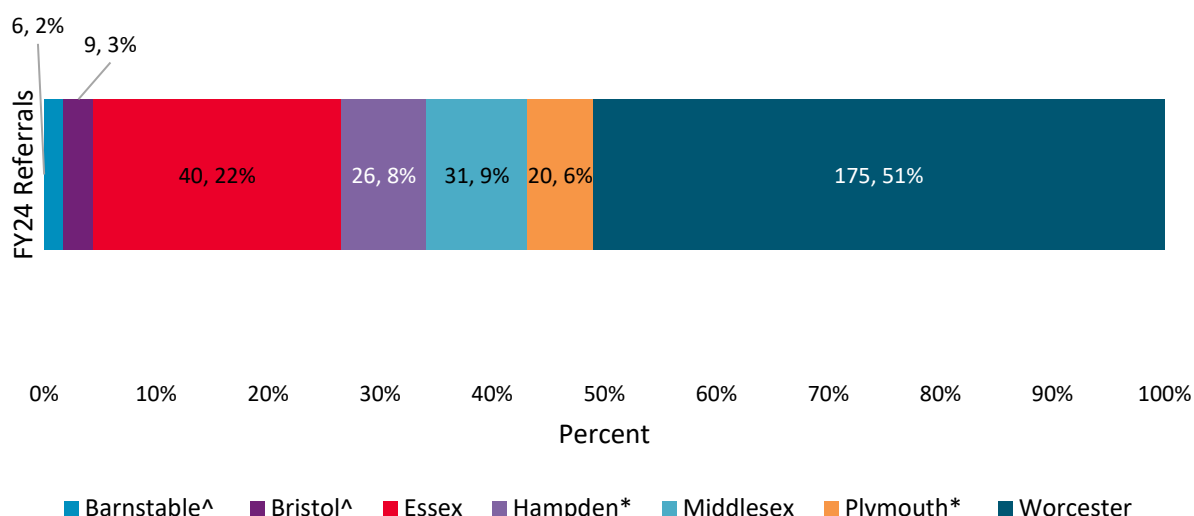
Figure 12:
MYDP Referrals by Referral Source (FY23-FY24)



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

Of the 343 referrals in FY24, a little more than half (51%, n=175) were from Worcester County.

Figure 13:
MYDP Referrals by County (FY24)



^ diversion site launched in FY24, * diversion site launched in FY23
Source: Data provided to the OCA by DYS' Department of Research

More than half (56%, n=192) of referrals in FY24 were for persons related offenses.

Police Diversion

Police may divert a youth instead of making an arrest or seeking a summons. Although the system that police use to report data to the state and federal government (the National Incident Based Reporting System, or NIBRS) has the ability to capture information on police-offered diversion, and some police departments do report it, there is no statutory requirement that departments report this data – and many do not. Due to the significant inconsistencies in police department reporting of their use of diversion/warnings, the Board does not include this data in our report.

Clerk Magistrate Process

If police proceed by seeking a summons,⁴⁸ and the alleged offense was a misdemeanor that occurred outside of police view or the police specifically request one, a clerk magistrate conducts a hearing (called a “magistrate hearing”) to decide whether to issue a delinquency complaint.⁴⁹ A delinquency complaint (otherwise known as a “delinquency filing” in subsequent sections of this report) may be issued by a clerk magistrate if probable cause is found on an

⁴⁸ A notice to a person alleging them of committing the specified delinquent offenses and ordering them to attend a hearing on a date certain.

⁴⁹ If a case is initiated by an arrest (as opposed to a summons; see the Applications for Complaint section below for this data), the case generally proceeds directly to a delinquency complaint without a formal magistrate hearing. See “About Applications for Complaint” here:

<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation>

application for complaint. A clerk magistrate may also choose to divert a youth's case at this point.⁵⁰

Clerk magistrates may decide not to issue a complaint for several reasons, including diversion, lack of probable cause, lack of jurisdiction, or failure to prosecute.⁵¹ Data is not available on the various reasons a complaint was not issued, and so the Board cannot report specifically on clerk magistrate use of diversion. Still, clerk magistrate diversion is the reason that some portion of these 4,959 cases did not result in a delinquency complaint being issued. Similarly, a portion of the cases are dismissed as a result of the 2018 CJRA, which requires that youth alleged of their first misdemeanor offense be diverted away from the system at this point.

More than half (57%, n=2,825) of all summons-initiated applications for complaint did not result in a delinquency complaint being issued in FY24.

Representation

Consistent with FY23, in FY24, youth were represented by an attorney in 11% of magistrate hearings (n=567).⁵² Youth with an attorney present at the magistrate hearing were more likely to have their complaint diverted/dismissed (64%, n=361) than youth who did not have representation (56%, n=2,464).

District Attorney Diversion

District attorneys may divert a youth pre-arraignment. In CY24, District Attorneys' Offices (DAOs) report⁵³ that DAOs diverted 5,427 delinquency cases across the state, a 33% increase from CY23 (n=4,094). In the same annual submission, the DAOs report the number of cases that were arraigned, which in CY23 DAOs report as 10,774, a 1% increase from CY23.⁵⁴

⁵⁰ See "Rules of Criminal Procedure, Rule 3" here: <https://www.mass.gov/rules-of-criminal-procedure/criminal-procedure-rule-3-complaint-and-indictment-waiver-of-indictment>

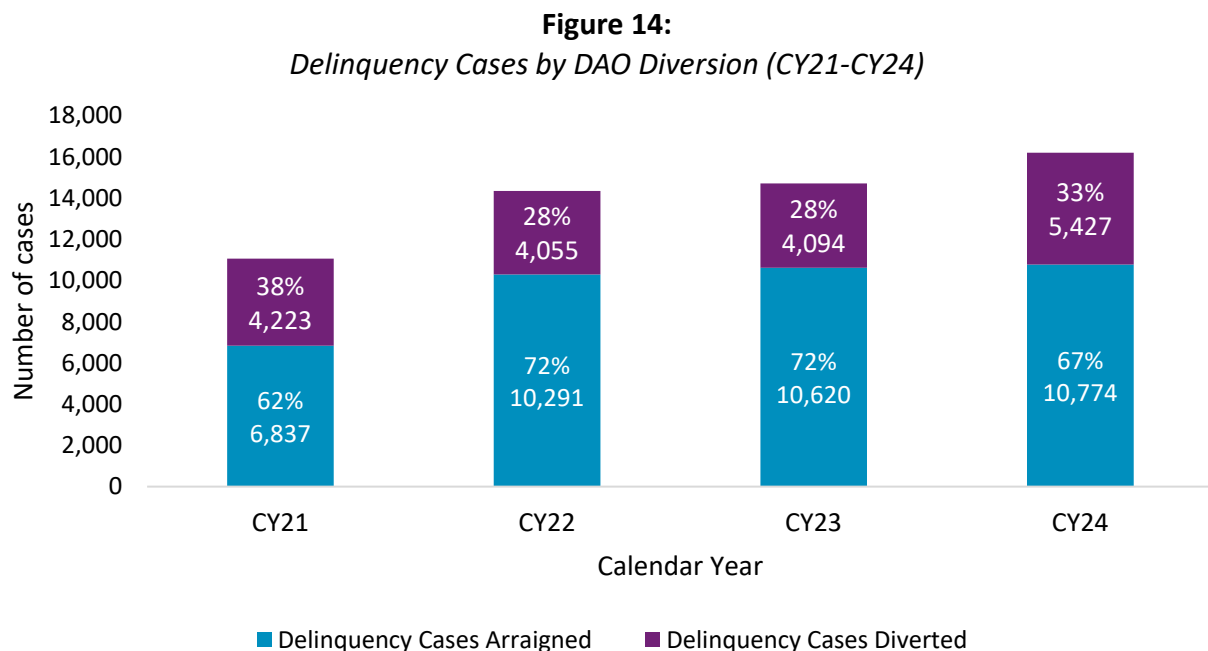
⁵¹ See "About Applications for Complaint" here: <https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation>

⁵² The Trial Court began to publicly report youth representation data in FY23.

⁵³ In 2021 (CY), the Legislature began publishing online annual reports submitted by District Attorneys across all eleven District Attorney Offices (DAOs), compiled by the MDAA. These reports detail the number of cases diverted/not charged each year by the underlying case type. Pursuant to item 0340-2100 of Chapter 24 of the Acts of 2021, the legislative language requesting this data directs DAOs, through the MDAA, to report the "number of cases reviewed but not charged." The DAO reports specifically list the cases as "diverted," but there is not a definition of what is meant by that term. As a result, the Board is unsure if the number reported is only cases diverted, or if it also includes cases that were reviewed but did not move forward for other reasons (e.g., lack of evidence or prosecutor decision to *nolle prosequi* a case). For all MDAA's reports submitted to the Legislature, see: <https://malegislature.gov/Reports/Search?searchTerms=mdaa>

⁵⁴ The number of arraignments reported by the DAO offices is significantly more than the number reported by the Trial Court (10,291 compared to 4,148). The arraignment data reported by DAO is reported by calendar year, while the arraignment data reported by the Trial Court is based on the fiscal year. This may account for some of the difference, but it is unlikely to account for an arraignment count that is nearly double what is reported by the Trial Court. Other possibilities may be that the DAO offices are defining an arraignment differently than the Trial Court, or, in situations where youth have multiple charges, counting each as a separate arraignment. The DAO report does not include a definition for arraignments.

The Board uses these two data points (number of cases arraigned and number of cases diverted) to derive an estimate of the percentage of delinquency cases each DAO diverted out of total delinquency cases in CY24.⁵⁵ (See Figure 14 below). Statewide, DAOs diverted an estimated 33% of cases in CY24, up five-percentage points from CY23.



Source: District attorney diversion data comes from the Legislature's website, which makes publicly available the Massachusetts District Attorneys Association's report providing prosecution data to the state (pursuant to item 0340-2100 of Chapter 24 of the Acts of 2021):

[https://malegislature.gov/Reports/20197/\(36\)%20Calendar%20Year%202024%20Prosecution%20Statistics%20Report.pdf](https://malegislature.gov/Reports/20197/(36)%20Calendar%20Year%202024%20Prosecution%20Statistics%20Report.pdf)

Judicial Diversion & Case Dismissals

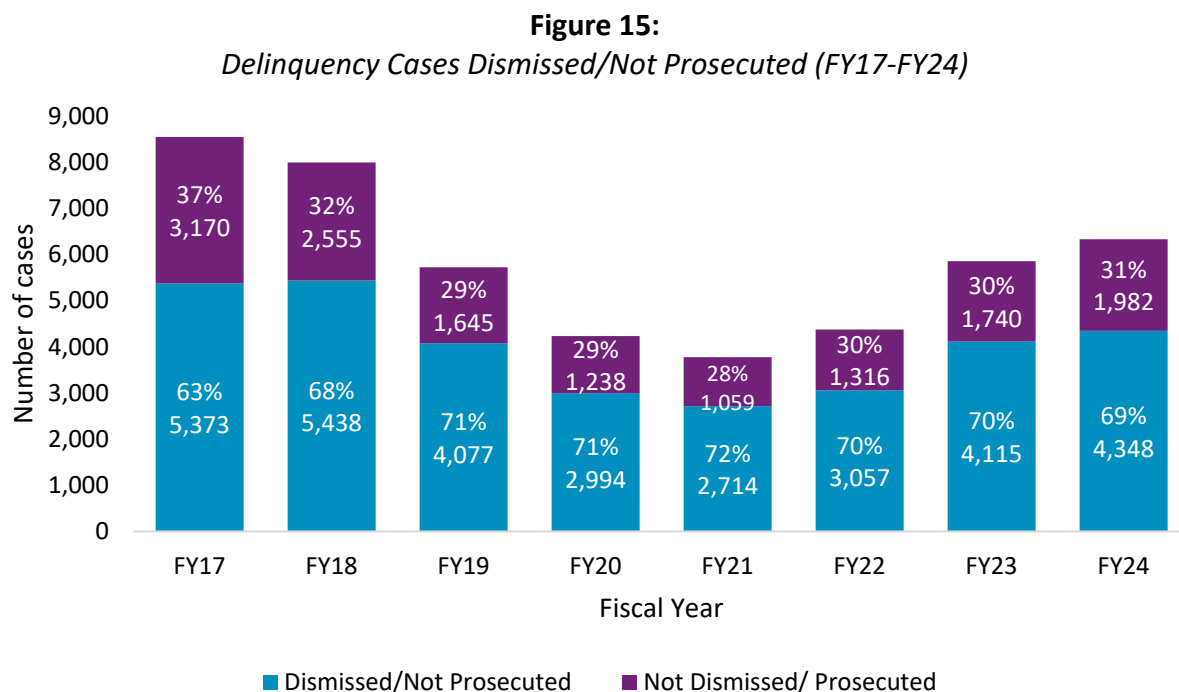
As a result of the CJRA, judges may divert youth pre-arraignment. The Trial Court reports the number of cases that are dismissed between the delinquency filing stage and the acceptance of a plea or conclusion of a trial but does not currently distinguish between cases dismissed due to diversion or for any other reason. The Trial Court also does not report whether the case was dismissed by a judge or withdrawn/*nolle prossed*⁵⁶ by a prosecutor. Cases may be *dismissed* for

⁵⁵ As noted above, we are unclear what definition of arraignment is being used in the DAO report. In particular, we are unclear if or how this data accounts for any cases diverted pre-arraignment by the judiciary. As a result, we list this as an *estimate* of the percentage of cases that were diverted.

⁵⁶ An entry on the record of a legal action denoting that the prosecutor will proceed no further in an action either as a whole or as to some count or as to one or more of several defendants. See: <https://www.merriam-webster.com/dictionary/nolle%20prosequi>

several reasons, including lack of probable cause or lack of sufficient evidence at any point pre- or during a trial.⁵⁷

In FY24, 69% (n=4,348) cases were dismissed/diverted between a delinquency filing and a plea/trial. The percentage of cases dismissed/not prosecuted has remained relatively consistent in recent years.

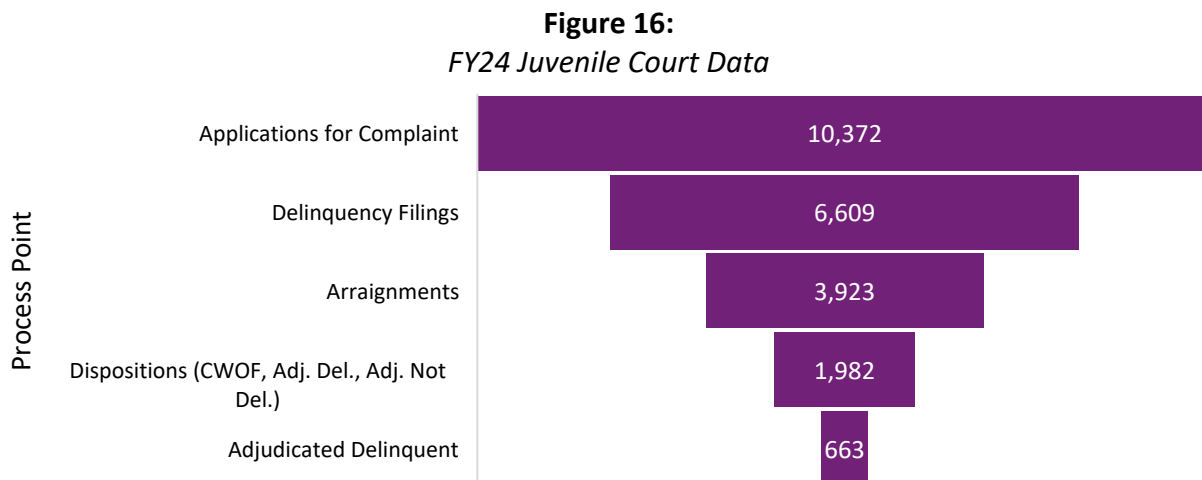


Source: Dismissal data retrieved 10/2024 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687>

As Figure 15 shows, most cases that enter the Juvenile Court are not disposed by a CWO, plea, or trial. This means that *most* youth who enter the Juvenile Court system have their case dismissed or diverted at some point.

⁵⁷ Cases may also be dismissed after successfully completing the terms of their probation in a CWO case, however the Juvenile Court reports CWO cases in the “Not Dismissed/Prosecuted” data below. The youth will not have a record of a delinquent adjudication if they successfully comply with the terms of the CWO, although the fact that they were arraigned and the case was Continued Without a Finding *will* appear on their record. A CWO can also be used as the basis for a “subsequent offense” charge.

In FY24 an estimated 81% of applications for complaint and 70% of delinquency filings were resolved prior to a CWO, plea, or trial during the same year.⁵⁸ Given the negative impact that court involvement can have on youth, this is, overall, a positive finding. (Although the Board notes that these rates are lower than last year, see Figure 16, below.)

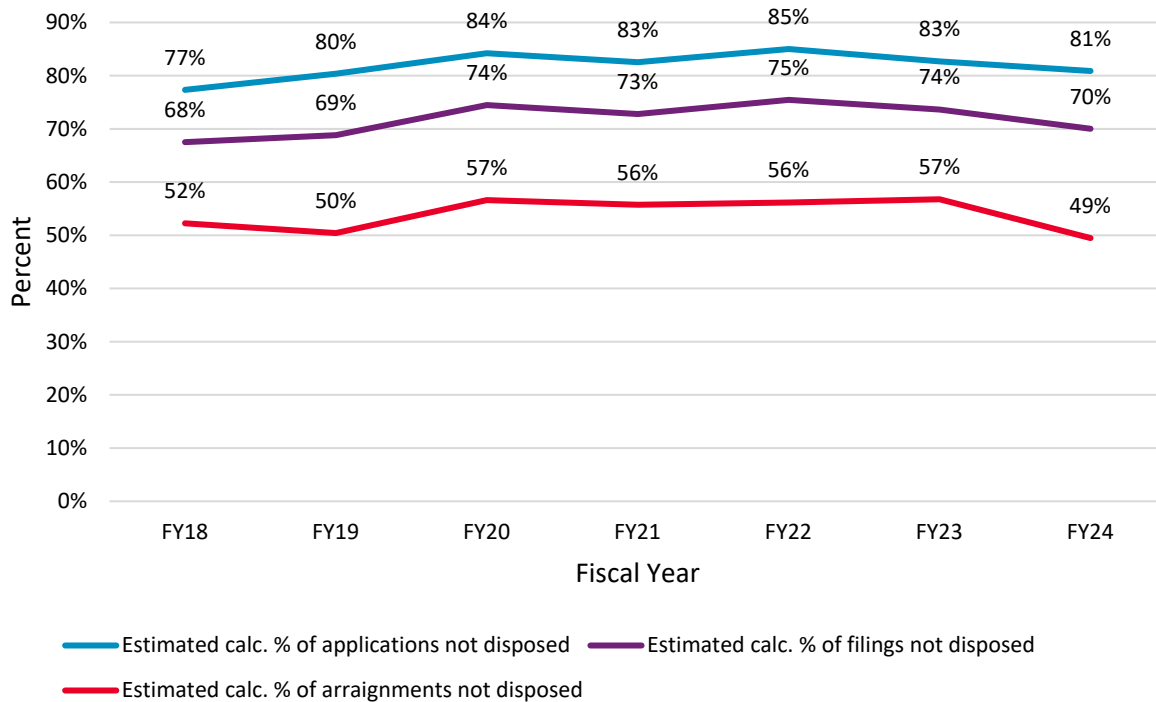


Source: Data retrieved between 10/2024 and 12/2024 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687>

However, the Board also finds that there are a significant number of youth who are arraigned but later have their charges dismissed (an estimated 49% of arraignments). This suggests that at least some of these youth could have been considered for diversion or case dismissal earlier in the process to avoid extended court involvement or be better served in their communities than through exposure to the juvenile justice system.

⁵⁸ It's possible the length of time it takes a case to process through the system may account for some of the difference between the number of cases coming into court compared to the number resolved by a CWO, plea, or trial.

Figure 17:
Estimated Percent of Cases Not Disposed (FY18-FY24)



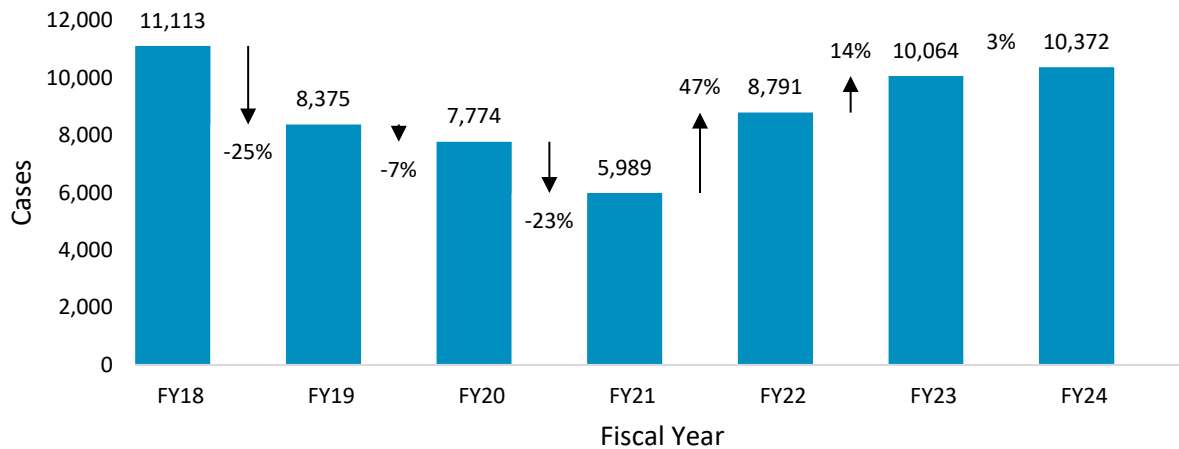
Source: Data retrieved between 10/2024 and 12/2024 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687>

Applications for Complaint

An application for delinquent complaint may be filed with the clerk magistrate's office when a police officer or other person believes a youth has committed a delinquent offense. The application for delinquent complaint includes a sworn statement of the alleged facts and is the first step in the court process. Due to inconsistencies in the reporting of arrest data, applications for complaint currently provide the most accurate measure of the total frequency of police-initiated court process.⁵⁹

⁵⁹ Due to significant data quality concerns, the Board does not include data from police departments on arrests. For a detailed explanation of these concerns, see the Board's 2022 Annual Report: <https://www.mass.gov/doc/jjpad-2022-annual-report/download> Instead, the Board reports this data based on the Trial Court's publicly reported data on the number of delinquency cases initiated by an arrest compared to a summons. See the "Applications for Complaint" section for this data.

Figure 18:
Applications for Complaint (FY18-FY24)



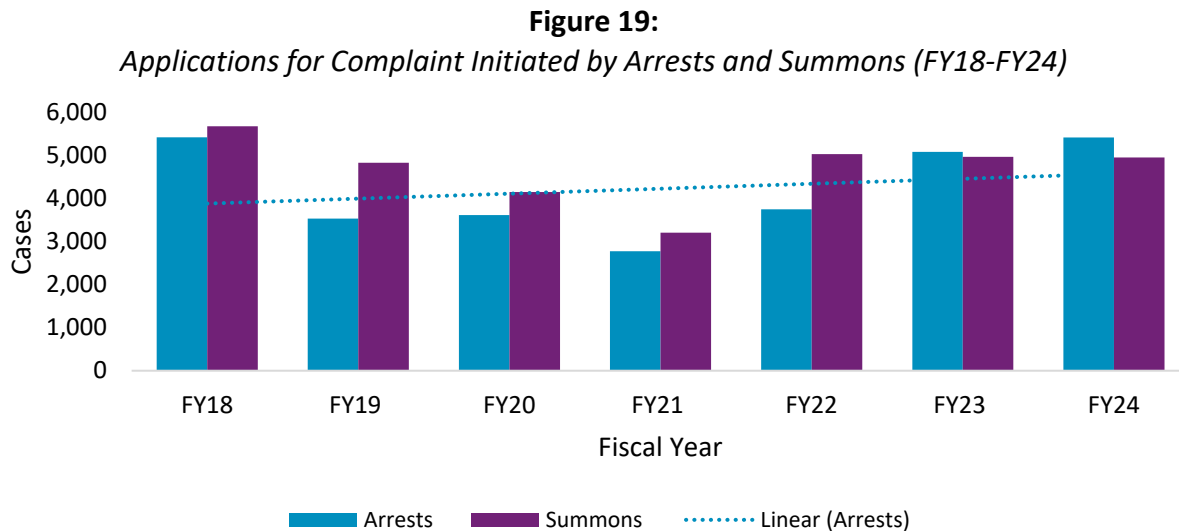
Source: FY17-FY23 data retrieved from the JJPAD's FY23 Annual Report; FY24 data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation>

In FY24, 10,372 applications for complaints were filed across the state – a 3% increase from FY23. This rate of increase is substantially lower than the 14% increase between FY22 and FY23. The number of applications is down 7% from pre-CJRA.

How Youth Enter the Juvenile Court Process: Arrests and Summons

If a youth is suspected of having committed a delinquent offense, a police officer may divert the youth, arrest the youth, or seek a summons for their appearance at the Juvenile Court. **Total applications for complaint, reported above, are a sum total of applications initiated by arrest and those initiated by summons.** This section breaks down data on applications for complaint based on how the complaint was initiated: either through an arrest or summons.

Between FY23 and FY24, there was a 7% increase in applications initiated by arrest, while there was no increase in applications initiated by summons. The number of applications initiated by arrest have reached their pre-CJRA implementation levels, while the use of summons has decreased 13% since FY18.



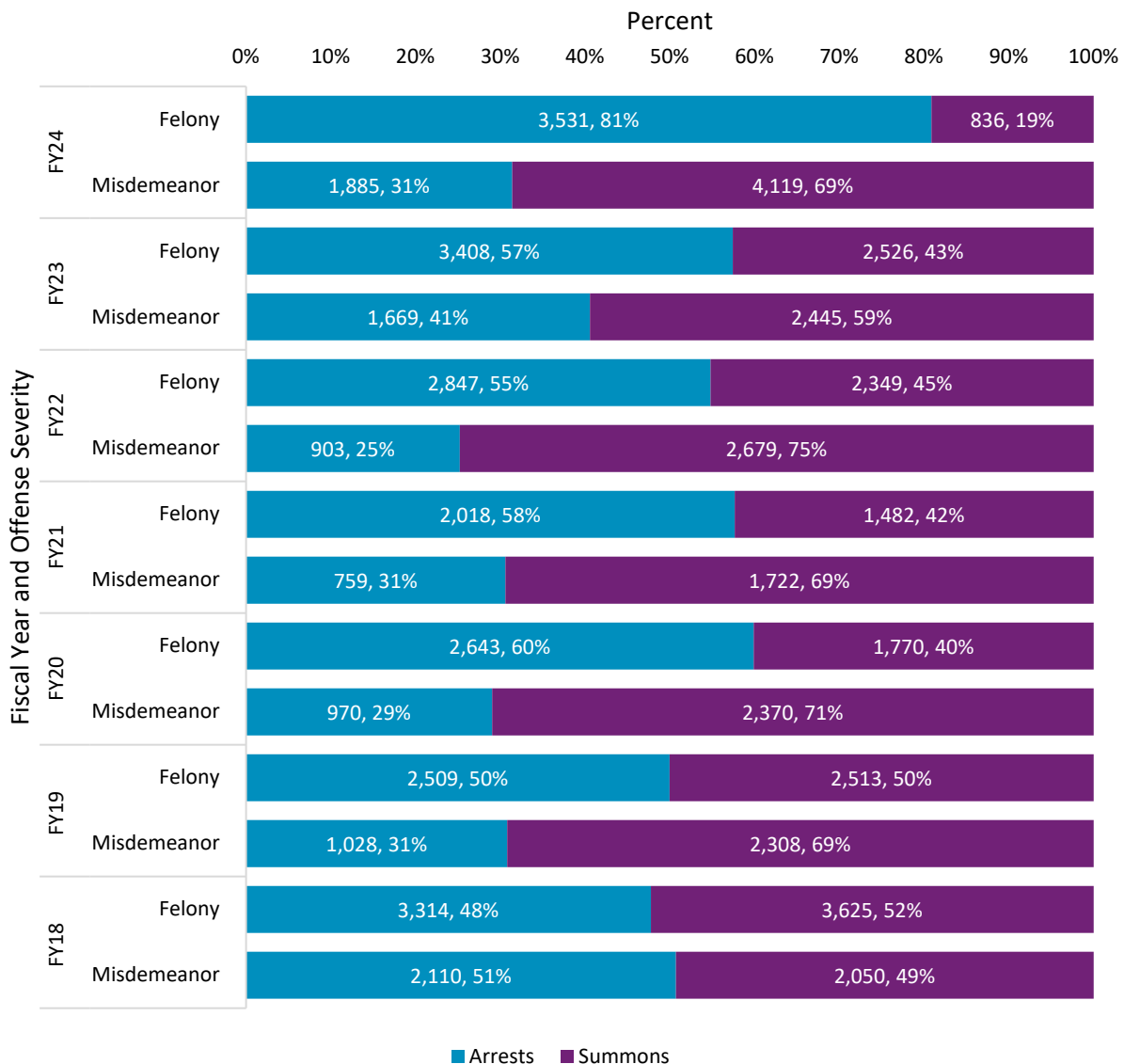
Source: FY18-FY23 data retrieved from the JJPAD's FY22 Annual Report; FY24 data retrieved on 1/2025 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation>

Arrests/Summons by Offense Severity

In FY24, more than 65% (n=3,531) of applications initiated by arrest were for underlying felony offenses, compared to only 17% (n=836) of applications initiated by summons. However, as was the case in FY23, there was a larger increase, 13%, in applications initiated by arrest for cases involving a misdemeanor compared to cases involving a felony (4%).

Further as Figure 20, below, highlights, the percent of arrests for underlying misdemeanor offenses has increased in recent years. For example, 35% of all arrests in FY24 were for misdemeanors, up from 29% in FY19.

Figure 20:
Arrests/Summons by Offense Severity (FY18-FY24)



Source: FY18-FY23 data retrieved from the JJPAD's FY22 Annual Report; FY24 data retrieved on 1/2025 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation>

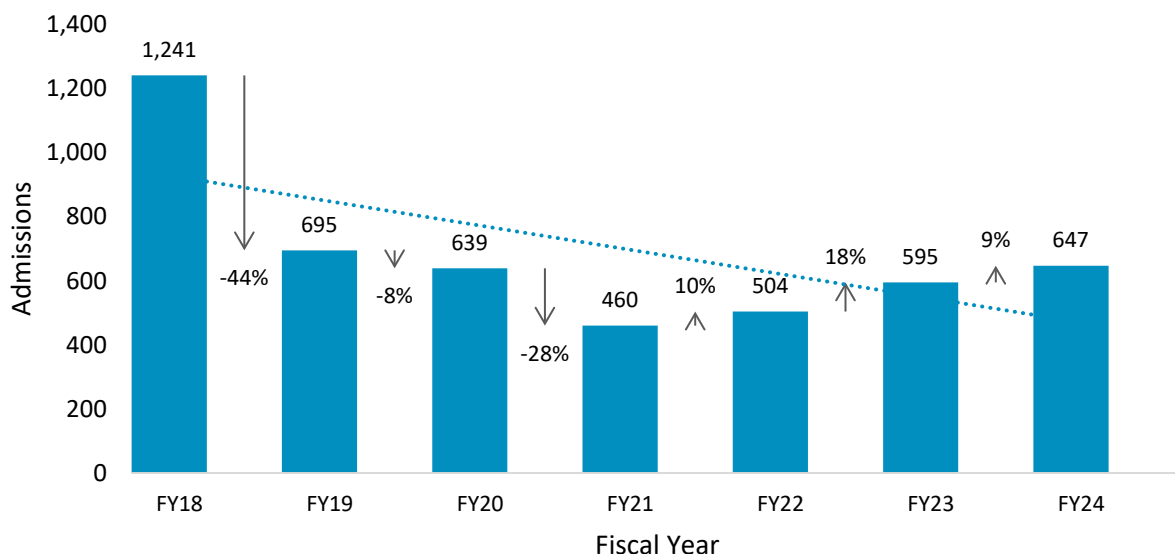
Overnight Arrest Admissions

When a youth under the age of 18 has been arrested by the police (either on a new offense or an active warrant) when court is not in session or after being held at a police station for six hours and court has subsequently closed for the day, the officer in charge has the options of referring the youth to DYS to be held as an “overnight arrest” placement (ONA) or releasing the youth. Youth under 21 with pending juvenile matters may also be referred for ONA placement,

if being held on the juvenile matter. If the officer in charge requests the youth be held at DYS, it is then up to the bail commissioner whether to set bail or release the youth to a parent/guardian. Youth are held in a secure placement operated or contracted for by DYS overnight or until the next court day. The ONA admissions data in this section provides further information on arrests. This is an important process point given the consequences arrest and detention, even for short periods of time, can have for a youth.⁶⁰

In FY24, there were 647 overnight arrest admissions across the state, a 9% increase from FY23. Despite the increase in admissions in FY23 and FY24, ONA admissions are down 48% since the CJRA was implemented.⁶¹

Figure 21:
Overnight Arrest Admissions (FY18-FY24)



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

Many youth admitted on an ONA are subsequently released after their first hearing once the court is back in session. Of the 647 ONA admissions in FY24, 49% (n=320) of overnight arrest admissions did not result in a detention admission. This means that approximately half of youth admitted on an ONA are arrested and then detained for anywhere between a couple hours to up to about four days, but ultimately released by a judge who decides the youth does not need to be detained pretrial. As the next section details, the majority of youth admitted to DYS overnight were arrested for lower-level offenses. Taken together, **this data suggests**

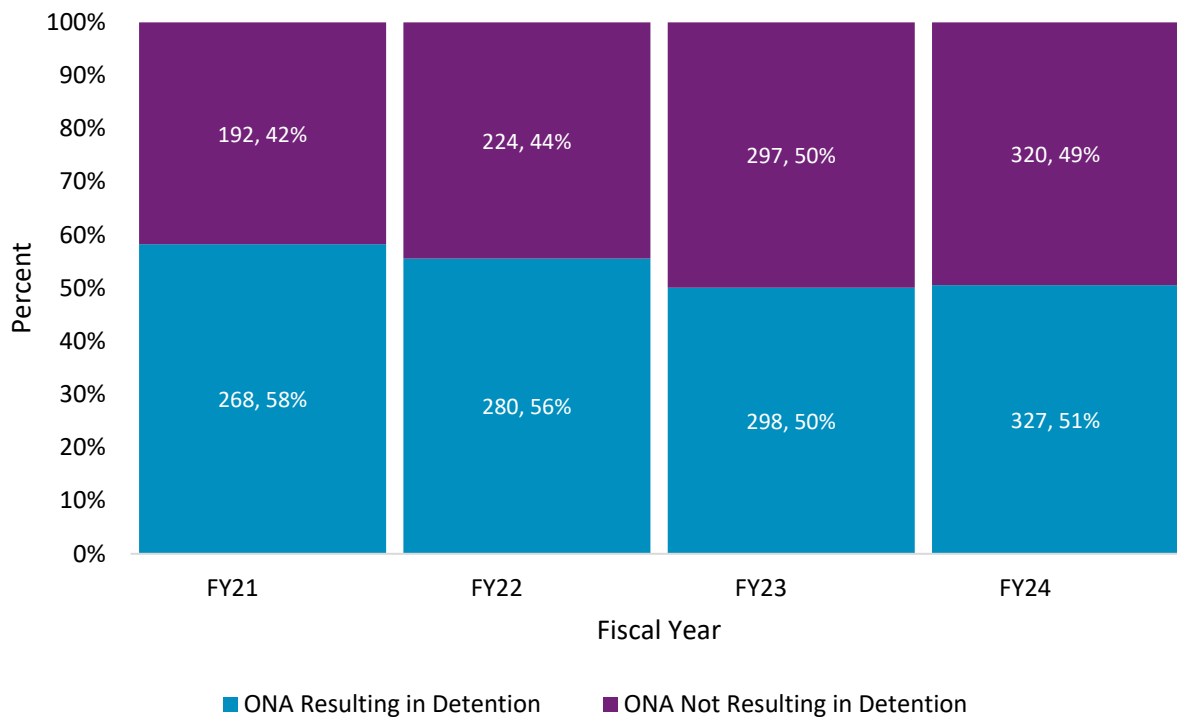
⁶⁰ Mendel, R. (2023). Why Youth Incarceration Fails: An Updated Review of the Evidence.

<https://www.sentencingproject.org/reports/why-youth-incarceration-fails-an-updated-review-of-the-evidence/>

⁶¹ The CJRA removed the requirement that police departments contact Probation when there is a written request to detain a child overnight.

opportunities for further diversion: be that away from the system entirely, or by issuing a summons instead of making a custodial arrest.

Figure 22:
Overnight Arrest Admissions (FY21-FY24)



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

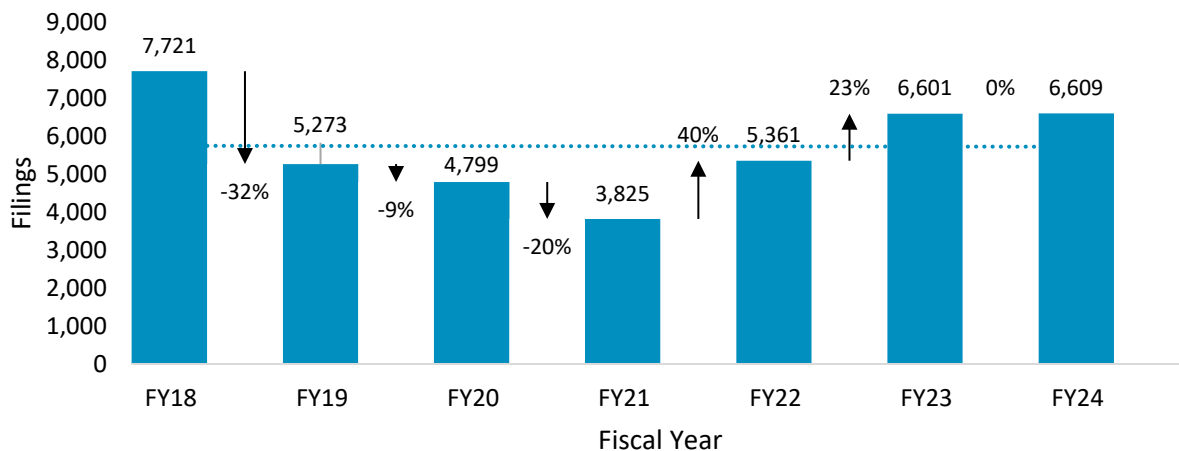
Delinquency Filings

A delinquency complaint is issued (called a “delinquency filing”) if a clerk magistrate finds probable cause to believe that a juvenile has committed the delinquent act detailed on the application for delinquent complaint and decides to “issue the delinquent complaint.” Clerk magistrates may also divert a youth instead of issuing a delinquent complaint (as detailed in the “Clerk Magistrate Diversion” section, above).

In FY24, there were 6,609 delinquency complaints issued. About two-thirds of applications for complaint resulted in a delinquency filing.⁶²

⁶² This is an estimate due to the fact that the Board does not have the data tracking individual cases over time. Some delinquency filings in FY24 may be a result of applications in FY23 and/or some applications in FY24 may become filings in FY25.

Figure 23:
Delinquency Filings (FY18-FY24)



Source: FY18-FY23 data retrieved from the JJPAD's FY23 Annual Report; FY24 data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation>

Between FY23 and FY24, delinquency filings increased by less than 1%. Following the same trends as applications, filings have decreased 14% since CJRA implementation.

Offense Severity at the “Initial” Stages of the Juvenile Justice System

Juvenile Court Data by Offense Severity

The Trial Court reports offense severity by classifying offenses as a *misdemeanor* offense or a *felony* offense. *Misdemeanor* offenses are relatively lower severity offense types, while *felony* offenses are more serious.

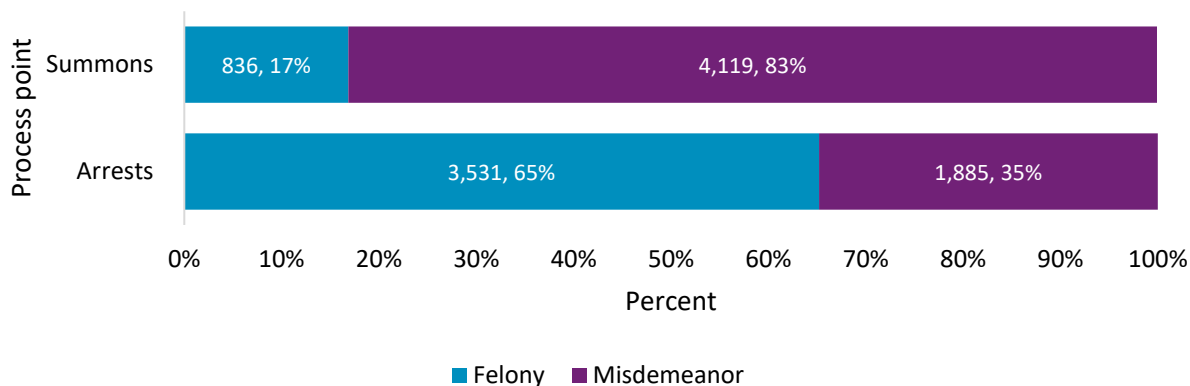
In FY24:

- A majority (58%, n=6,005) of applications for complaint were for misdemeanors.⁶³ However, between FY23 and FY24, applications for complaint for felonies increased at a higher rate than applications for complaint for misdemeanors (6%, an additional 253 applications, and 1%, an additional 71 applications, respectively).
- When looking at the data on *how* youth come to court, there has been much more variance in the percent of misdemeanors, compared to felonies, that come in via an arrests over the years.

⁶³ Applications for complaint may contain more than one charge. The data presented in this section reports the first charge that is entered into the case processing system and the corresponding measures (i.e., offense type, severity) for the first charge.

- 42% (n=2,807) of delinquency filings involved youth alleged of misdemeanor offenses.⁶⁴ Delinquency filings involving misdemeanor offense decreased by 2% (representing 54 filings) between FY23 and FY24, while cases involving felonies increased by 2% (an additional 62 filings). In FY24, more than a third of cases involved youth with a “lead charge” of Assault & Battery. This is consistent with recent years.

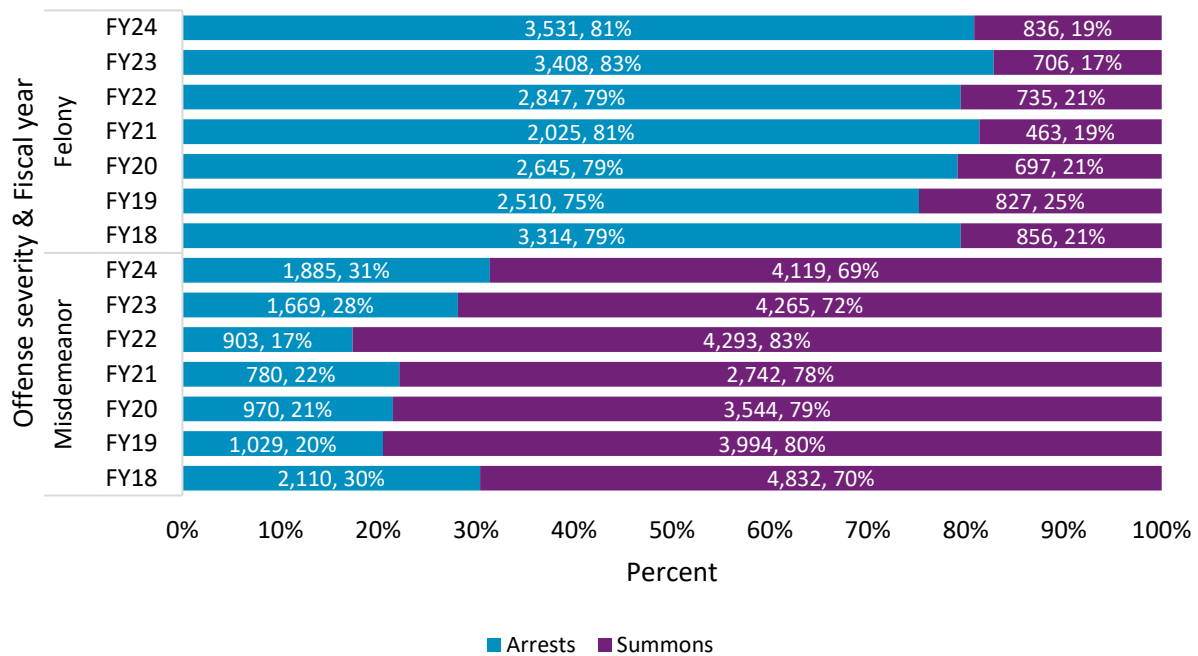
Figure 24:
Arrests and Summons by Offense Severity (FY24)



FY24 data retrieved on 1/2025 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation>

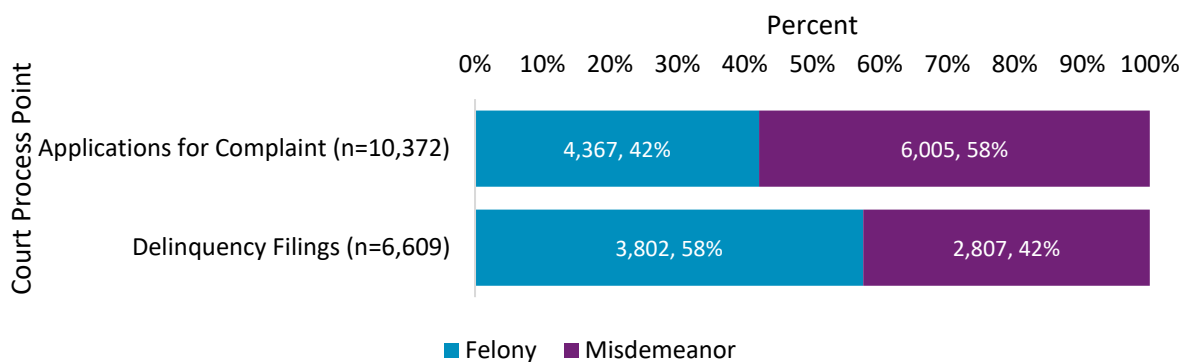
⁶⁴ The Juvenile Court reports “lead charges” and “all charges” for delinquency filings. The lead charge is often- though not always – the most serious charge alleged against the youth. Charges are presented at case filing, not disposition. For a detailed table of lead charges data, see Appendix C.

Figure 25:
Applications for Complaint by Case Initiation and Severity



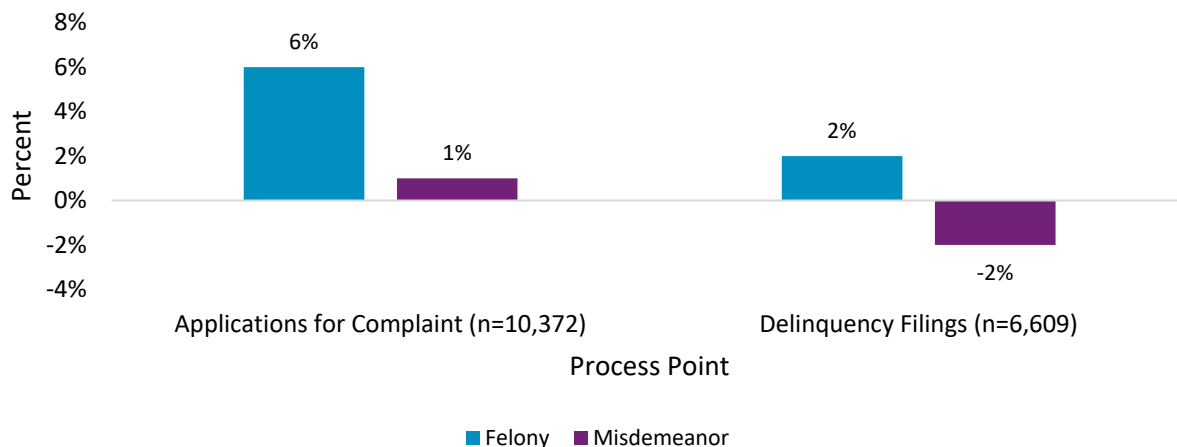
Source: FY24 data retrieved on 1/2025 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation>

Figure 26:
Court Process Points by Offense Severity (FY24)



FY24 data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation>

Figure 27:
Changes in Court Process Points by Offense Severity (FY23-FY24)

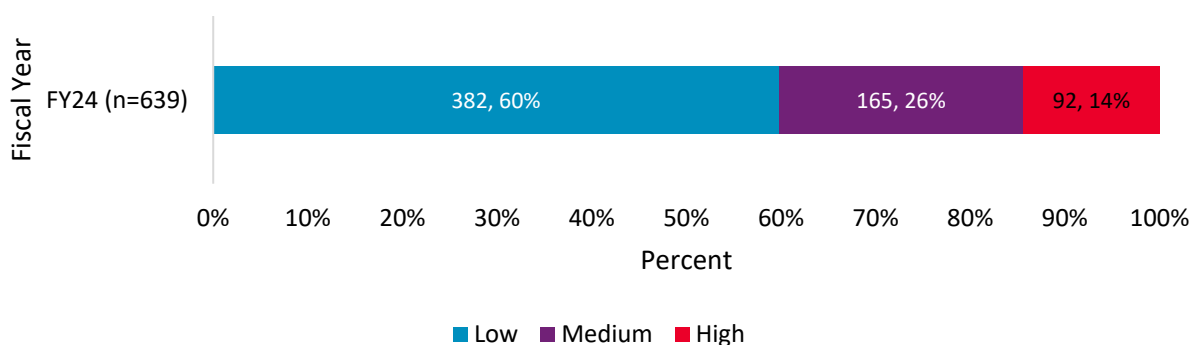


FY24 data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation>

Overnight Arrest Admissions by Offense Severity

DYS categorizes offense severity by “grid level.” This is a numeric representation, ranging from 1 (least serious) to 7 (most serious), based on adult sentencing guidelines.⁶⁵ Consistent with prior years, the majority (60%, n=382) of ONA admissions were for an alleged lower “grid” level offense. However, admissions for high “grid” level offenses increased by 35%, from 68 in FY23 to 92 in FY24.

Figure 28:
ONA by "Grid" Level (FY24)



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

⁶⁵ DYS measures offense severity by a numerical (1-7) “grid level.” Grid levels 1-2 are categorized as low, grid level 3= medium and grid levels 4-7 = high. The most common charge for a youth held in detention is assault & battery, which is classified as Grid Level 2 (low). Grid 2 can also include other assault and battery charges, such as assault and battery with a dangerous weapon (ABDW), no/minor injury. The charge type, which is determined by the District Attorney’s Office, is only one factor among many that the judicial system is legally required to consider when making decisions regarding pretrial detention. For more information on DYS’ grid level system, see Appendix E.

Arraignments and Pretrial Proceedings, Supervision & Monitoring, and Detention⁶⁶

Once a delinquency complaint is issued by a Clerk Magistrate and a delinquency filing is created, a prosecutor (called an “assistant district attorney”) determines whether there is sufficient evidence to officially charge or “arraign” a youth for a delinquent offense. A judge may also, upon motion, dismiss a complaint before arraignment based on the absence of probable cause. Once a youth has been arraigned, the incident will appear on a youth’s court record.

Following (and oftentimes at the same court hearing as) an arraignment, the court holds a bail hearing. Bail hearings may also be held if new information becomes available that may warrant a change in bail status. At this hearing, a judge makes a determination as to whether the youth is unlikely to appear for their court hearing (referred to as “risk of failure to appear” or “a flight risk”) and may set monetary bail, set other pretrial release conditions, and/or place the youth on pretrial monitoring and/or supervision to ensure their appearance in court.⁶⁷ Judges must consider the youth’s financial resources if they set bail.⁶⁸ If the youth is unable to post the monetary bail and/or meet other pretrial release conditions, they are held in detention before their trial (called “pretrial detention”). A judge may determine a youth is not a flight risk and therefore, bail is not needed, at which point the youth is released on their own “personal recognizance.”

Data on bail determinations for *all* youth is not currently available. Data on bail determinations for youth *ultimately admitted* to DYS and held on bail is detailed in the “Pretrial Detention” section below.

Further, youth charged with certain offenses can be detained pretrial if the prosecution moves for an order of pretrial detention based on dangerousness. Following a hearing, called a “58A hearing” or “dangerousness hearing,” a judge will determine if the court finds the youth “dangerous” and then makes the determination as to whether conditions of release will reasonably assure the safety of any other person or the community.⁶⁹ If a judge finds that no conditions of release will reasonably assure the safety of any other person or the community,

⁶⁶ As described in the “Massachusetts Juvenile Pretrial Phase” section above, this part of the juvenile justice system is the subject of the Board’s recent legislative report: <https://www.mass.gov/doc/improving-massachusetts-juvenile-pretrial-phase-an-assessment-of-the-current-pretrial-system-and-recommendations-for-improvement/download>

⁶⁷ *Querubin v. Commonwealth*, 440 Mass. 108, 113 (2003). *Commonwealth v. Pagan*, 445 Mass. 315 (2005). [M.G.L Chapter 276 §58](#).

⁶⁸ If neither nonfinancial conditions nor an amount the defendant can afford will adequately assure defendant’s appearance, the judge may set bail at a higher amount, but no higher than necessary to assure the defendant’s appearance. *Brangan v. Commonwealth*, 477 Mass. 691 (2017).

⁶⁹ See: M.G.L Chapter 276 §58A: <https://malegislature.gov/laws/generallaws/partiv/titleii/chapter276/section58A>

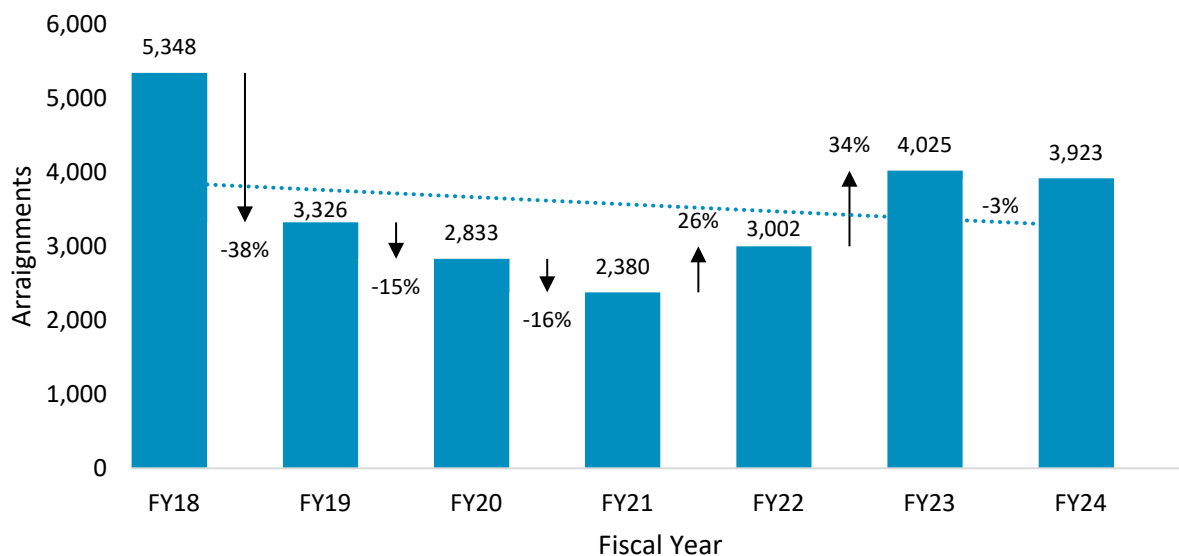
the youth is held for up to 120 days in detention prior to their trial.⁷⁰ A judge may also impose pretrial release with conditions as a result of a 58A Hearing.

Arraignments

An arraignment occurs when a youth is before the court and officially “charged” by a prosecutor with an offense.⁷¹ Once a youth has been arraigned, the incident will appear on a youth’s court record.

In FY24, there were 3,924 arraignments, down slightly from FY23 (-3%, representing 102 fewer arraignments) and down 27% from pre-CJRA.

Figure 29:
Arraignments (FY18-FY24)



Source: FY18-FY23 data retrieved from the JJPAD’s FY23 Annual Report; FY24 data retrieved on 10/2024 from the Massachusetts Trial Court’s Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/JuvenileCourtCasesAraigned/CountyMapCharacteristics>

In FY24, the most frequent “lead charge” was for assault and battery. Assault and Battery charges have been the most frequent “lead charge” in delinquency cases since FY19, the earliest year for which the Board has data.⁷² The JJPAD Board notes that in some cases, the underlying conduct leading to an assault & battery charge can be more serious – and, in some

⁷⁰ If youth are detained pretrial as a result of a dangerousness hearing, they cannot be held for more than 120 days without being brought to trial. However, certain court processes (e.g., filing certain motions) can “pause” the clock tracking how long youth are detained as a result of a dangerousness hearing (this is referred to as “tolling time”). As a result, youth can be held pretrial beyond the 120 days outlined in the statute prior to their case being brought to trial.

⁷¹ On rare occasions when there is no judicial coverage, clerks can also conduct an arraignment.

⁷² For more information on Lead Charges, see Appendix C of this report, or see <https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtChargesDashboard/AllCharges>

cases, due to the nature of the charge, family members may refuse to take a youth home from court.

How Many Youth are Detained at an Initial Arraignment?

In FY24, there were 3,919 decisions made as to whether to detain a youth or release them at the initial arraignment.

Of those decisions, 14% (n=537) were ordered to be detained. Of the 537 cases in which the youth was detained:

- 85% (n=455) involved an alleged underlying felony offense compared to 64% (n=2,157) of youth not detained at initial arraignment
- 51% (n=274) involved an underlying person-related offense compared to 49% (n=1,665) of youth not detained at initial arraignment
- 20% (n=105) involved an alleged weapons offense compared to 5% (n=168) of youth not detained at initial arraignment

Source: Data on youth not detained and detained at the initial arraignment appearance retrieved 10/2024 from the Massachusetts Trial Court's Tableau Public page

<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsJuvenileCourtDelinquencyInitialBailDecisions/InitialDecisionsbyDivision>

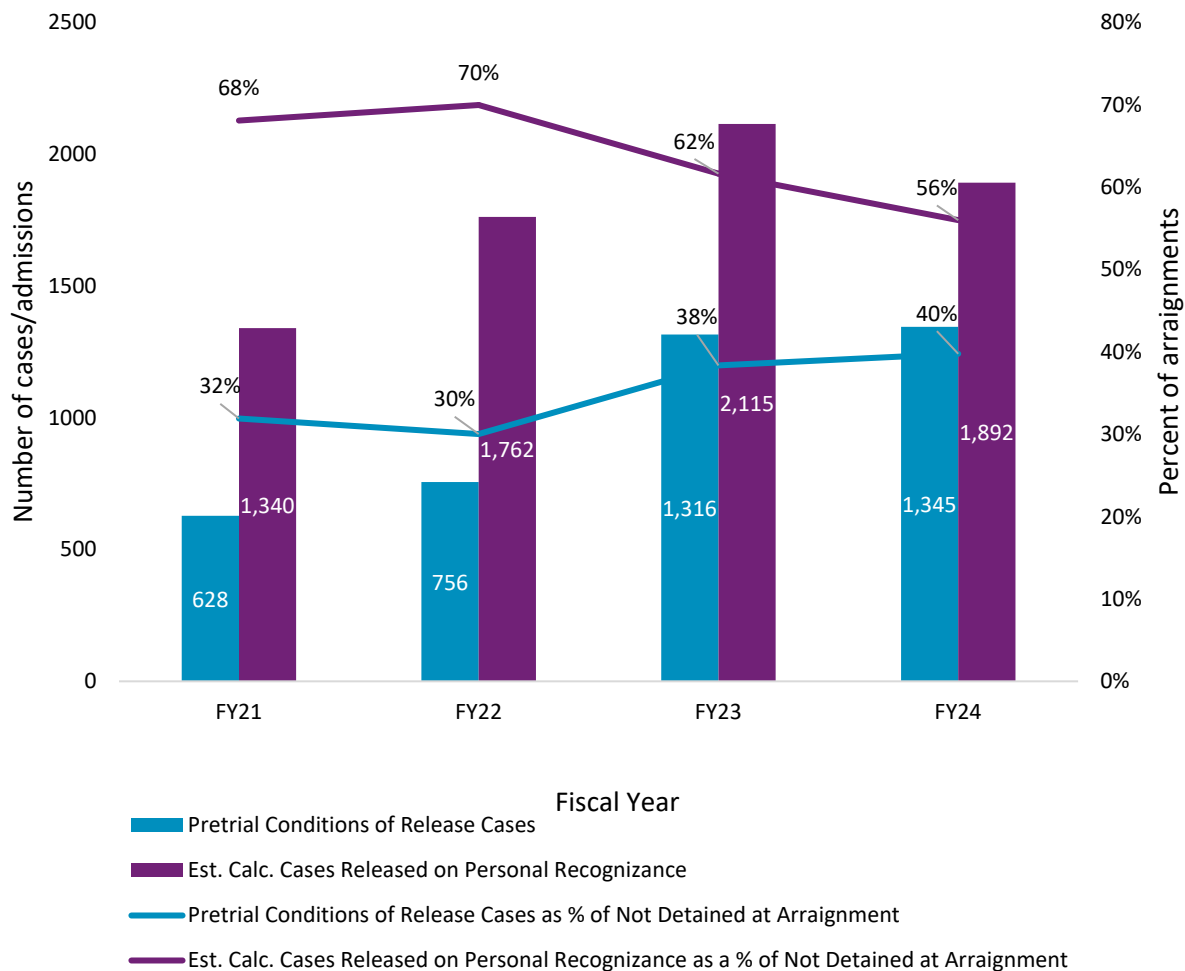
Personal Recognizance

At arraignment, the youth may be given a bail warning by the judge and leave court on their own “personal recognizance” (referred to as “PR”), meaning the youth is released from court with the promise that they will return for future court hearings.⁷³

In FY24, youth were initially released on PR in an estimated 56% (n=1,891) cases, down from 62% (n=1,340) in FY23.

⁷³ A bail warning at arraignment informs youth that if they are charged with a new offense while their case is pending their bail may be revoked, and as a result, the youth will be detained.

Figure 30:
Pretrial Cases Where Youth were not Initially Detained (FY21-FY24)



Source: Conditions of release data provided by the Massachusetts Probation Service’s Department of Research. Personal recognizance cases are an estimated calculation by OCA by subtracting the number of COR and from the total number of cases not held at arraignment reported by the Trial Court on its public dashboards.

Pretrial Monitoring & Supervision⁷⁴

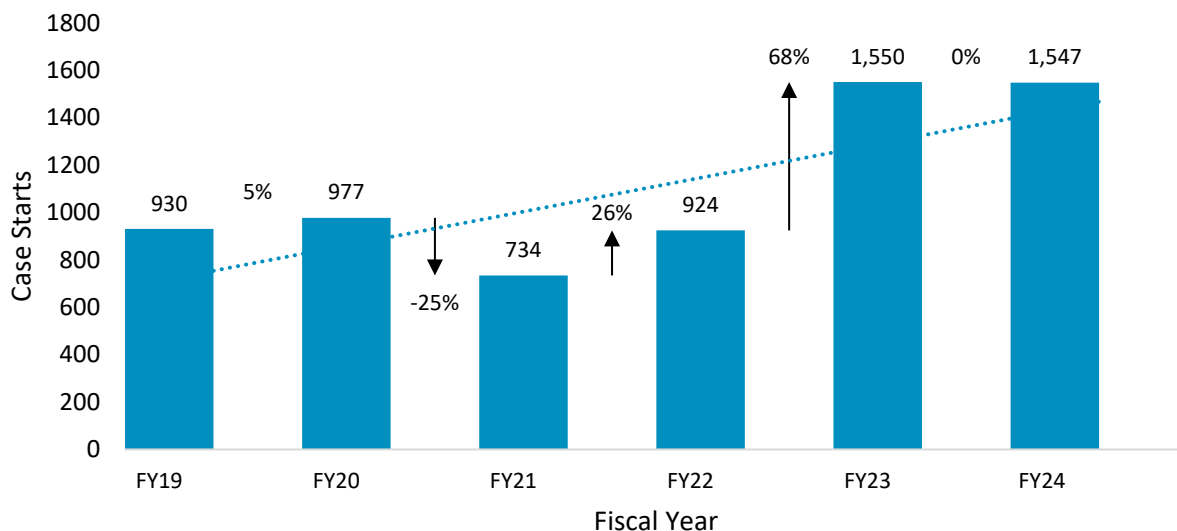
After arraignment, a youth may be placed on pretrial monitoring and/or supervision, which is provided by the Massachusetts Probation Service (MPS). In FY24, 1,547 new pretrial monitoring and supervision cases started.⁷⁵ This is a less than 1% decrease from the 1,550 case starts in FY23.⁷⁶

⁷⁴ MPS “monitors” youth under “category A” supervision and provides “supervision” to youth under “category B” supervision. This applies to youth placed on pretrial probation as a disposition as well as those on conditions of release.

⁷⁵ An individual youth can have more than one pretrial monitoring and supervision case.

⁷⁶ The Board does not have data on pretrial monitoring and supervision case starts prior to FY19.

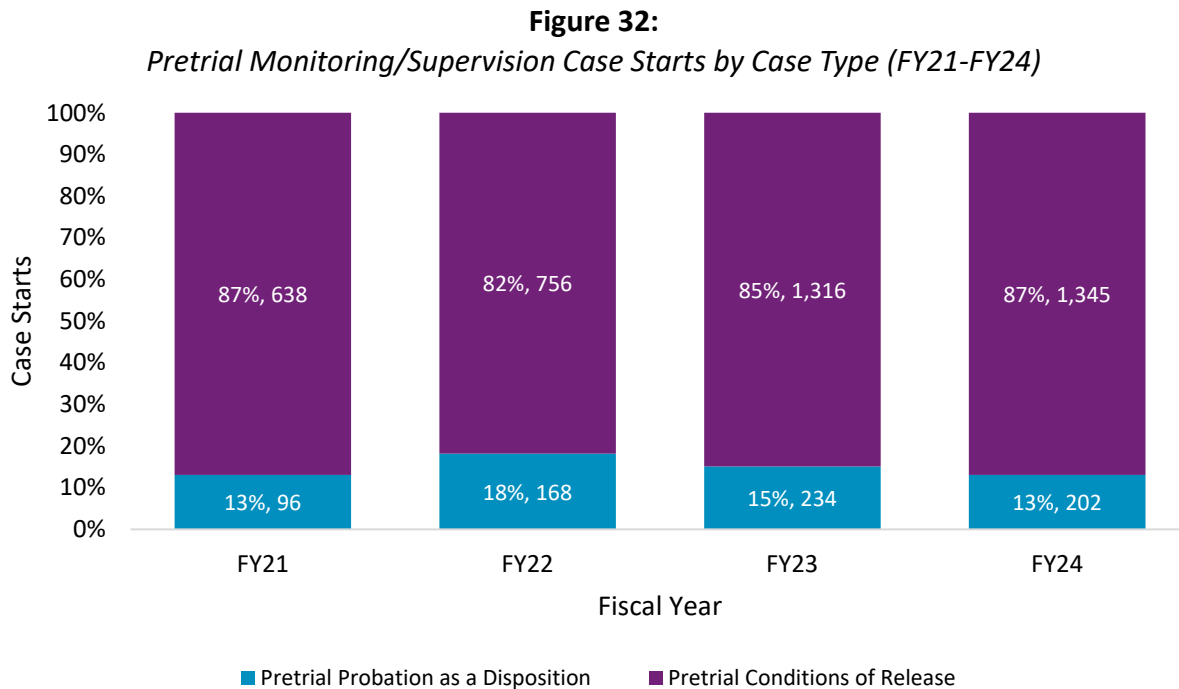
Figure 31:
Pretrial Monitoring/Supervision Case Starts (FY17-FY24)



Source: Data provided to the OCA by the Massachusetts Probation Service's Department of Research

There are two different types of pretrial monitoring and supervision cases:

1. **Pretrial Conditions of Release:** depending on the court's order, probation either monitors the pretrial conditions or actively supervises the individual to ensure compliance with the conditions of release from pretrial detention while their case is pending, and they remain in the community.
2. **Pretrial Probation as a Disposition:** Youth can be placed on pretrial probation as a "disposition" post-arraignment by a judge. If the youth complies with all of the conditions of their pretrial probation, the matter will ultimately be dismissed by the prosecution. If the youth fails to comply, the prosecution of the matter may resume (at the discretion of the district attorney).



Source: Data provided to the OCA by the Massachusetts Probation Service's Department of Research

The majority of MPS pretrial cases are for youth who have pretrial conditions of release. This has been consistent over the past four years. Between FY21 and FY24, the number cases in which youth were monitored on pretrial conditions of release increased 53%.

For a deeper dive into the juvenile pretrial phase, check out the Board's 2025 report: [Improving Massachusetts' Juvenile Pretrial Phase](#)

There are two types of supervision levels for youth:⁷⁷

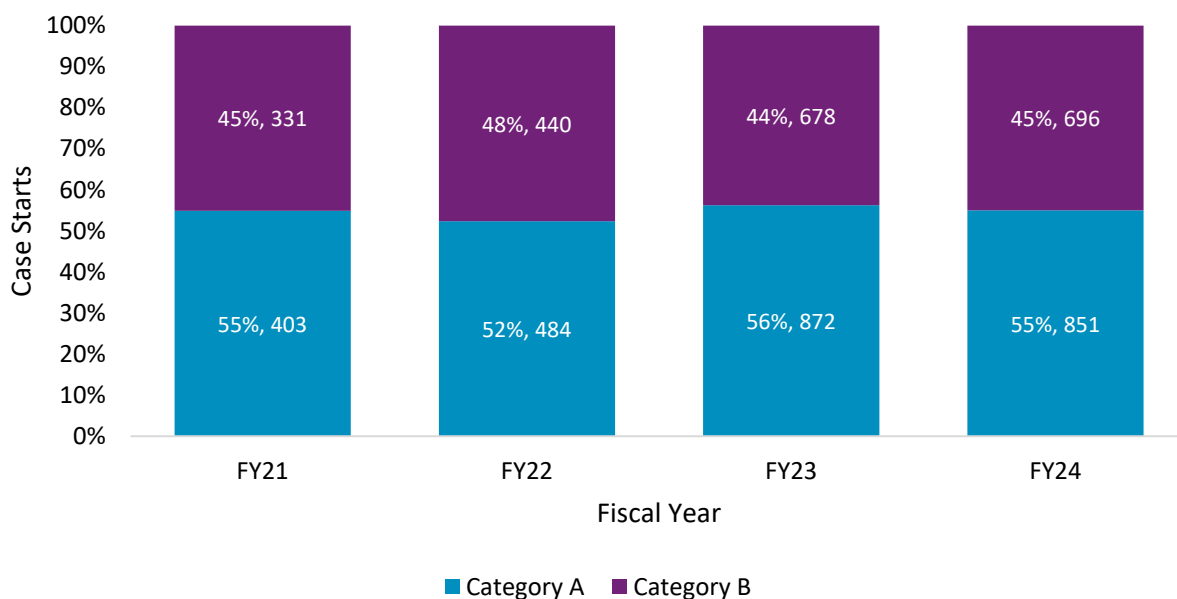
- Cases that are monitored by MPS are pretrial cases that are not actively supervised by a probation officer at the local level. Rather, they are monitored by the statewide Pretrial Unit. Youth with pretrial cases monitored by MPS have conditions set under a category called **"Category A."** Examples of Category A conditions include:
 - Obey all laws and court orders
 - Obey any no contact or stay away orders
 - Refrain from illegal drugs, recreational marijuana, and/or alcohol
- Cases that are supervised by MPS are pretrial cases that are actively supervised by a probation officer at the local level. Youth with pretrial cases supervised by MPS have

⁷⁷ Pretrial probation is defined as the probationary status of a defendant pursuant to a probation order issued prior to a trial or the formal submission and acceptance of a plea of guilty or an admission to sufficient facts, as provided in G.L. c. 276 sec. 87. *Rule 2 District/BMC Court Rules for Probation Violation Proceedings.*

conditions set under a category called “**Category B.**” Examples of Category B conditions include:

- Drug testing
- Cooperate with mental health and/or substance use treatment
- GPS monitoring
- Home confinement

Figure 33:
Pretrial Monitoring/Supervision Case Starts by Supervision Level (FY21-FY24)



Source: Data provided to the OCA by the Massachusetts Probation Service’s Department of Research

Consistent with prior years, more than half (55%, n=851) of pretrial case starts were monitored by MPS’s statewide pretrial unit. The Board does not have data documenting the type and distribution of pretrial conditions youth in either “Category” are required to follow.

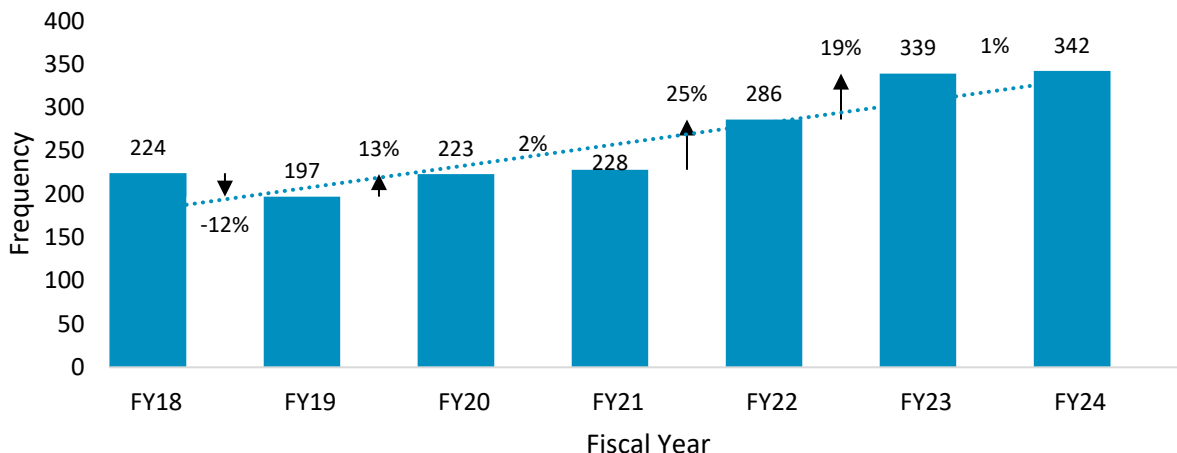
58A “Dangerousness” Hearings

A prosecutor may move for a “58A hearing,” also called a “dangerousness hearing,” if they believe the youth is a threat to public safety if released pretrial.⁷⁸ If a judge finds a youth to be dangerous and there are no conditions that would assure a youth and the community’s safety, the youth is held in detention prior to their trial.⁷⁹

⁷⁸ See: M.G.L Chapter 276 §58A <https://malegislature.gov/laws/generallaws/partiv/titleii/chapter276/section58A>

⁷⁹ If youth are detained pretrial as a result of a dangerousness hearing, they cannot be held for more than 120 days without being brought to trial. After 120 days, the law states that youth should be released from detention. However, there are a

Figure 34:
58A "Dangerousness" Hearings (FY18-FY24)



Source: FY18-FY23 court data retrieved from the JJPAD's FY23 Annual Report; FY24 court data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtDangerousnessHearings/MainDashboard>

In FY24, there were 342 58A Hearings held, representing a 1% increase from FY23. Following a 12% decrease in the number of hearings one year into CRJA implementation, the number of 58A hearings held has increased each year since FY19. This has resulted in a 53% increase in the number of hearings held in FY24 compared to FY18.

It is important to note that the Board does not have data on the outcomes of these hearings, which makes it difficult to assess whether this increase is due to either or both of the following reasons:

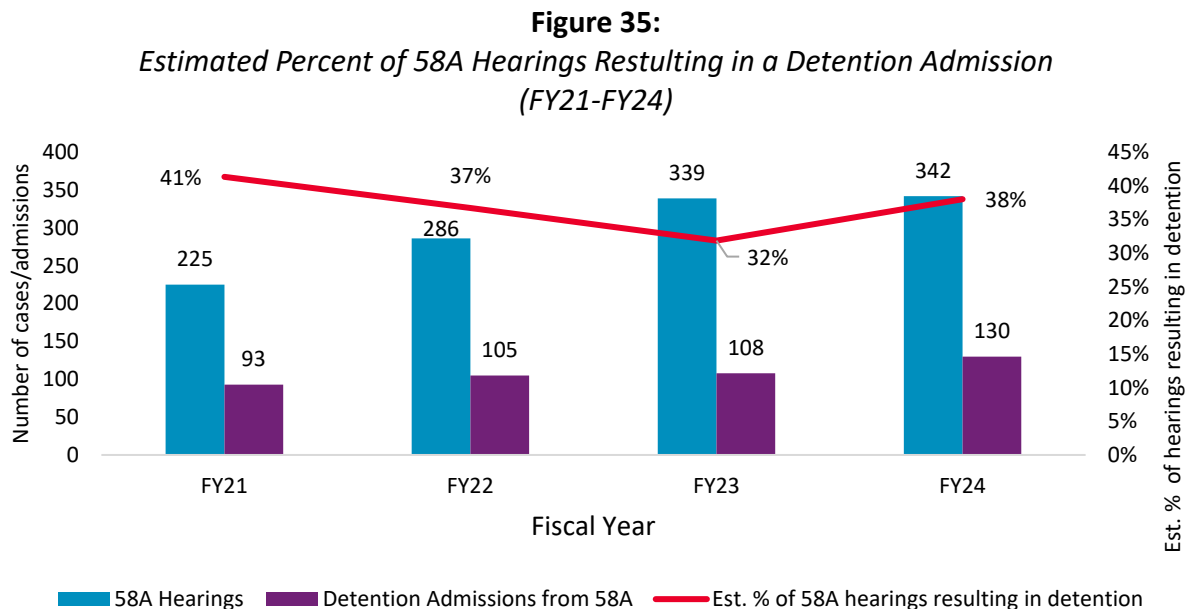
- An overall increase in severity of the types of cases coming into Juvenile Court.
- A change in prosecutorial decision-making on when to motion for a 58A Hearing, and to what degree that may be influenced by the 2017 SJC decision that narrowed the circumstances for which the prosecution asks for and a judge sets cash bail.⁸⁰

Although data on the outcomes of hearings is not available, the Board can calculate a rough estimate of the number of 58A Hearings in Juvenile Court that result in a pretrial detention admission that same year. Data on detention admissions from DYS indicates that in FY24,

variety of legal reasons youth may be (and, indeed, are) held beyond 120 days. See Finding 3 of the Board's report on the Massachusetts' Juvenile Pretrial Phase": <https://www.mass.gov/doc/improving-massachusetts-juvenile-pretrial-phase-an-assessment-of-the-current-pretrial-system-and-recommendations-for-improvement/download>

⁸⁰ [Commonwealth v. Brangan](#)

approximately 38% (n=130) of dangerousness hearings resulted in a detention admission – an increase from 32% in FY23.⁸¹



Source: Detention admission data provided to the OCA by DYS' Department of Research; FY18-FY23 court data retrieved from the JJPAD's FY23 Annual Report; FY24 court data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtDangerousnessHearings/MainDashboard>

Pretrial Detention

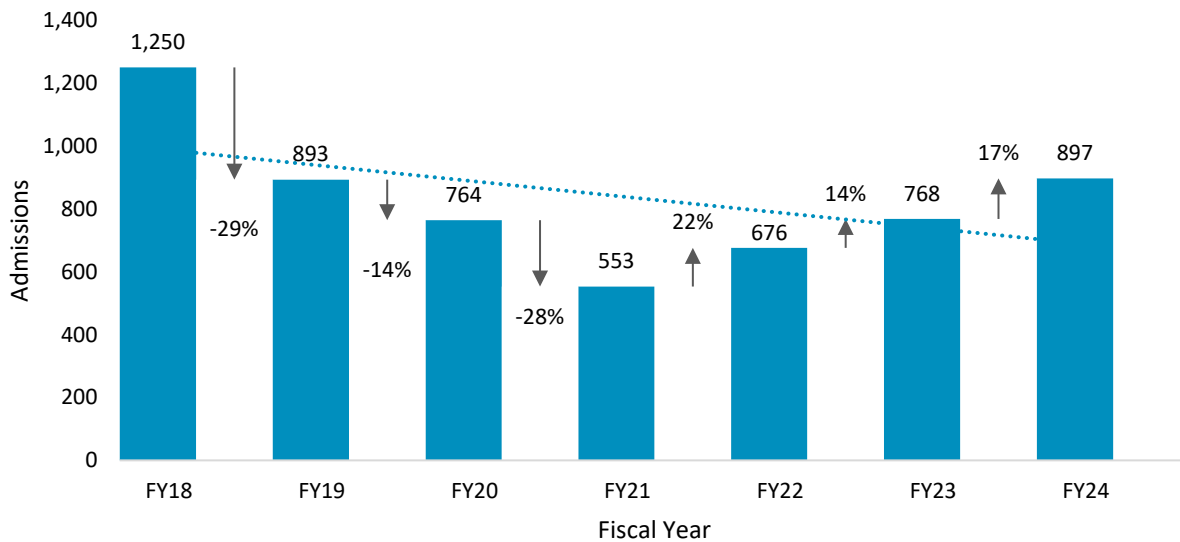
A youth can be committed to the physical care of DYS (commonly referred to as “detained youth”) for the following reasons:

- If a judge finds no conditions of release will reasonably assure the safety of any person(s) or the community to release the youth pretrial as the result of a 58A (“Dangerousness”) Hearing
- If they are unable to make the cash bail and/or the condition(s) of release that has been set for them (e.g., release to a parent only, release to DCF only)
- If their bail or personal recognizance was revoked after previously being released from detention
- As a result of a post-adjudication probation violation hearing

⁸¹ This is an estimate derived by taking the number of detention admissions under 58A (as reported by DYS) and dividing it by the total number of 58A hearings held (as reported by the Trial Court). We are unable to match specific hearings to their outcomes.

In FY24, there were 897 pretrial detention admissions for youth across the Commonwealth.⁸² This is a 17% increase from the previous year, but still 28% fewer detention admissions compared to FY18.

Figure 36:
Pretrial Detention Admissions (FY18-FY24)



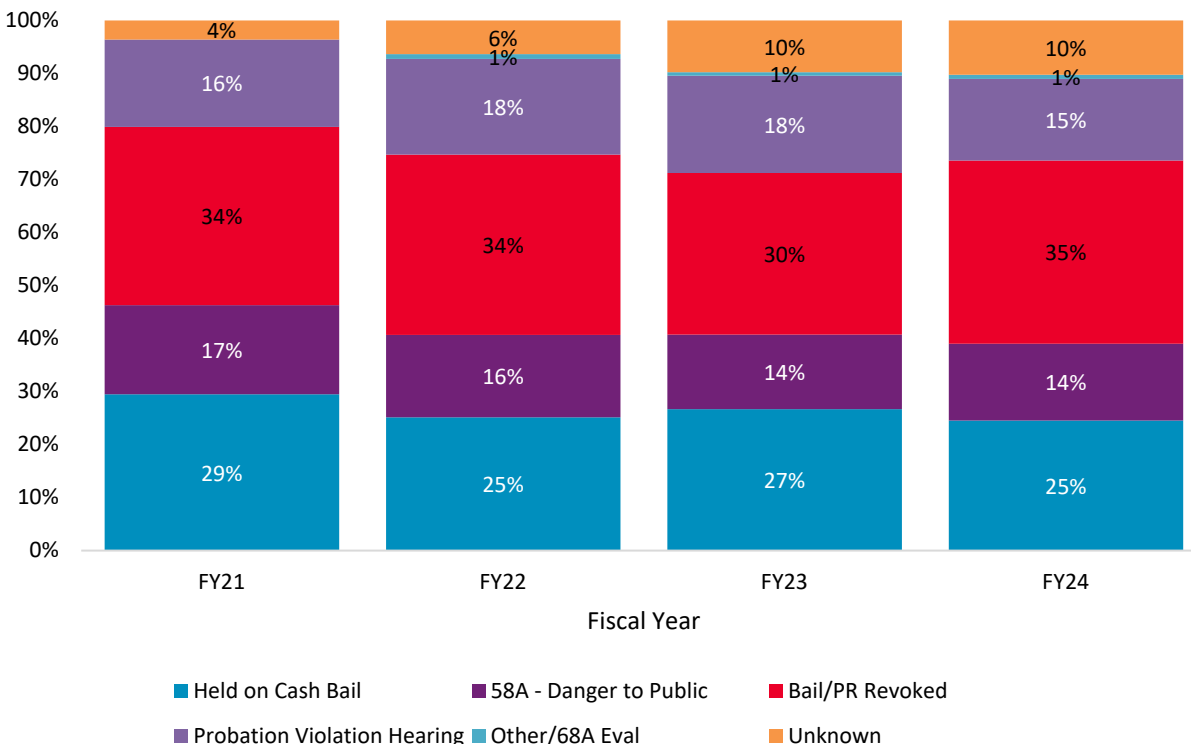
Source: Data provided to the OCA by DYS' Department of Research

Pretrial Detention Admissions by Reasons Detained

In FY24, the most frequent reason for a detention admission (35%, n=310) was because a youth's bail or personal recognizance was revoked. This is consistent with prior years.

⁸² Data in this section reports the number of detention admissions, not the number of youth. An individual can have one more than one detention admission in a year. The data includes both delinquency and youthful offender cases.

Figure 37:
Detention Admissions by Reason Detained

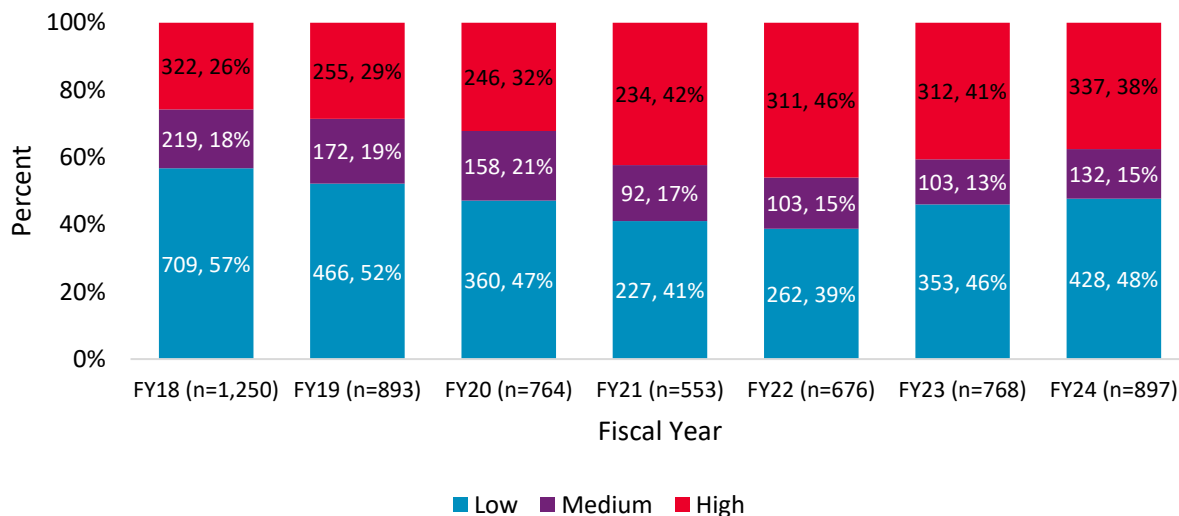


Source: Data provided to the OCA by DYS' Department of Research

Pretrial Detention Admissions by Offense Severity

The increase in pretrial detention admissions was partially a result of an increase in pretrial detention admissions for lower grid level offenses, which increased 21% from FY23 admissions. This influx resulted in almost half (48%, n=428) of all detention admissions being for youth alleged of committing a lower-level offense. This is the third year in a row in which the number of detention admissions has gone up for youth alleged of committing lower-level offenses, reversing the downward trend of the prior years. Some of this increase may be due to an increase in assault and battery-related charges during this time frame which, in some cases, may be classified by DYS as "Grid 2" and therefore, "low level."

Figure 38:
Pretrial Detention Admissions by MSO "Grid" Level (FY18-FY24)

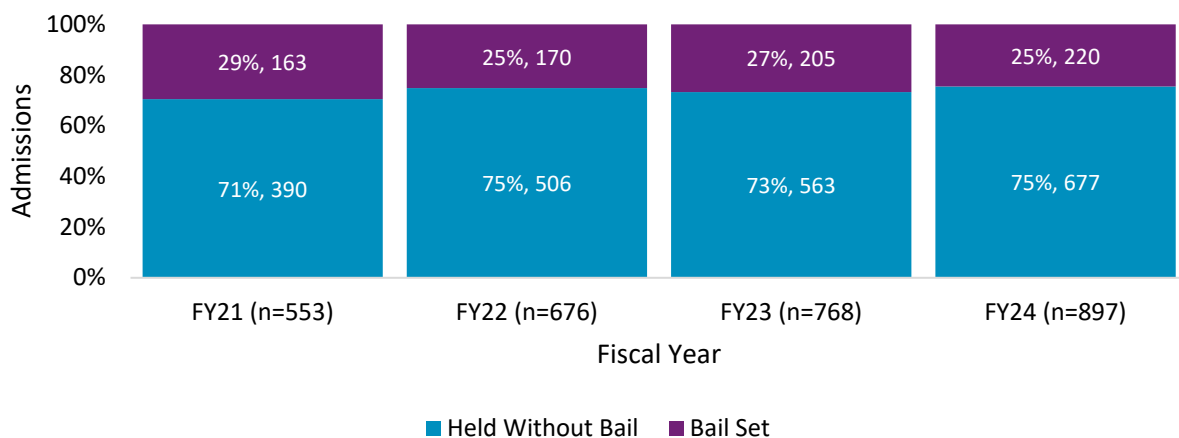


Source: Data provided to the OCA by DYS' Department of Research

Pretrial Detention Admissions by Bail Status

Youth can be detained pretrial with or without the opportunity to be released on bail. Three-quarters (75%, n=677) of all detention admissions in FY24 were for youth held without bail being set. The percentage of detention admissions for youth held without bail has remained consistent over the past four years.

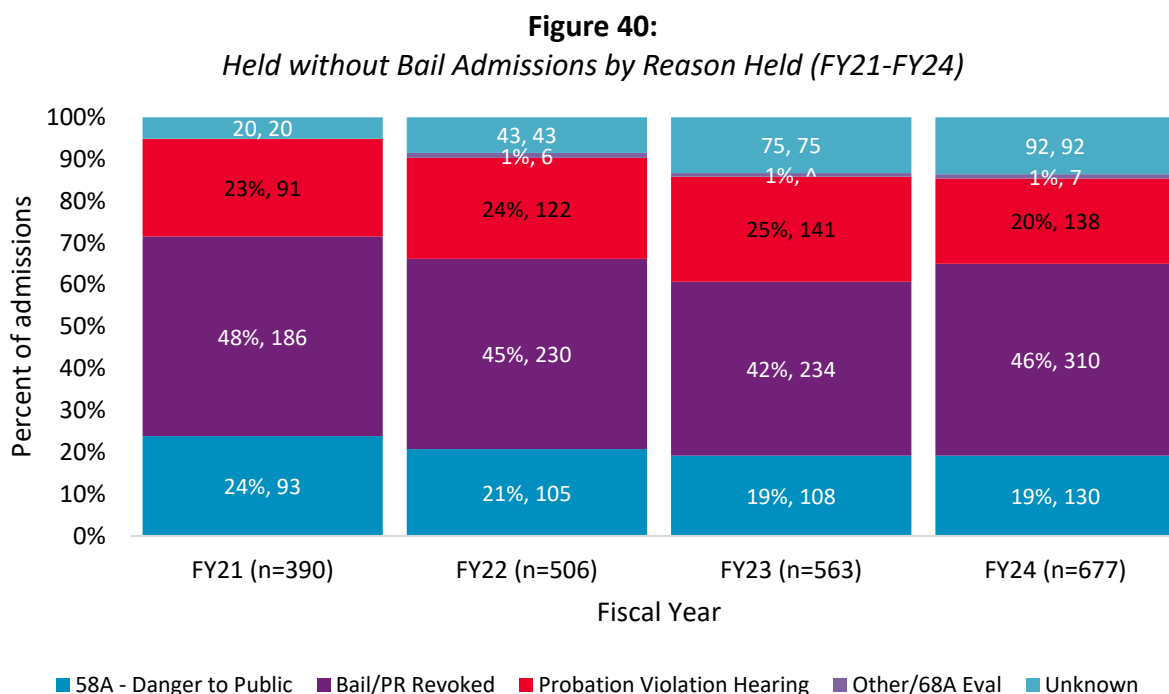
Figure 39:
Pretrial Detention Admissions by Bail Status (FY21-FY24)



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

Pretrial Detention Admissions Where Bail was Not Set

Youth can be held without bail for several reasons, including because of a dangerousness hearing (as highlighted above), a probation violation hearing,⁸³ or if bail or personal recognizance (“PR”) was revoked. Consistent with the past four years, a little under half (46%, n=310) of all detention admissions where youth were held without bail in FY24 were for youth detained as a result of bail/PR being revoked or a probation violation hearing. These youth had been previously in the community as a result of being released on personal recognizance or as a result of posting bail.



Note: ^Data omitted due to cell suppression; Source: Data provided to the OCA by DYS’ Department of Research

Pretrial Detention Admissions Where Bail was Set

A far smaller percentage (25%) of detention admissions are for youth who were detained as a result of bail being set. As detailed above, if a judge determines a youth is at risk of failing to appear for their next court date, they may choose to set a monetary bail to assure a youth’s appearance in court.⁸⁴ Judges must consider the youth’s financial resources if they set bail.⁸⁵

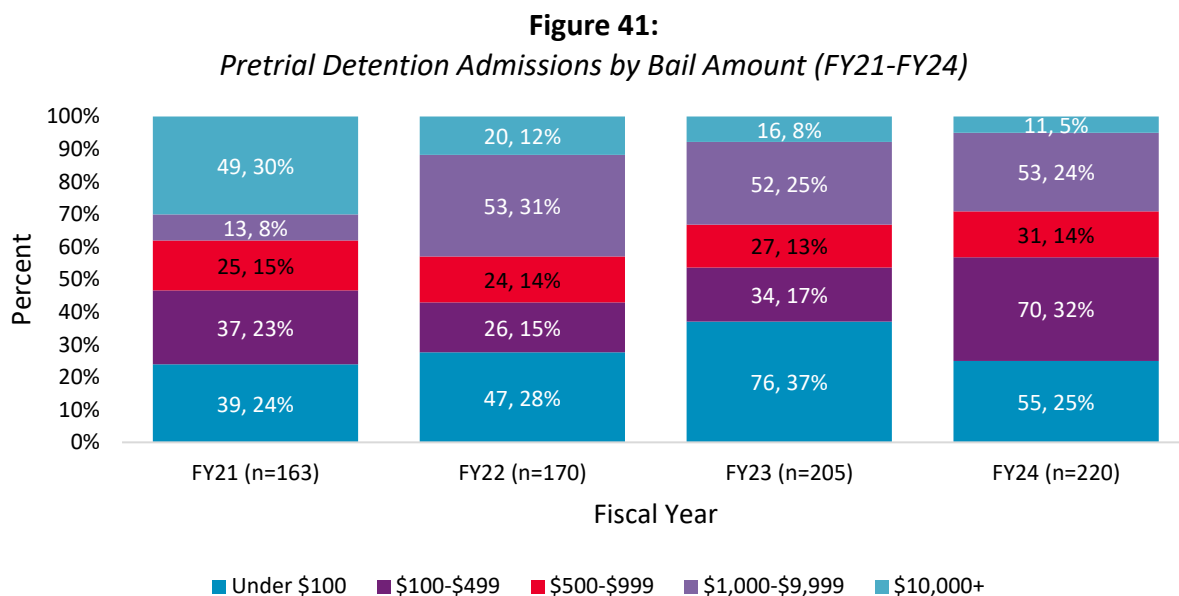
⁸³ Data includes both pretrial violation hearings and post-disposition probation violations. Youth can be held in detention pending a violation probation hearing or as the result of a violation of their pretrial conditions of release.

⁸⁴ *Querubin v. Commonwealth*, 440 Mass. 108, 113 (2003). *Commonwealth v. Pagan*, 445 Mass. 315 (2005). [M.G.L Chapter 276 §58](#).

⁸⁵ If neither nonfinancial conditions nor an amount the defendant can afford will adequately assure defendant’s appearance, the judge may set bail at a higher amount, but no higher than necessary to assure the defendant’s appearance. *Brangan v. Commonwealth*, 477 Mass. 691 (2017).

If the youth is unable to make cash bail or meet other pretrial release conditions for any reason, they are held in pretrial detention. Research shows that most adult individuals show up to court, and that cash bail is not effective at reducing failure to appear rates.⁸⁶ While research into the effectiveness of cash bail in juvenile court is not as well researched, the JJPAD Board heard in stakeholder interviews that youth failure to appear rates are similarly low in Massachusetts.⁸⁷ Many youth (or their families) cannot afford even a relatively small bail amount, which means – in many cases—they must remain in a locked facility away from their schools and communities until trial or until they are able to raise the money to pay the bail.

The overall percentage of detention admissions resulting from youth detained on cash bail has remained relatively stable over the past three fiscal years (consistently representing about a quarter of all cases). Bail amounts are detailed in the figure below.



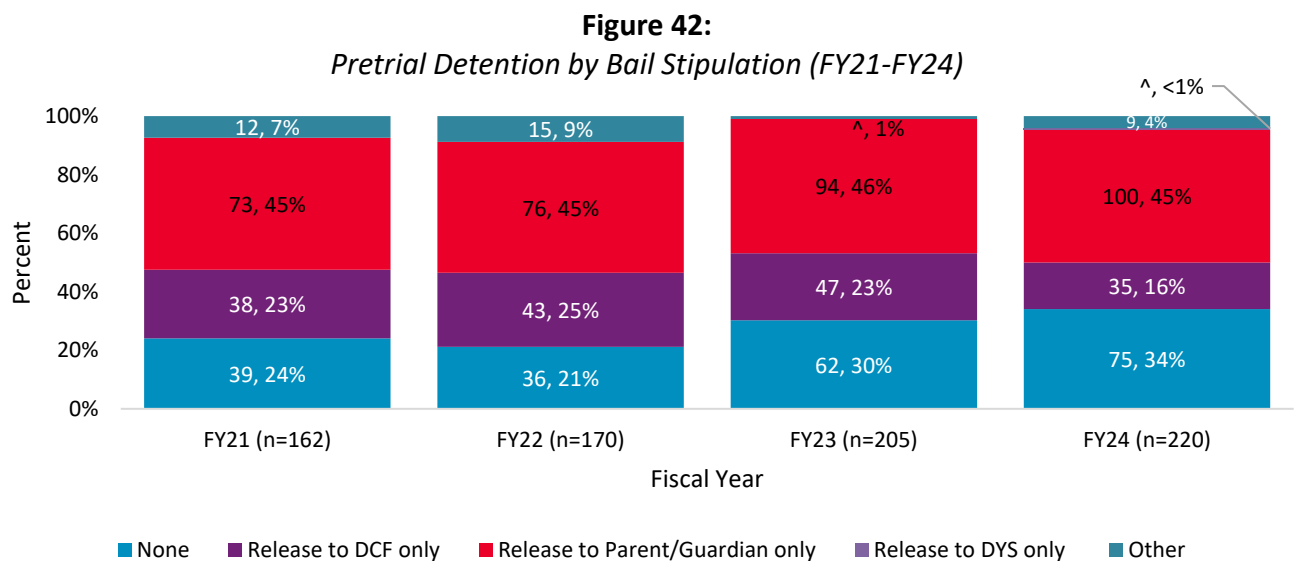
Source: Data provided to the OCA by DYS' Department of Research

Legally, all youth must be released to a parent or legal guardian unless otherwise specified by the Court, but anyone can post bail for the youth. Consistent with the past four years, a little under half (45%, n=100) of all detention admissions for youth with bail set had a stipulation that the youth be released to a parent/guardian if cash bail is met. Sixteen percent (n=35) of admissions were for youth with bail set who, if bailed out, were required to be released to DCF

⁸⁶ Research conducted by the Massachusetts Trial Courts shows *most* adult individuals show up to court (87% appeared and 12% failed to appear). [Massachusetts Trial Court](https://www.mass.gov/doc/massachusetts-trial-court-survey-of-pretrial-statistics-in-criminal-cases-fy2019/download). (2021). Survey of Pretrial Statistics in Criminal Cases FY2019 <https://www.mass.gov/doc/massachusetts-trial-court-survey-of-pretrial-statistics-in-criminal-cases-fy2019/download>

⁸⁷ [Massachusetts Juvenile Justice Policy and Data Board](https://www.mass.gov/doc/improving-massachusetts-juvenile-pretrial-phase-an-assessment-of-the-current-pretrial-system-and-recommendations-for-improvement/download). (2025). Improving Massachusetts' Juvenile Pretrial Phase: An Assessment of the Current Pretrial System and Recommendations for Improvement. <https://www.mass.gov/doc/improving-massachusetts-juvenile-pretrial-phase-an-assessment-of-the-current-pretrial-system-and-recommendations-for-improvement/download>

only, a decrease of 26% compared to FY23. Thirty four percent (n=75) of admissions were for youth with bail set who had no other stipulations of release if they made cash bail.⁸⁸



^Data omitted due to cell suppression; Source: Data provided to the OCA by DYS' Department of Research

Pretrial Detention Admissions Resulting in a Commitment

In FY24, 87% (n=779) of detention admissions did not result in a commitment, a slight increase from 84% (n=648) in FY23.

⁸⁸ A youth can have more than one pretrial condition of release, or "bail stipulation." Bail stipulations are reported to DYS by the Juvenile Court when youth are admitted to detention. DYS reports on the stipulation set for the youth's most serious alleged offenses at the time of admission.

Figure 43:
Detention Admissions Resulting in a Commitment (FY21-FY24)



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

Pretrial Detention Admission Length of Stay

The length of time youth were detained in DYS decreased in FY24 from prior years. On average, youth spent 57 days in detention in FY24, down from 69 days in FY23 and 63 days in FY22 and FY21. The length of time a youth can spend detained before their trial varies substantially: in FY24, youth released from detention spent anywhere between one day and over three years (1,123 days) detained. Due to this large range, the Board also looks at the median length of time youth spend detained. The median length of stay in FY24 was 29 days, down from 35 days in FY23.

Table 1: Detention Length of Stay FY21-FY24				
Measure	FY21	FY22	FY23	FY24
Median	31	32	35	29
Mean (average)	63	63	69	57
Min.	*	1	1	1
Max	*	771	1,191	1,123
Note: *Data unavailable for FY21.				
Source: Data provided to the OCA by DYS' Department of Research				

Youth Detained Pretrial: Placement Settings as of June 30, 2024

Data on detention admissions reflect youth who may have been admitted to detention more than once throughout the fiscal year. To understand the different types of facilities youth are detained in, the Board also examines point-in-time or “snapshot” data. The data takeaways presented in this text box reflect the youth who were in the custody of DYS on June 30, 2024. **On that date, there were 133 youth detained at DYS.**

- Of the 133 youth detained on this day, 77% (n=103) were detained in a hardware secure facility and 20% (n=27) were detained in a staff secure setting.
- On average, youth in detention on 6/30/24 had spent 74.9 days detained. The median length of time spent in detention for youth detained on this day was 32.0 days.

*Placement type is determined by the youth’s risk level and offense type.

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

Characteristics of Youth Detained Pretrial at Admission

DYS reports data to the Board detailing some of the needs of youth admitted to pretrial detention. This includes self-reported data on any history of sexual and/or physical abuse as well as any mental health and educational needs.

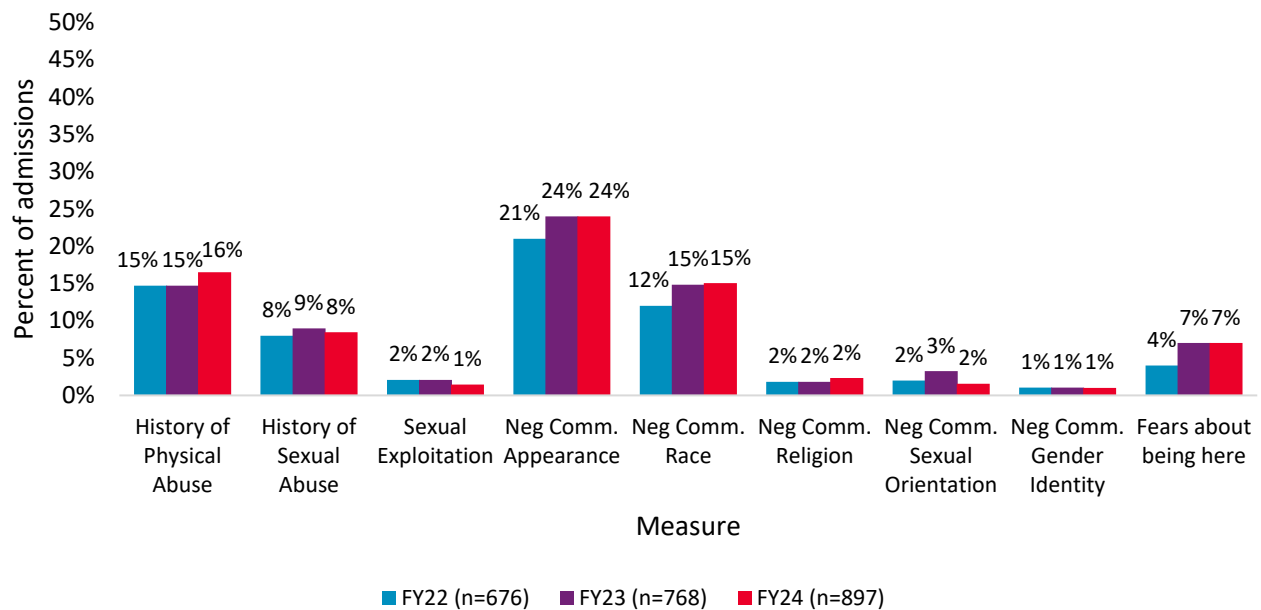
Data on Physical & Sexual Abuse

As a result of the federal Prison Rape Elimination Act (PREA), youth admitted to detention answer a series of questions related to any history of physical and/or sexual abuse, as well as other questions regarding if youth had ever heard other individuals make negative comments about the youth’s appearance, race, sexual orientation, gender identity or religion.⁸⁹ DYS has also added a question to their intake to capture whether a youth has experienced commercial sexual exploitation (CSEC).

Compared to FY23, the self-disclosures of abuse, neglect, and other concerns of youth captured on the PREA questionnaire remained relatively stable.

⁸⁹ [Executive Office of Public Safety and Security](https://www.mass.gov/service-details/the-prison-rape-elimination-act-prea-of-2003#:~:text=PREA%20applies%20to%20all%20federal,%2C%20and%20police%20lock%20Dups). (n.d.). The Prison Rape Elimination Act (PREA) of 2003. <https://www.mass.gov/service-details/the-prison-rape-elimination-act-prea-of-2003#:~:text=PREA%20applies%20to%20all%20federal,%2C%20and%20police%20lock%20Dups>; For a list of PREA questions, see Table 22 in the JJPAD Board’s 2023 Annual Report. <https://www.mass.gov/doc/jipad-2023-annual-report/download>

Figure 44:
Pretrial Detention Admissions by PREA "Yes" Responses (FY22-FY24)



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

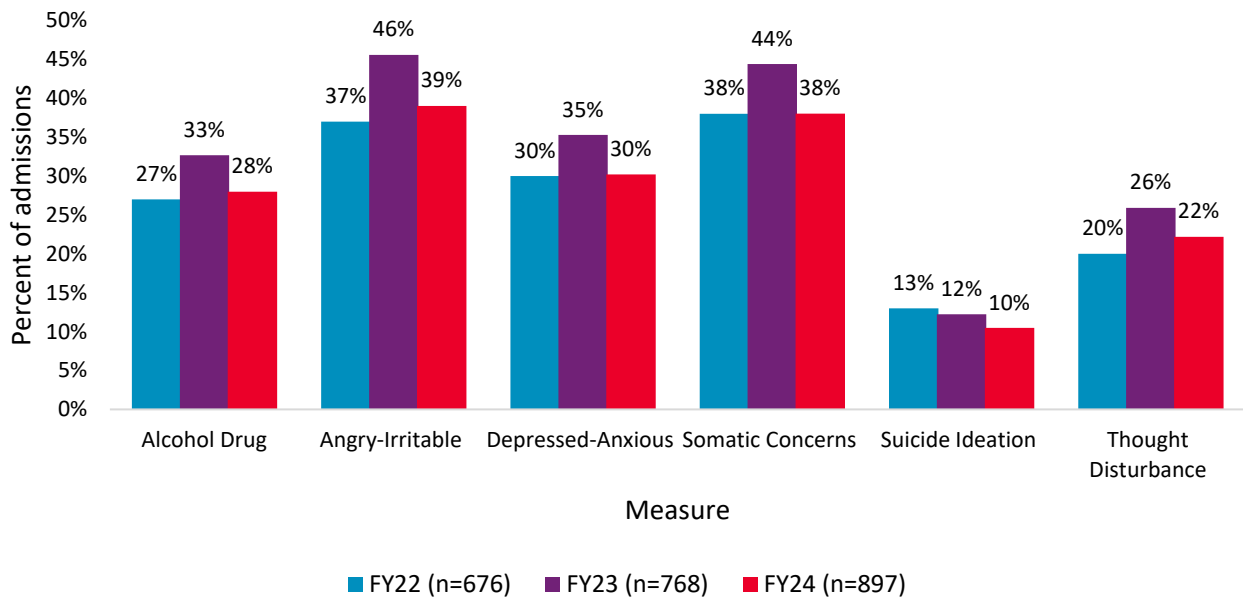
Data on Mental & Behavioral Health Needs

All youth receive a mental health screening upon first entering a DYS facility. DYS uses the MAYSI-2 (Massachusetts Youth Screening Instrument-Version 2) behavioral health screening, which was designed to assist juvenile justice facilities in identifying special mental health needs among 12-17-year-olds.⁹⁰ The MAYSI-2 screens for signs of depression, suicidal/self-harm ideation, substance use, psychosis, aggression, and PTSD. Depending on the score, DYS has multiple policies and procedures in place to ensure youth in their care and custody are safe and supported, including providing appropriate clinical services, monitoring for suicidality, and establishing necessary safety protocols.

Compared to FY23, the needs of youth captured on the MAYSI decreased across all measures.

⁹⁰ Kathleen, L. (2014). *MAYSI-2 Administration and Referral Protocol Template Instructions*. Spark Public Policy Institute.

Figure 45:
Pretrial Detention Admissions by Caution/Warning MAYSI (FY22-FY24)



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

Data on Educational Needs & Disability Status Data

On a weekly basis, DYS receives special education and disability-related information for the youth admitted to detention that week from the Department of Elementary and Secondary Education (DESE).⁹¹ In FY24, this analysis was omitted from this report due to 45% (n=404) of detention admissions missing DESE data.⁹² This could be due to one or more reasons:

1. Youth being held for less than 7 days, and therefore not being captured on DYS' school roles.
2. Youth are from out of state, and therefore, DESE does not have education data available for this youth.
3. The increased age of the detention admission population. In FY24, 35% (n=313) were 17 years old and above at time of admission. It is possible that some of these youth had completed their K-12 education or were of age to (legally) drop out of school.
4. Error in data reporting.

⁹¹ DYS and DESE match data across agencies twice a week based on new detention admissions and first commitments. Local schools are only required to report data to DESE three times a year, and DYS receives the DESE data based on the last time the school reported to DESE.

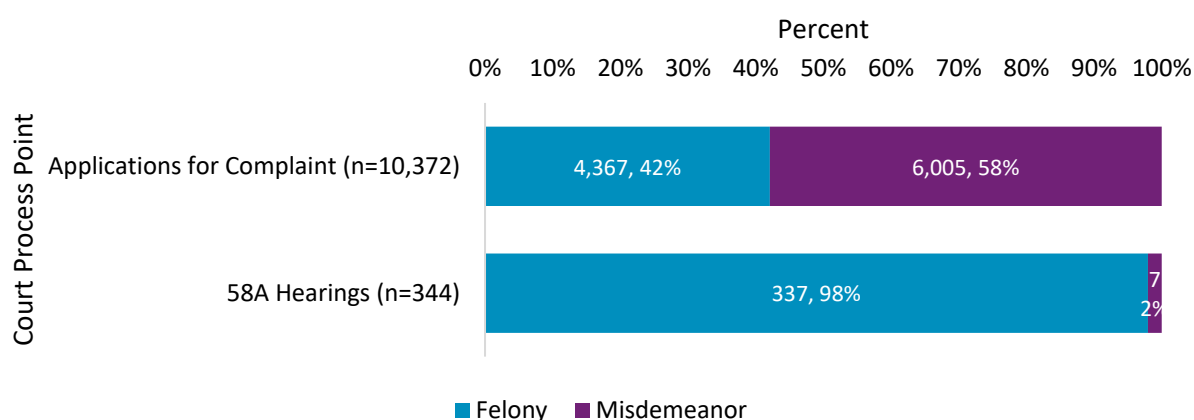
⁹² This data was previously reported by the JJPAD Board. It was most recently reported in the Board's 2023 annual report: <https://www.mass.gov/doc/jipad-2023-annual-report/download>

Pretrial Process Points by Offense Severity⁹³

In FY24:

- The majority of arraignments were for cases involving alleged felonies (67%, n=2,614). Between FY23 and FY24, arraignments involving alleged misdemeanors decreased by 10% (representing 149 arraignments).
- Consistent with the past three fiscal years, 98% (n=337) of 58A Hearings were for cases involving an alleged felony.

Figure 46:
Pretrial Court Process Points by Offense Severity (FY24)



Source: FY24 arraignment data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/JuvenileCourtCasesAraigned/CountyMapCharacteristics> ;

FY24 58A Hearing data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtDangerousnessHearings/MainDashboard>

⁹³ Data on the underlying alleged offense severity for youth on pretrial probation supervision is not available.

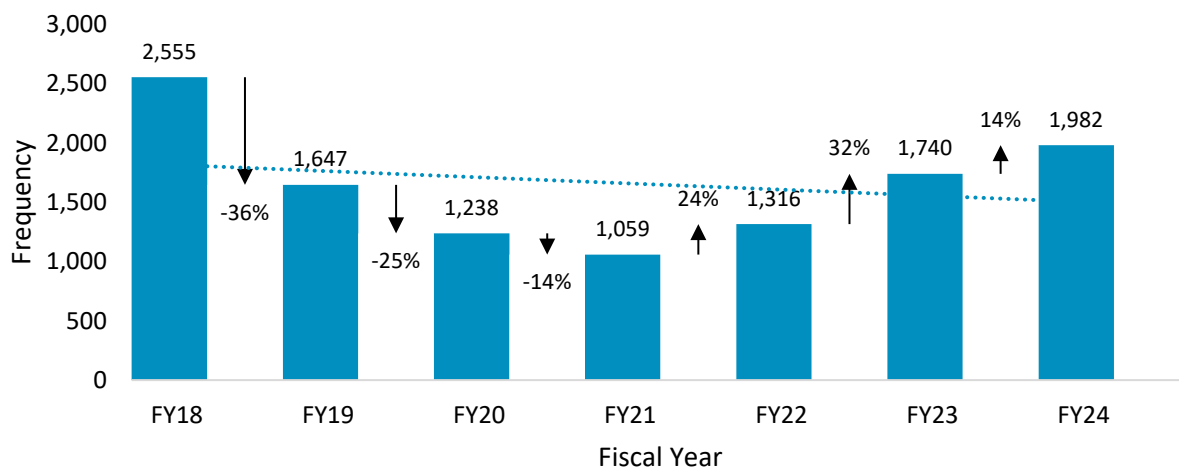
Dispositions & Sanctions

There are a few different options (“dispositions”) for how a case may be resolved after a youth is arraigned in court. The data in this section reports the *initial disposition* for a case, not the *final disposition*. It is also important to note that a case can be dismissed prior to a plea or trial due to a number of procedural or legal reasons. That data is reported in the “Judicial Diversion” section above.

In FY24, there were 1,982 delinquency cases that proceeded to a plea or trial or were resolved by a CWO, a 14% increase from FY23. As was highlighted in the *Diversion* section of this report above, fewer arraignments are being dismissed or diverted (an estimated 49% of arraignments did not proceed to CWO/plea/trial in FY24, down from an estimated 57% in FY23). Some of the increase in the number of dispositions could also be a result of the Juvenile Court clearing through a backlog of cases or an increase in timeliness from charging a youth to resolving their case.

The number of cases resolved by plea/trial or a CWO hearing is down 22% compared to FY18.

Figure 47:
Dispositions (FY18-FY24)



Source: FY18-23 data retrieved from the JJPAD’s FY23 Annual Report; FY24 data retrieved 11/2024 from the Massachusetts Trial Court’s Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/DelinquencyDismissalsandAdjudications/AdjudicationRates>

Dispositions

If a case resolves as a result of a CWOFF, a plea being accepted or a completed trial,⁹⁴ it results in what is called a “disposition.”⁹⁵

1. A youth’s case can be resolved with something called a “**continuance without a finding (CWOFF)**.” A CWOFF determination comes before an adjudication and means a case is continued without entering a formal adjudication on the case or into the youth's record. For there to be a CWOFF determination, a youth must give up their right to trial and admit there are sufficient facts to merit a finding of delinquency; in exchange, the court agrees to continue the case without a finding for a set period, subject to the youth’s compliance with specific conditions.

The case can be dismissed if the youth meets all of the conditions of probation during the length of the CWOFF. If the youth does not meet the conditions of probation, the case may be brought back to court, a finding of delinquency may be entered and the youth may face additional consequences up to commitment to DYS. The youth will not have a record of a delinquent adjudication if they successfully comply with the terms of the CWOFF, although the fact that they were arraigned and the case was Continued Without a Finding *will* appear on their record, along with an entry that the case was dismissed.

2. A youth can be **adjudicated not delinquent** (equivalent to “not guilty” in the adult system) on all or some of the charges.
3. A youth can be **adjudicated delinquent** (equivalent to “guilty” in the adult system) on all or some of the charges. If youth are adjudicated delinquent, they can receive one of the following sanctions:⁹⁶
 - be placed on post-adjudication, delinquent probation,
 - be placed on a “suspended DYS commitment” which is supervised by probation,
 - be committed to DYS, or
 - may also receive no sanction after being adjudicated delinquent.

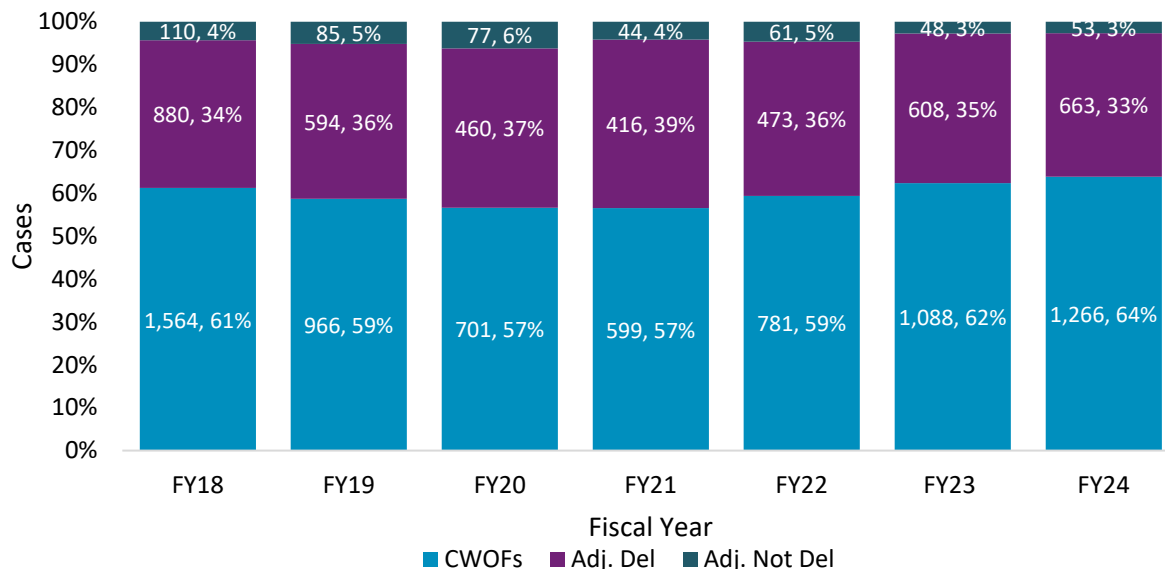
In FY24, almost two thirds (64%, n=1,266) of all cases that were resolved were resolved by a CWOFF. The breakdowns in dispositions have remained relatively consistent over the past several years despite increases in the number of initial dispositions over the past two years.

⁹⁴ Youth can have a trial before a judge or a jury.

⁹⁵ Cases can also be “dismissed”, however, the counts reported here included all cases resolved by a CWOFF, cases adjudicated delinquent, and cases adjudicated not delinquent. CWOFFs can be used in the court’s determination of subsequent offenses.

⁹⁶ Additional sanction options are available to Juvenile Court judges for youth who are found to be a “youthful offender.” That is detailed in the “Youthful Offender Cases” section below.

Figure 48:
Initial Dispositions of Cases (FY18-FY24)



Source: FY18-23 data retrieved from the JJPAD's FY23 Annual Report; FY24 data retrieved 11/2024 from the Massachusetts Trial Court's Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/DelinquencyDismissalsandAdjudications/AdjudicationRates>

Compared to FY23, there was a:

- 16% increase in the number of cases resolved by a CWO
- 9% increase in the number of cases adjudicated delinquent
- 10% decrease in the number of cases adjudicated not delinquent

Since CJRA implementation, the 19% decline in the number of cases resolved with a CWO accounted for most of the decline in total number of total dispositions, rather than those cases adjudicated either delinquent or not delinquent.

Sanctions

Sanctions can be described as the outcome of a case in which a youth has been adjudicated delinquent. In adult court, this is referred to as a "sentence."

Common options for sanctions in Juvenile Court include:

- **Imposing no sanction:**⁹⁷ In FY24, there were 87 cases in which a youth was adjudicated delinquent yet no sanction was imposed, representing a 23% decrease from FY23. The number of dispositions with "no sanction" have been cut in half since FY18.

⁹⁷ In these cases, judges adjudicate a youth delinquent for a given case, and put the case "on file" unless or until a certain circumstance occurs.

- **Giving the youth a suspended DYS commitment:**⁹⁸ Youth with a suspended DYS commitment are supervised by MPS, and if successful, are not committed to DYS. If unsuccessful, youth may be committed to DYS until 18 years of age (or, in some cases, 19, 20, or 21 years old). In FY24, there were 91 cases in which a youth was adjudicated delinquent and given a suspended commitment to DYS, a 10% increase from FY23. Cases involving a suspended commitment to DYS are down 44% from FY18.
- **Placing the youth on probation for a period of time:** In FY24, there were 248 cases in which a youth was adjudicated delinquent, or their case was resolved via a CWOFF and they were placed on probation, a 28% increase from FY23. Cases resulting in a sanction of probation are down 6% from FY18.
- **Committing a youth to the custody of the Department of Youth Services (DYS):** The most serious sanction a judge can enter when a youth is adjudicated delinquent is to commit a youth to the physical custody of DYS until their 18th birthday (or until their 19th, 20th, or 21st birthday in certain circumstances).⁹⁹ There was an 8% increase in the number of commitments in FY24 compared to FY23. There were 15% fewer commitments in FY24 than FY18.

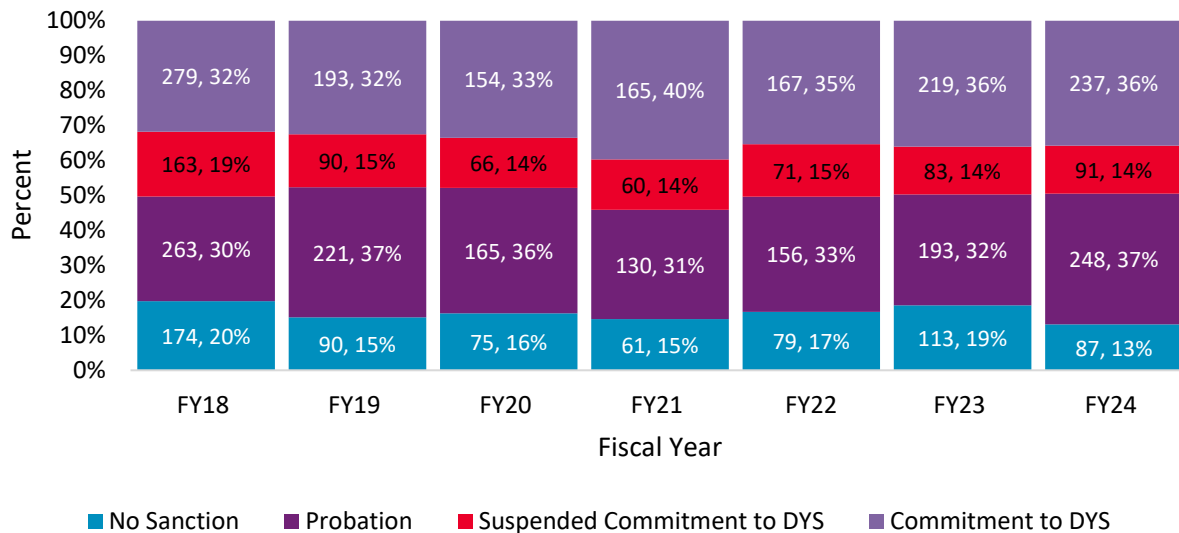
Additionally, the Juvenile Court can impose or suspend an adult sentence if the youth was adjudicated as a youthful offender.¹⁰⁰

⁹⁸ During a suspended DYS delinquency commitment, the youth is placed on probation with the possibility of a DYS commitment. If the youth is found by a judge to have violated a condition of probation, the judge may commit the youth to DYS.

⁹⁹ Youth charged as a juvenile but whose cases are disposed after their 18th birthday can be committed to DYS until they are 19 or 20 years old. Youth with a youthful offender case can be committed to DYS until age 21. ([MGL c. 119 §58.](#)) [While youth are committed to the physical custody of DYS, youth may live in the community or a DYS facility at different points throughout their commitment disposition.](#)

¹⁰⁰ Youthful offender disposition data is presented in the “Youthful Offender Cases” section of this report.

Figure 49:
Cases Adjudicated Delinquent by Sanction Imposed (FY18-FY24)



Source: FY18-23 data retrieved from the JJPAD's FY23 Annual Report; FY24 data retrieved 11/2024 from the Massachusetts Trial Court's Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/DelinquencyDismissalsandAdjudications/AdjudicationRates>

Post-Disposition Probation

Youth who have been adjudicated delinquent can be placed on probation by the court as a disposition, as well as those youth adjudicated delinquent and placed on a suspended commitment to DYS (until age 18 or 21), or whose cases is resolved with a CWOFF. In FY24:

- 248 cases adjudicated delinquent/resolved with a CWOFF had probation imposed as a sanction, and
- 91 cases adjudicated delinquent had a suspended commitment DYS imposed as a sanction

Supervision Types & Levels

MPS reported 1,410 new probation "case starts" in FY24.¹⁰¹ This is an 8% increase from FY23. In addition to the cases adjudicated delinquent and imposed a sanction, as described above, these cases include youth supervised pre-adjudication on a CWOFF.

A judge determines which type of probation to impose:

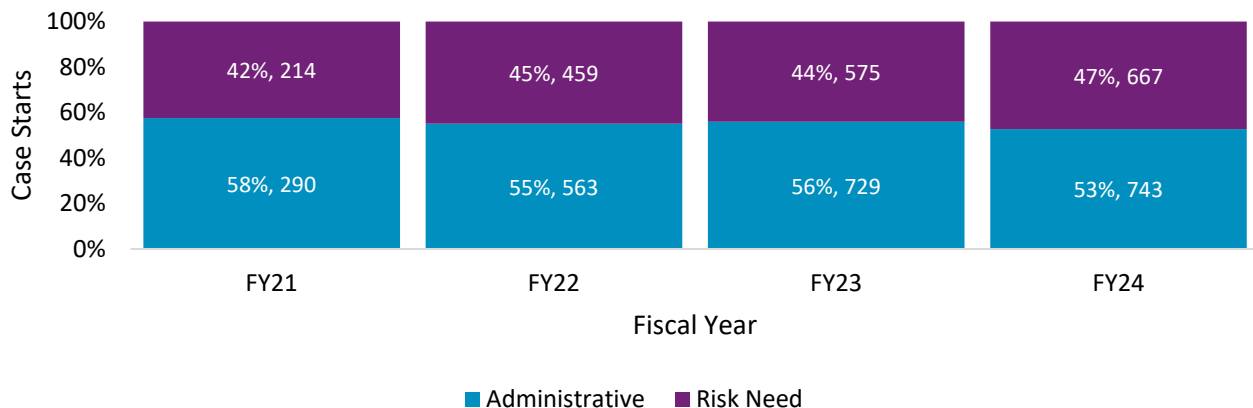
- **Risk-Need Probation:** A classification of probation supervision for adjudicated youth in which probation officers have direct supervision of youth consistent with established supervision standards in place for *maximum, moderate, or minimum*

¹⁰¹ MPS reports the number of cases started during the year. One individual can have more than one "case start."

supervision. These levels are determined by an assessment tool and classification process.¹⁰²

- **Administrative Probation:**¹⁰³ A classification of probation supervision where the number of directly supervised conditions are limited. Unlike risk/need probation, there is no assessment tool used for this classification of probation.

Figure 50:
Probation Case Starts by Type of Case (FY21-FY24)



Note: Due to the way MPS collects and reports data, post-adjudication administrative probation counts include some pretrial & prearrest cases. Source: Data provided to the OCA by the Massachusetts Probation Service's Department of Research

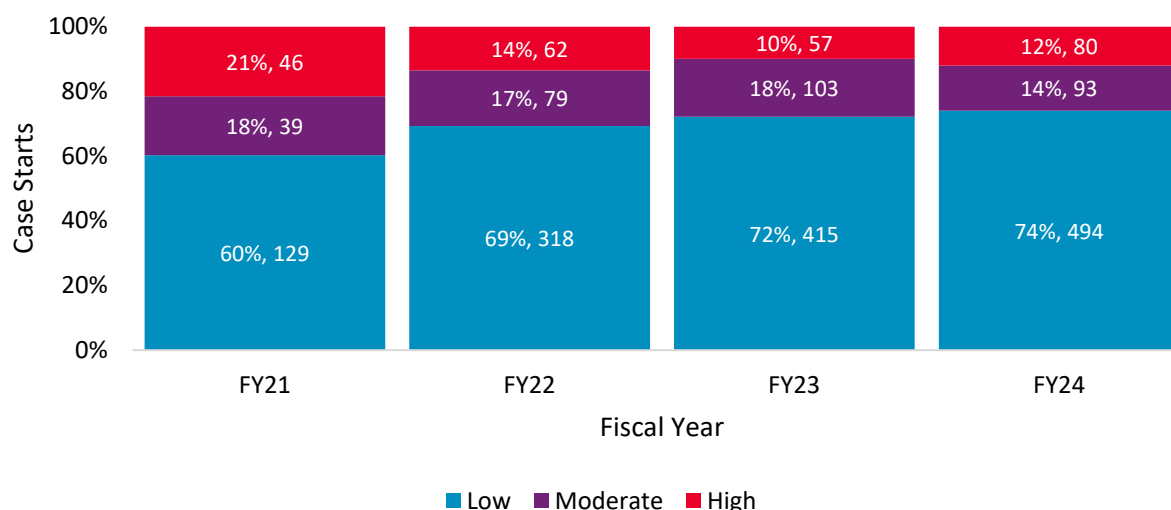
In FY24, a little more than half (53%, n=743) of case starts were for administrative probation, down slightly from 56% (n=729) in FY23.

Of the 667 probation cases that involved youth placed on risk/need probation, the majority of youth (74%, n=494) were assessed at a low risk/need level. Over the past four fiscal years, the percentage of cases in which youth are assessed at a low risk/need level has increased.

¹⁰² For a detailed description of MPS' policy and procedural changes to risk/need assessments, see pg. 108 of the Board's 2022 Annual Report.

¹⁰³ Due to the way MPS collects and reports data, post-adjudication administrative probation counts include some pretrial & pre-arrest cases.

Figure 51:
Probation Case Starts by Risk/Need Level (FY21-FY24)



Note: MPS uses the Ohio Youth Assessment System (OYAS) assessment tool to determine a youth's risk of reoffending Source: Data provided to the OCA by the Massachusetts Probation Service's Department of Research

Probation Conditions & Violation of Probation Notices

For youth supervised on administrative probation, the most frequent condition set is "other."¹⁰⁴ The number of administrative cases with "no conditions" tripled between FY21 and FY24.

Probation conditions for youth supervised on risk/need probation is unavailable.

Table 2: Administrative Probation Types				
Admin Type	FY21	FY22	FY23	FY24
Other	210	396	607	549
Transfer	14	71	36	81
No Conditions	17	23	31	50
Residential Treatment	9	12	14	11
Treatment	13	24	13	11
Money	14	21	12	16
Interstate	4	6	7	12
From and After	3	4	4	3
Community Service	6	5	4	9
Random Testing	0	1	1	1
Total	290	563	729	743
Note: Due to the way MPS collects and reports data, post-adjudication administrative probation counts include some pretrial & pre-arraignment cases. Source: Data provided to the OCA by the Massachusetts Probation Service's Department of Research				

¹⁰⁴ Examples of "other" conditions include: stay away orders, letters of apology or specific programming (e.g., "Brains at Risk").

If a youth on probation fails to meet the conditions of probation set by a judge, a probation officer has three response options:

1. issue a warning or other sanction,
2. conduct an administrative hearing, or
3. issue a “violation of probation” notice.

A violation of probation notice informs the youth of the condition(s) the probation officer alleges they violated and orders the youth to appear in court. There are three types of violation notices: *delinquent*,¹⁰⁵ *non-delinquent*,¹⁰⁶ or *both delinquent & non-delinquent*.¹⁰⁷ The data below represents violations of pretrial and post-adjudication probation, as well as youth whose case was resolved with a CWO. MPS is unable to disaggregate violations by probation type.¹⁰⁸

In FY24, there were 459 violation of probation notices issued, a 4% increase from FY23. The number of violation of probation notices has declined substantially (61%) since FY18 when MPS implemented a new policy in an effort to limit the number of violation of probation notices issued.

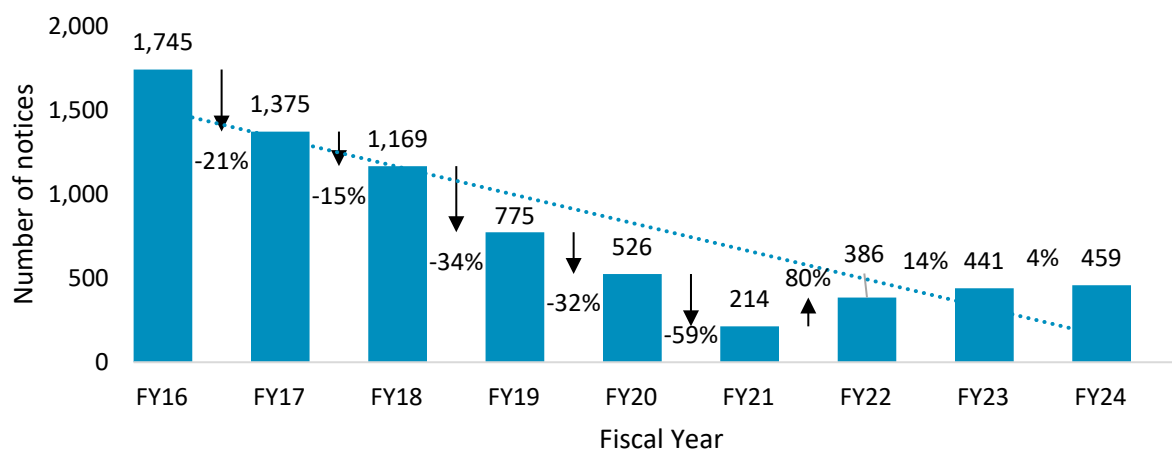
¹⁰⁵ In this type of violation, the probation officer is alleging that the youth committed a new delinquent offense while under probation supervision, on the basis of a new arrest or summons by the police. An example is a youth being arrested for shoplifting while a youth is being supervised for a previous offense.

¹⁰⁶ Sometimes called a “technical” violation. In this case, the probation officer is alleging that the youth did not comply with one or more conditions of probation. The alleged behavior is not by itself a delinquent offense and would not otherwise result in an arrest. An example of this would be the youth not attending a mandatory anger management group and after many attempts to have the youth attend, they never go.

¹⁰⁷ A youth can receive one violation notice that includes allegations of a new delinquent offense (Delinquent Violation Notice) and non-compliance with conditions of probation (Non-Delinquent Violation Notice). For a description of MPS’ policy and procedural changes to issuing violations to post-adjudication probation cases, see pg. 110 of the Board’s 2022 Annual Report.

¹⁰⁸ As of this report, MPS reports having begun to collect this data and will be able to disaggregate violation data by probation type in the future.

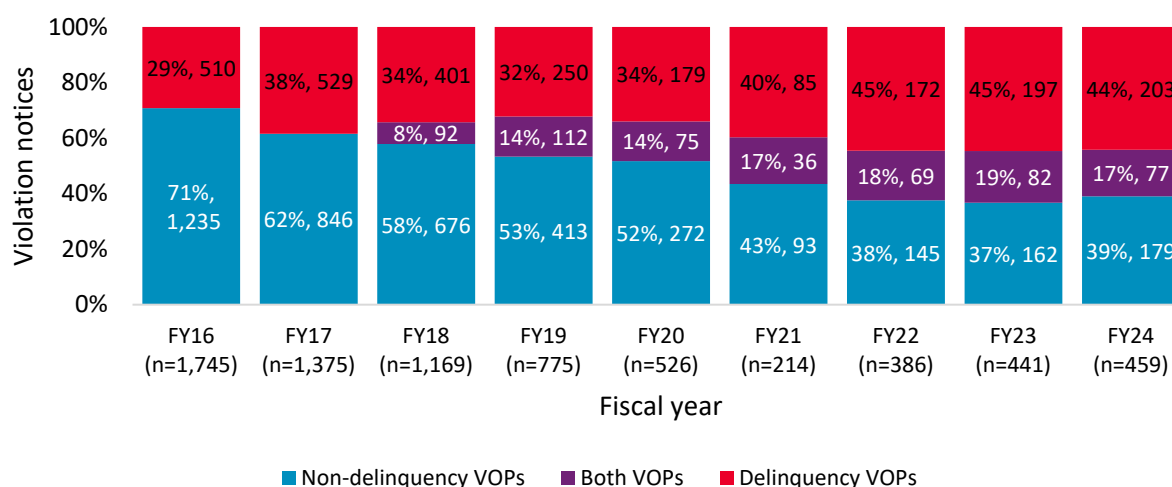
Figure 52:
Violation of Probation Notices (FY16-FY24)



Source: Data retrieved on 12/31/24 from Massachusetts Probation Service Research Department Public Tableau Dashboard:
<https://public.tableau.com/app/profile/mpsresearchdept/viz/JuvenileCourtProbationDepartment/DelinquencyTrendsDashboard>

Most (61%, n=280) notices issued were a result of a new alleged delinquency offense compared to 39% (n=179) of notices issued as a result of non-delinquent violations.

Figure 53:
Violation of Probation Notices by Reason (FY16-FY24)



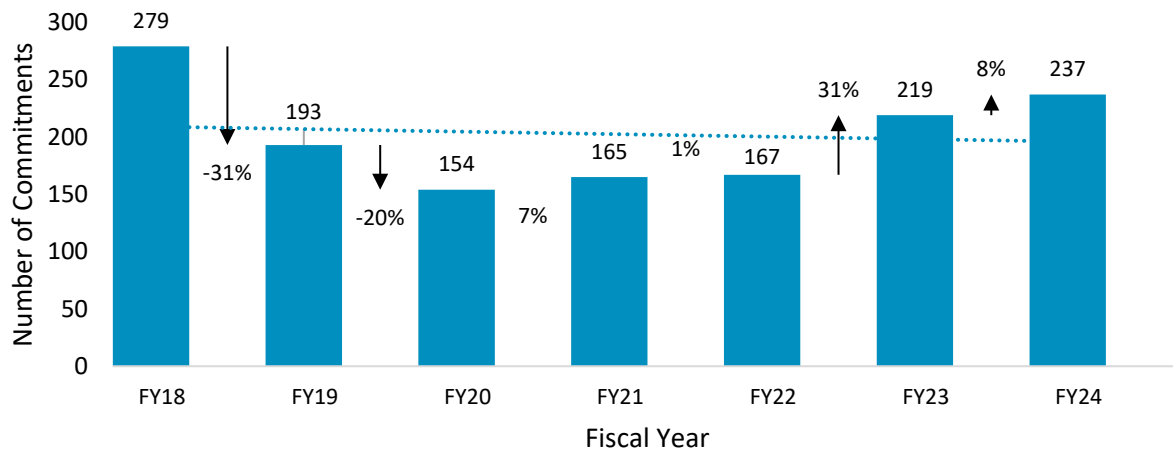
Source: Data retrieved on 12/31/24 from Massachusetts Probation Service Research Department Public Tableau Dashboard:
<https://public.tableau.com/app/profile/mpsresearchdept/viz/JuvenileCourtProbationDepartment/DelinquencyTrendsDashboard>

Commitments to the Department of Youth Services (DYS)

The most serious disposition a judge can enter when a youth is adjudicated delinquent is to commit a youth to the physical custody of DYS until their 18th birthday (or until their 19th, 20th, or 21st birthday in certain circumstances).¹⁰⁹

There was an 8% increase in the number of commitments in FY24 compared to FY23. There were 15% fewer commitments in FY24 than FY18.

Figure 54:
Commitments to DYS (FY18-FY24)



Source: Data retrieved 10/2024 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/vizzes>

First-time Commitments

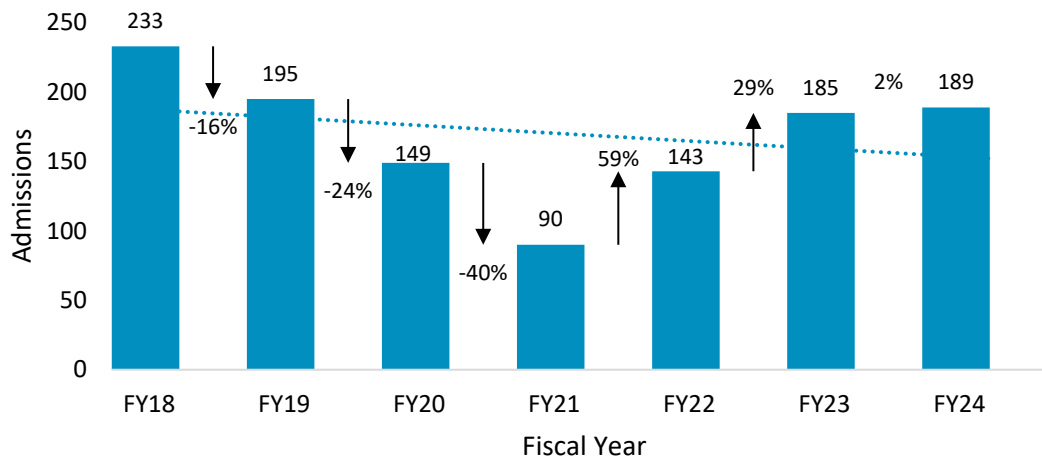
Data on commitments presented above is for youth who are committed to DYS – whether for the first time or subsequent times after their first commitment. For that reason, the Board also reports “first-time commitments” data from DYS. This data reflects the number of committed youth who have never previously been committed to DYS’ custody.¹¹⁰

In FY24, there were 189 youth committed to DYS for the first time. This represents a 2% increase from FY23. Still, first-time commitments to DYS are down 19% since pre-CJRA implementation.

¹⁰⁹ Youth charged as a juvenile but whose cases are disposed after their 18th birthday can be committed to DYS until they are 19 or 20 years old. Youth charged as a youthful offender can be committed to DYS until age 21. ([MGL c. 119 §58.](#)) [While youth are committed to the physical custody of DYS, youth may live in the community or a DYS facility at different points throughout their commitment disposition.](#)

¹¹⁰ First-time commitment data does not include youth who have been committed previously and are subsequently “recommitted” to DYS on new charges.

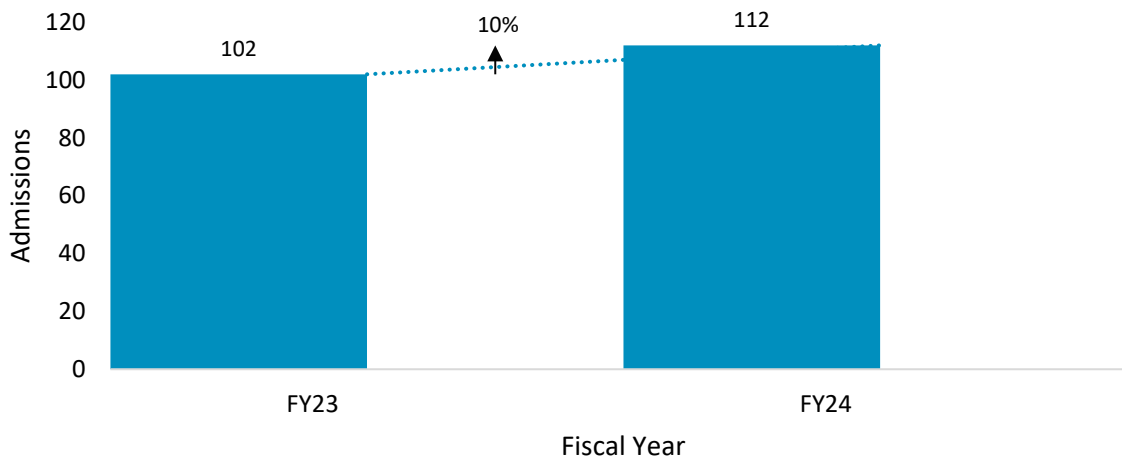
Figure 55:
First Time Commitments (FY18-FY24)



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

In FY24, there were 112 revocations for youth committed to DYS under community supervision.¹¹¹

Figure 56:
Revocations for Youth Committed to DYS (FY23-FY24)

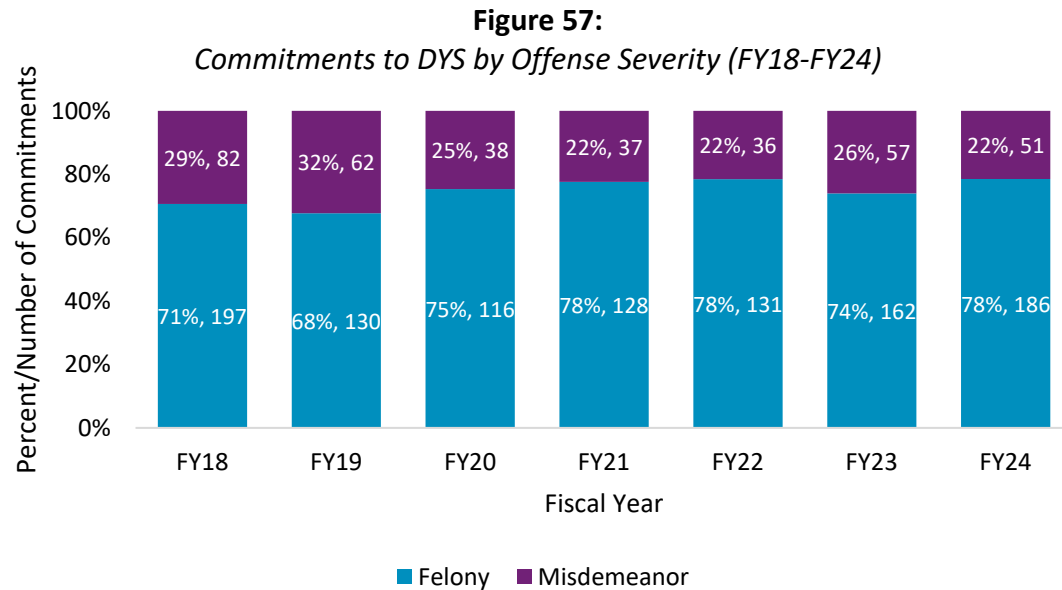


Source: Data provided to the OCA by DYS' Department of Research

¹¹¹ A revocation is the process used, pending a hearing, to remove a youth who has allegedly violated his or her Conditional Liberty Agreement (a written agreement between a youth and DYS that defines rules of conduct a youth must comply with) from a community based placement, and place him or her in a secure placement where he or she may remain after a determination at the hearing that the youth violated his or her Conditional Liberty Agreement. [109 Mass. Reg. 8.03](#).

Commitments by Offense Severity & Type

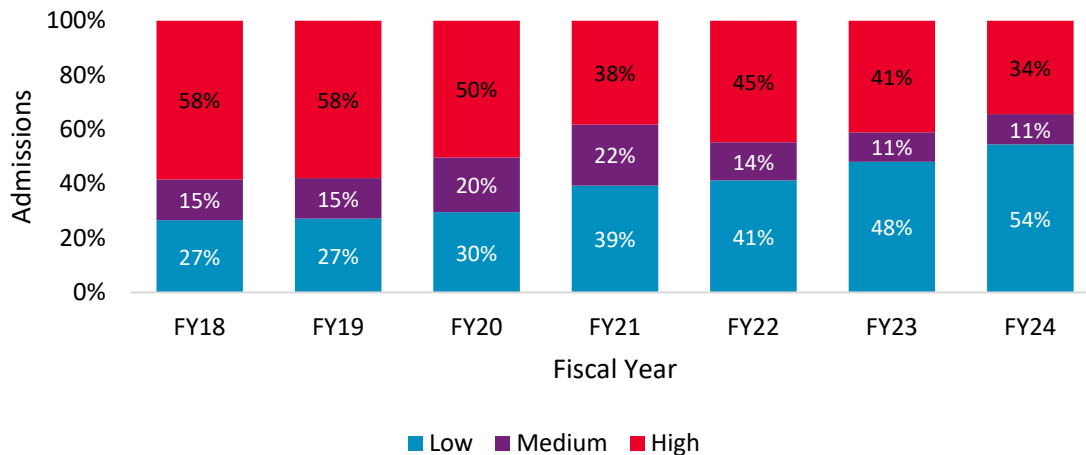
Most youth (78%, n=186) committed to DYS are committed as a result of being adjudicated delinquent on an underlying felony offense. This has remained the case over the past several years. Still, about a quarter to a third of commitments each year are for youth adjudicated on an underlying misdemeanor offense.



Source: Data retrieved 10/2024 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/vizzes>

For youth who are committed to DYS for the *first time*, data indicates they are frequently committed for lower-level offenses. The percentage of youth committed to DYS for the first time on a lower-level offense has increased each year since FY18.

Figure 58:
First Time Commitments by Offense Severity (FY18-FY24)



DYS measures offense severity by a numerical (1-7) “grid level.” Grid levels 1-2 are categorized as low, grid level 3= medium and grid levels 4-7 = high.

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

Characteristics of Youth at the Time of Commitment

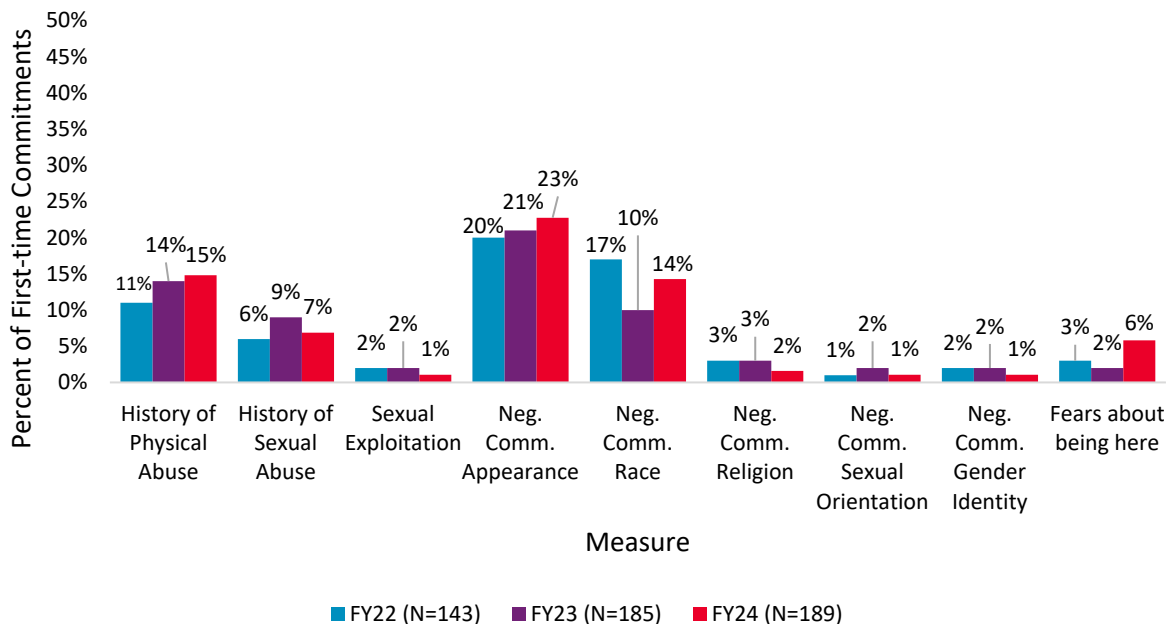
DYS reports data to the Board that details some of the needs of youth with first-time commitments. This includes data on any self-reported history of sexual and/or physical abuse, and any mental health and educational needs. ¹¹²

Data on Physical & Sexual Abuse

Compared to FY23, the percent of youth with a first-time commitment to DYS that disclosed abuse or negative comments remained relatively stable, except a higher percentage of youth disclosed having heard negative comments about their appearance or race and having fears about being at DYS.

¹¹² For more information on the tools collecting these measures, see the “Characteristics of Youth Detained Pretrial” section in this report.

Figure 59:
First Time Commitments by PREA "Yes" Responses (FY22-FY24)

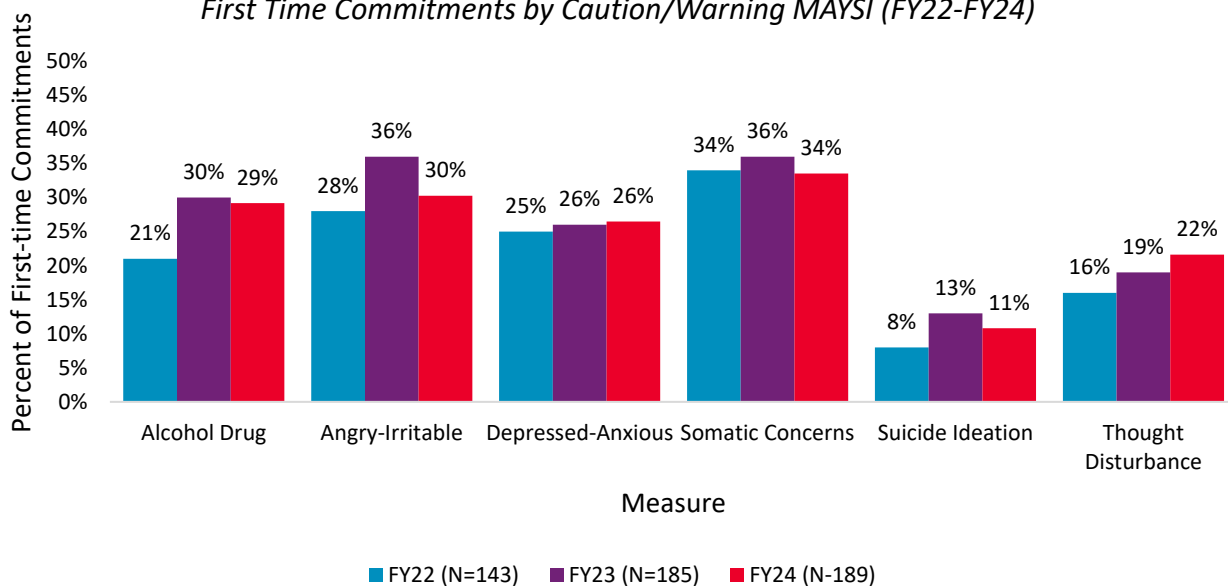


Source: Data provided to the OCA by DYS' Department of Research

Data on Mental & Behavioral Health Needs

Compared to FY23, a lower percentage of youth committed to DYS for the first time scored "caution" or "warning" across all behavioral health needs categories. The exception was "thought disturbance," which showed an increase of 3 percentage points.

Figure 60:
First Time Commitments by Caution/Warning MAYSI (FY22-FY24)



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

Youth Committed to DYS: Placement Settings as of June 30, 2024

First-time commitments data reflect youth who were committed to DYS for the first time that year. Commitment point-in-time or “snapshot” data shows all youth committed on a given day and not just those new to a commitment with DYS. This includes youth who have been adjudicated delinquent more than once, and includes youth committed to DYS who have not aged out of their commitment yet and remain on the DYS caseload. The data takeaways presented in this text box reflect the youth who were in the custody of DYS on June 30, 2024. **On that date, there were 283 youth committed to DYS.**

Since a youth’s placement type can change throughout their DYS commitment, it is best to use snapshot data to analyze the number of committed youth in various types of placements. On this day, 60% (n=170) of youth committed to DYS were placed in a residential placement setting and 40% (n=113) were supervised in a community setting.

- Of the 170 committed youth in a residential placement, 56% (n=96) were in a hardware secure facility, and 44% (n=74) were in a staff secure placement.
- For youth placed in a residential program, DYS’ *continuum of care* designates the different reasons youth are held in a residential placement. On June 30, 2024, of the 170 youth in a residential placement, 56% (n=96) were in a treatment program, 10% (n=17) were found to be in violation of their Grant of Conditional Liberty (GCL) and returned to residential custody, and 34% (n=57) were in a residential placement for another reason (e.g., youth was detained, participating in an assessment, or in a transition to independent living program for DYS).[^]
- On that day, committed youth in a residential placement had spent an average of 82 days committed to DYS. The median length of stay in their current (as of 6/30/24) placement was 48 days.
- On that day, committed youth placed in the community had spent an average of 171 days committed to DYS. The median length of stay in the community (as of 6/30/24) placement was 109 days.

* Placement type is determined by the youth’s risk level and offense type. Youth committed to DYS who are living in the community do so on a “Grant of Conditional Liberty” or GCL. A GCL can be revoked based on a violation of a condition, and a youth can be brought back to a DYS facility at the discretion of DYS. This is roughly equivalent to “parole” in the adult justice system.

[^]Youth who are already committed to DYS can be held in detention for another case.

Source: Research Department, Department of Youth Services

Youthful Offender Cases

A youthful offender case involves a youth between 14 and 18 years old who is indicted by a grand jury for allegedly committing an offense against a law of the Commonwealth which, if they were an adult, would be punishable by imprisonment in state prison and who meets any of the following criteria:¹¹³

1. the youth has previously been committed to the Department of Youth Services
2. the youth has committed an offense which involves the infliction or threat of serious bodily harm in violation of law
3. the youth has committed certain firearms and weapons offenses

District attorneys may choose to present certain juvenile cases to a grand jury, whose role is to decide whether there is enough evidence to charge the youth with the crime alleged and whether the crime and/or the youth meets the criteria necessary for the youth to be indicted as a youthful offender. If the grand jury determines there is sufficient evidence to charge the youth with the crime alleged and that the youth meets youthful offender criteria, they issue an “indictment” accusing the youth of specific offenses and a separate indictment accusing the youth of being a youthful offender.¹¹⁴

If the grand jury determines the youthful offender criteria have not been satisfied, the district attorney may continue to proceed against the youth as a delinquency case; However, Board members note it is rare that a grand jury determines that there is insufficient evidence. If a youth is indicted, they are brought before the Juvenile Court and arraigned. The rest of their case proceeds similarly to a delinquency case except in two ways:

1. Youth in these cases have the right to be tried by a jury of 12 adults (compared to six adults in delinquency proceedings)
2. Youthful offender trials are open to the public (compared to delinquency proceedings, which are closed to the public)

In FY24, there were:

- 146 youthful offender case indictments

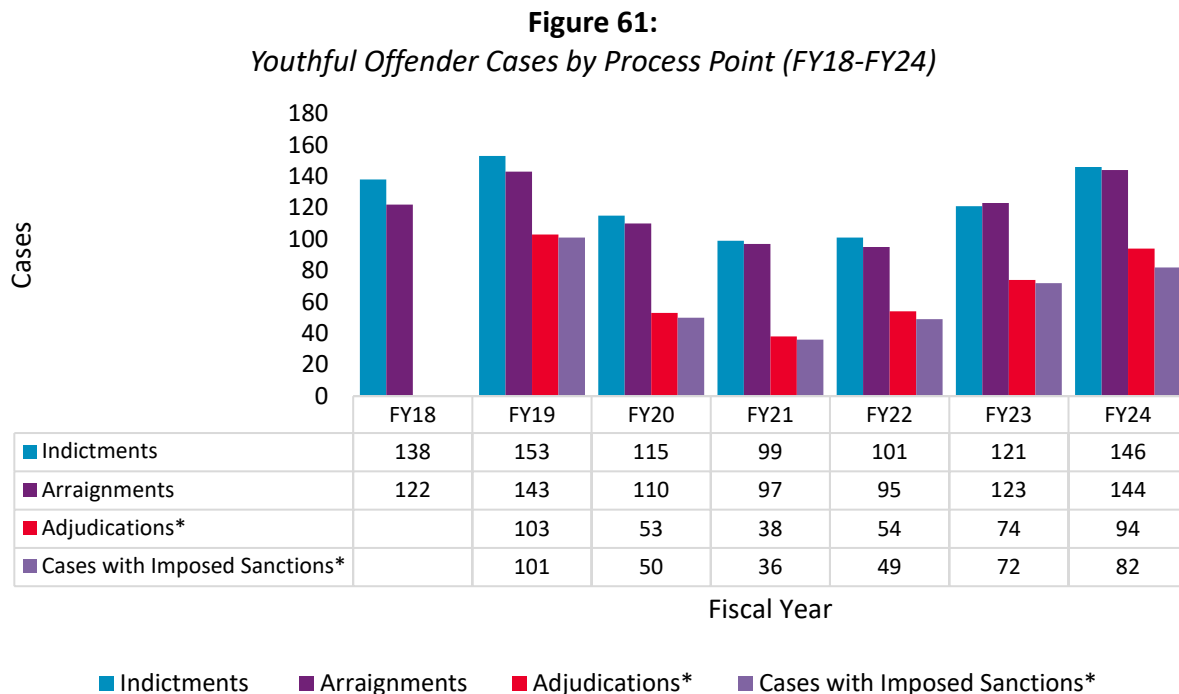
¹¹³ As defined in M.G.L c119 §52: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter119/Section52> ; In other states, laws permit youth alleged of certain offenses to be transferred to adult court (referred to as “waivers” or “direct file”). Instead of using waivers/direct transfers for non-homicide cases, Massachusetts uses the youthful offender statute to give judges more flexibility at the sanctions/sentencing phase for youth adjudicated delinquent/found guilty, including using adult sentencing options (e.g., jail and prison). For more information on national numbers, see:

https://ojjdp.ojp.gov/publications/characteristics-of-cases-judicially-waived.pdf?utm_campaign=data_snapshots_7_26&utm_medium=email&utm_source=juvjust

¹¹⁴ Pries, R. & Rosensweig, C. (2018). *Kids and the Law: A User's Guide to the Juvenile Court* (4th edition). Adolescent Consultation Services. <https://acskids.org/flipbook/?page=152>

- 144 youthful offender case arraignments
- 94 youthful offender cases that resulted in a CWO, delinquent adjudication, or guilty adult sentence
- 6 youthful offender cases that were adjudicated not a youthful offender

Unlike delinquency cases, which mostly plateaued or decreased between FY23 and FY24, the number of youthful offender cases increased at each process point. The number of youthful offender cases have increased at each process point consistently beginning in FY22.



Note: *FY18 youthful offender adjudications, and sanctions data is unavailable. Source: FY18-23 data retrieved from the JJPAD's FY23 Annual Report; FY24 data retrieved 11/2024 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687/vizzes>

Murder Charges

In Massachusetts, the juvenile justice system has jurisdiction over any individual age 12 through 17 charged with a delinquency offense regardless of the type of offense except for homicide charges. A case in which a youth over the age of 14 is accused of murder in first or second degree¹¹⁵ is automatically arraigned in (adult) District Court and further court proceedings are heard in Superior Court (i.e., indictment, arraignment, and sentencing). In Massachusetts,

¹¹⁵ [MGL c119 s74](#), [MGL c265, §1](#)

youth 14-18 years old convicted of first-degree murder charges have a mandatory sentence of 20-30 years in state prison.¹¹⁶

In FY24, there were 9 youth arraigned on murder charges in Superior Court.

Table 3: Cases Heard in Superior Court -- Youth Charged with Murder	
Fiscal Year	Number of cases
FY19	4
FY20	3
FY21	11
FY22	12
FY23	6
FY24	11
Source: FY18-FY23 data retrieved from the JJPAD's FY23 Annual Report; FY24 data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here: https://public.tableau.com/app/profile/drap4687/viz/SuperiorCourtMurderCasesUnderAge18/DfndtCaseCharacteristics	

Prior to 2024, young people (between 18 and 21 years old) convicted of first-degree murder could be sentenced to life without the possibility of parole in state prison. In January 2024, the SJC ruled in *Commonwealth v. Mattis*¹¹⁷ that youth (under the age of 21) can no longer be sentenced to life without parole.

Sanctions/Adult Sentences

If the youth is “found to be a youthful offender,” the court may impose one or a combination of the following sanctions in addition to the delinquency sanctions reported above:

- commit the youth to DYS until age 21
- commit the youth to DYS until age 21, with that commitment suspended, while the youth is placed on a period of probation supervision
- any adult sentence allowed for by law for the adjudicated offense, including a sentence to the house of correction, state prison, or adult probation
- commit the youth to DYS until age 21 with a suspended adult sentence. If the youth successfully complete their commitment, the case may conclude; if not, the youth may be sentenced to an adult facility.¹¹⁸

¹¹⁶ This changed in 2014. Prior to 2014, youth could be sentenced to life without parole. See the SJC decision that changed that in 2013 <http://masscases.com/cases/sjc/471/471mass12.html> and the legislation that codified it in 2014:

<https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter189>

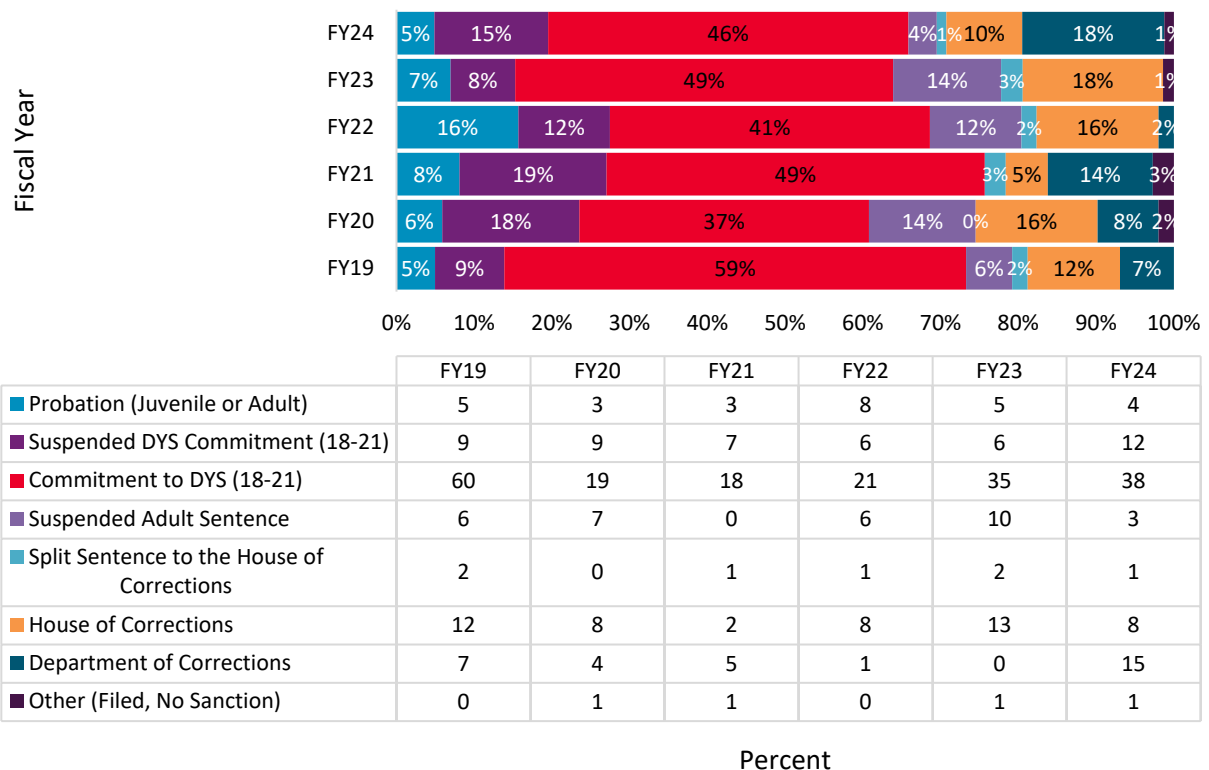
¹¹⁷ <https://hls.harvard.edu/events/mattis-panel/> ; As of this report, 8 people have been granted parole under this decision. Lawyers estimate 200 people currently incarcerated in MA DOC are impacted by this decision.

<https://www.boston.com/news/local-news/2025/01/13/8-convicted-of-murder-while-young-adults-become-first-to-be-paroled-under-new-sjc-decision/>

¹¹⁸ This is referred to as a “combination sentence” because it combines a commitment to DYS with the potential for a youth to complete an adult sentence if the youth fails to comply with the terms of the combination sentence. Typically, if the youth successfully completes their commitment the case will conclude without the youth serving an adult sentence; however, the court may also decide that the probationary period associated with the suspended sentence should begin after the youth is discharged from commitment. In either case, if the youth successfully meets the court’s terms, they will not have to serve the

The most frequent sanction imposed on youth adjudicated on youthful offender cases is a commitment to DYS until 21 years old. Probation is required to complete a sentencing report to provide sentencing recommendations. In some cases, the Juvenile Court can refer the youth to the Juvenile Court Clinic and have the Court Clinic conduct a “youthful offender evaluation”. However, in FY24 there were no referrals to the Court Clinic for youthful offender evaluations.¹¹⁹

Figure 62:
Youthful Offender Cases by Initial Sanction/Sentence (FY19-FY24)



Source: FY19-23 data retrieved from the JJPAD’s FY23 Annual Report; FY24 data retrieved 11/2024 from the Massachusetts Trial Court’s Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsJuvenileCourtYouthfulOffenderDismissalsandAdjudications/DispositionsbyDivision>

adult sentence, but if the youth violates the terms of the probationary period associated with the suspended sentence, the judge may impose the suspended adult sentence and commit the youth to an adult facility.

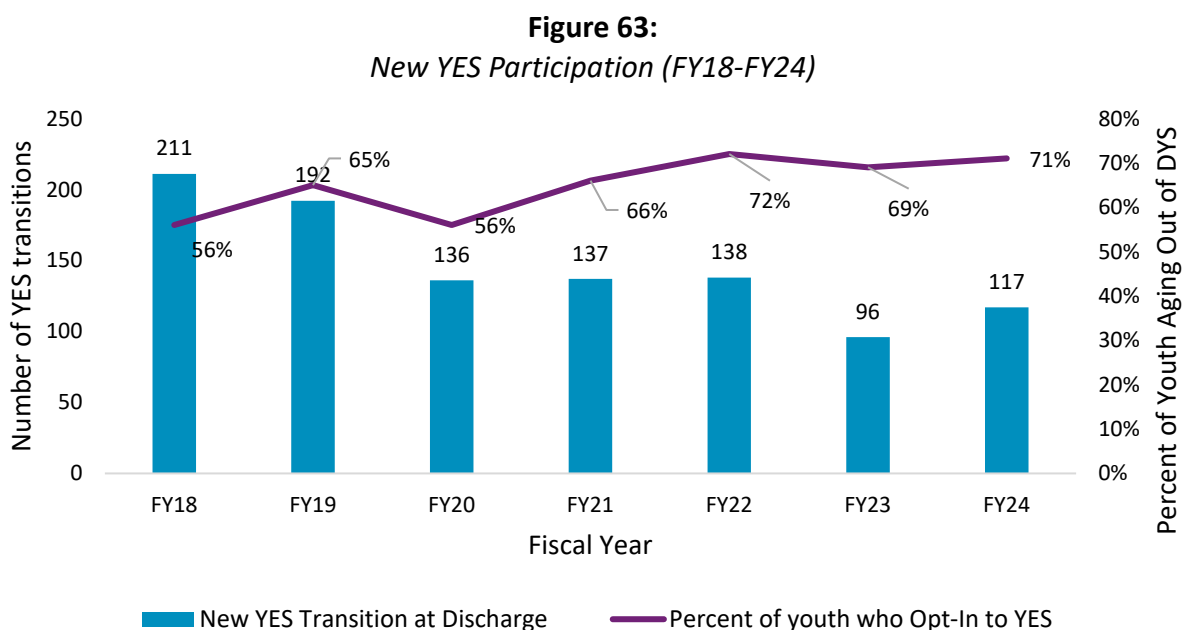
¹¹⁹ This is consistent with recent years. For more information on Juvenile Court Referrals reasons, see Appendix K.

Post-Commitment Services: Youth Engaged in Services (YES) Transitions

YES is an agreement between DYS and a young person, where the youth voluntarily extends their engagement with DYS after reaching the statutory age of discharge from DYS (after age 18 or 21), for example, to complete an education program or to continue case management. Through this program, DYS supports youth transitioning out of typical juvenile services into adulthood. Youth can terminate their YES status at any time and can seek to resume YES services at any time prior to their 22nd birthday.

YES transition counts include the number of youth who age out of DYS commitments (18,19, 20 or 21 years old) and then sign up for YES participation within 90 days of discharge. Youth who stop YES participation and restart at a later date are only counted once. The YES program is available for youth until age 22.

Total YES transitions increased 22% in FY24 (from 96 in FY23 to 117 in FY24). Additionally, the percent of youth who opted into the program when they were discharged from commitment (i.e., are no longer required to remain involved with DYS) increased from 69% in FY23, to 71% in FY24. This is a consistent trend in recent years, indicating a greater need and desire for supports by youth committed to DYS as they enter young adulthood.



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

Specific Cohorts of Youth

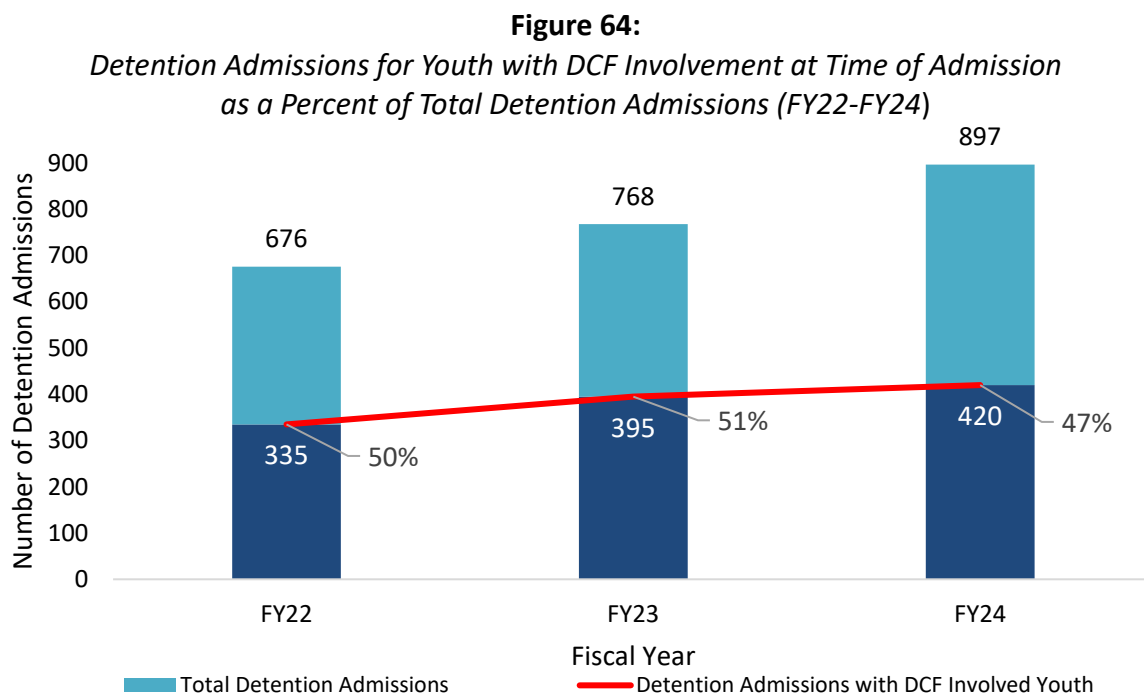
Dually Involved Youth: Youth with both DYS and DCF Involvement

In FY21, the JJPAD Board began studying “crossover” for youth who are involved with both the child welfare and juvenile justice systems. The Board specifically looks at youth with DCF involvement at:¹²⁰

- time of pretrial detention admission
- time of first-time commitment

In FY24:

- **There was a decline in the percent of detention admissions for youth with DCF involvement compared to FY23.** In FY24, 47% (n=420) of admissions were for youth who had DCF involvement, down from 51% (n=395) and 50% (n=335) in FY23 and FY22 respectively.



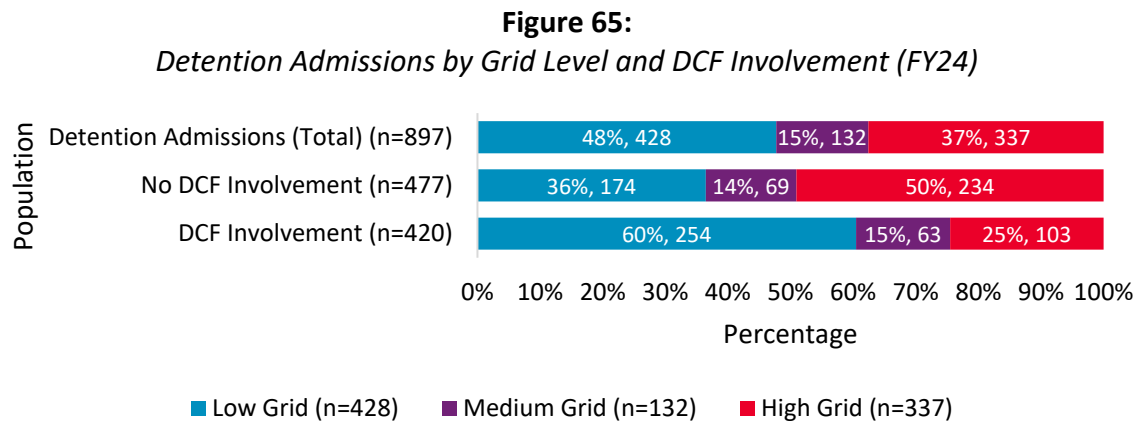
A youth may experience more than one detention admission within a fiscal year. A youth may be counted one or more times within a fiscal year. Source: Data provided to the OCA by the Department of Youth Services

¹²⁰ DYS defines DCF involvement as a youth who enters DYS care/custody and either has a pending response, open case with DCF, or is in the care/custody of DCF. Due to multiple factors including but not limited to the definition of open case, the definition of dually involved youth, the quality of the youth matching process, and the data quality and timeliness of data entry, these counts and rates will vary. Numbers in this report should not be compared to other reports.

Data is unavailable for youth with DCF involvement at other points of the juvenile justice system (e.g., arraigned, placed on probation). Further breakdowns can be found in the “Specific Cohorts” section of this report.

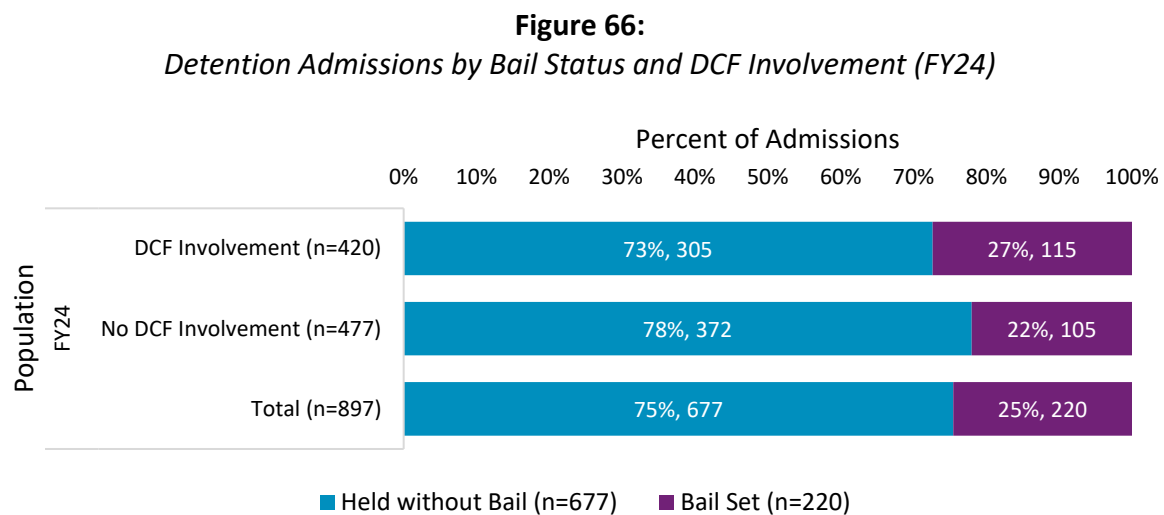
Data is unavailable for youth with DCF involvement at other points of the juvenile justice system (e.g., arraigned, placed on probation)

- **Youth with DCF involvement were more likely to be detained for lower-level offenses** than youth without DCF involvement.



Source: Data provided to the OCA by the Department of Youth Services

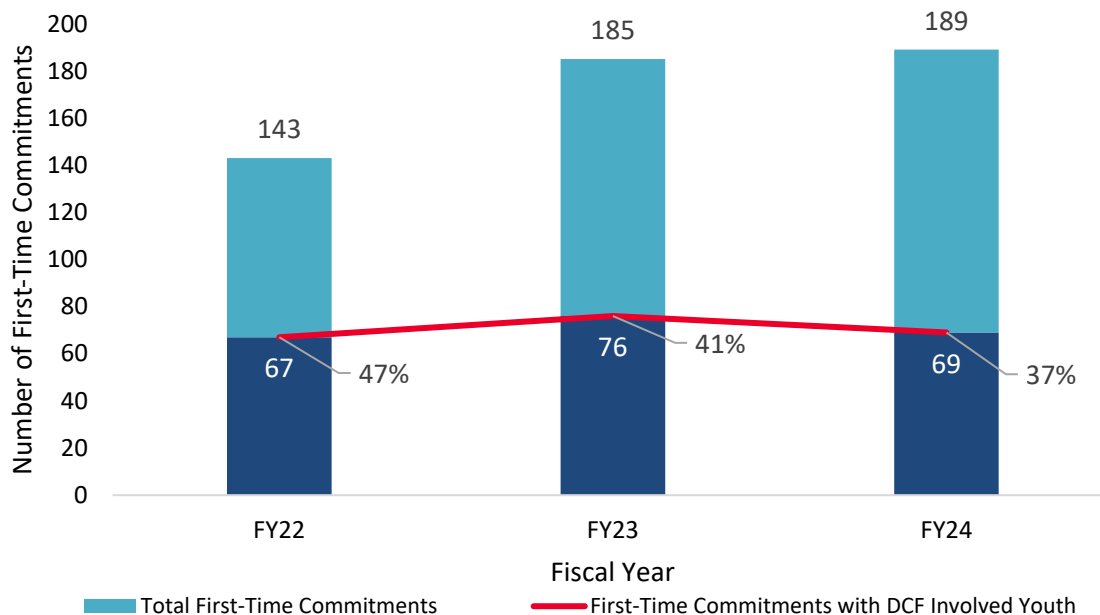
- **Youth with DCF involvement were more likely to be held with bail set, and for lower amounts,** than youth without DCF involvement.



Source: Data provided to the OCA by the Department of Youth Services

- **There was a year-over-year decline in the rate of first-time commitments for youth with DCF involvement,** down from 47% of total first-time commitments in FY22, to 41% in FY23 and 37% in FY24.

Figure 67:
*Youth with DCF Involvement at Time of First Commitment
as a Percent of Total First Time Commitments (FY22-FY24)*



Source: Data provided to the OCA by the Department of Youth Services

Black & Latino Youth

As noted in this and all previous JJPAD annual reports, **there are persistent racial and ethnic inequities in the Commonwealth's juvenile justice system**, stemming from a long history of systemic racism at the local, state, and federal levels as well as in our society at large. While individual implicit and explicit biases can and do impact practices, the work of the JJPAD Board is to address the systemic policies and practices perpetuating the overrepresentation of youth of color in the state's juvenile justice system. Examining data on use of state systems is one way the Board can identify particularly troubling trends and work toward equity in the Commonwealth's systems.

As Figure 68 depicts, Black and Latino youth remained overrepresented at each process point in the juvenile justice system. This has been a consistent trend in the data since the Board's first annual report.¹²¹

¹²¹ Source: Massachusetts population data retrieved from EZAPOP here: <https://www.ojjdp.gov/ojstatbb/ezapop/> ; Summons, arrest, application for complaint, delinquency filings, arraignments, dangerousness hearings and dispositions retrieved between 10/2024 and 1/2025 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687> ; Overnight arrest admissions, pretrial detention, and first-time commitment data provided to the OCA by DYS' Department of Research ; Probation data provided to the OCA by MPS' Research Department

Figure 68:
MA Juvenile Justice Process Point by Race/Ethnicity (FY24)



Source: Massachusetts population data retrieved from EZAPOP here: <https://www.ojdp.gov/ojstatbb/ezapop/> ; Summons, arrest, applications for complaint, delinquency filings, arraignments,, dangerousness hearings and dispositions retrieved between 10/2024 and 11/2024 from the Massachusetts Trial Court's Tableau Public page here:<https://public.tableau.com/app/profile/drap4687/vizzes> ; Overnight arrest admissions, pretrial detention, and first-time commitment data provided to the OCA by DYS' Department of Research; Pretrial supervision/monitoring cases, and post adjudication probation case starts provided to the OCA by the Massachusetts Probation Service's Department of Research

Between FY23 and FY24, there was an increase in cases involving Black and Latino youth at most process points, and a decrease in cases involving white youth. At some process points, particularly custodial process points and at the initial stage of the juvenile justice system, this has worsened disparities.¹²²

There were large increases in system use for Black youth particularly across the initial stages of the juvenile justice system. Disparities between Black youth and white youth were worse at the arrest and overnight arrest stage. Between FY23-FY24:

- Applications for complaints initiated by an arrest involving Black youth increased by 14%. In FY24, Black youth were 5.42 times more likely to be arrested than issued a summons compared to white youth in the state (up from 4.89 times more likely in FY23).
- Overnight arrest admissions involving Black youth increased by 13%. In FY24, Black youth were 3.30 times more likely to be held overnight compared to white youth. (up from 2.66 times more likely in FY23).

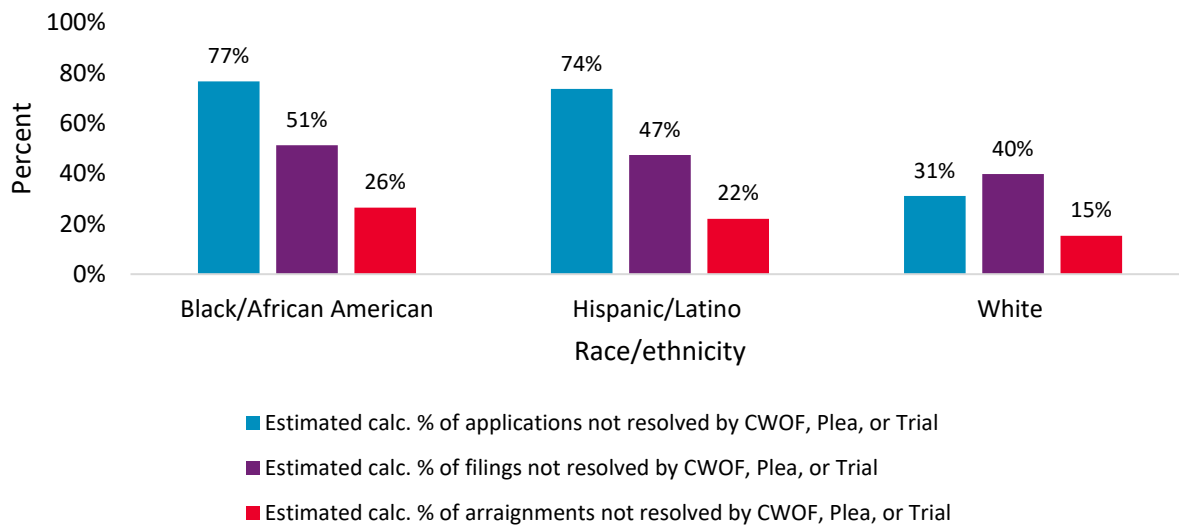
The number of cases involving Latino youth increased at almost every process point – with the largest increases happening across custodial process points. Disparities between Latino youth and white youth were worse at the overnight arrest and first-time commitment stages and overnight arrest stage. Between FY23-FY24:

- Overnight arrest admissions involving Latino youth increased by 16%. In FY24, Latino youth were 3.44 times more likely to be held overnight compared to white youth (up from 2.79 times more likely in FY23).
- First time commitments involving Latino youth increased by 20%. In FY24, Latino youth were 3.26 times more likely to be committed compared to white youth (up from 1.19 times more likely in FY23).

Further, data shows that applications for complaint for Black and Latino youth are dismissed or diverted at a substantially higher rate than applications for white youth. An estimated 77% and 74% of applications for complaint involving Black and Latino youth, respectively, did not reach a disposition. This is compared to 31% of applications for complaints involving white youth. This suggests that Black and Latino youth may be more likely to be brought to court for situations that the court system ultimately determines do not require prosecution and adjudication than white youth. Given the negative impact that *any* arrest and court involvement, even if it is resolved at an early stage of the process, can have on youth, this is a concerning trend.

¹²² See Appendix F for a full breakdown of juvenile justice process points by race/ethnicity.

Figure 69:
Estimated Percent of Cases Not Disposed by Race/Ethnicity (FY24)



Source: Application for Complaint data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation> ; Delinquency filing data retrieved on 10/2024 from the Massachusetts Trial Court's

Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtApplicationsforDelinquentComplaint/SummaryCaseInitiation> ; Case disposition data retrieved 11/2024 from the Massachusetts Trial Court's Tableau

Public page here:

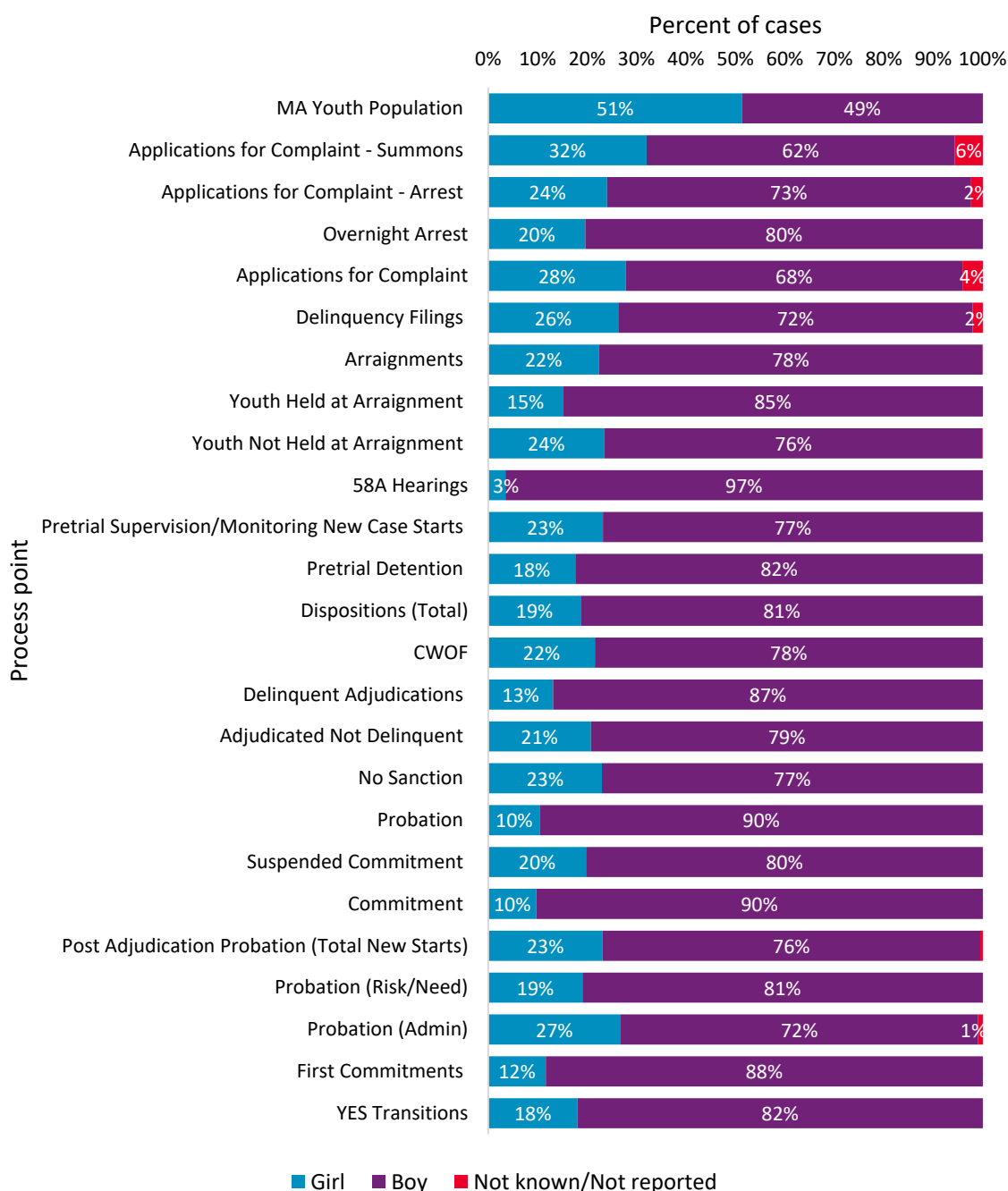
<https://public.tableau.com/app/profile/drap4687/viz/DelinquencyDismissalsandAdjudications/AdjudicationRates>

Girls

Consistent with prior years, the overwhelming majority of cases processed in the state's juvenile justice system involve boys.¹²³

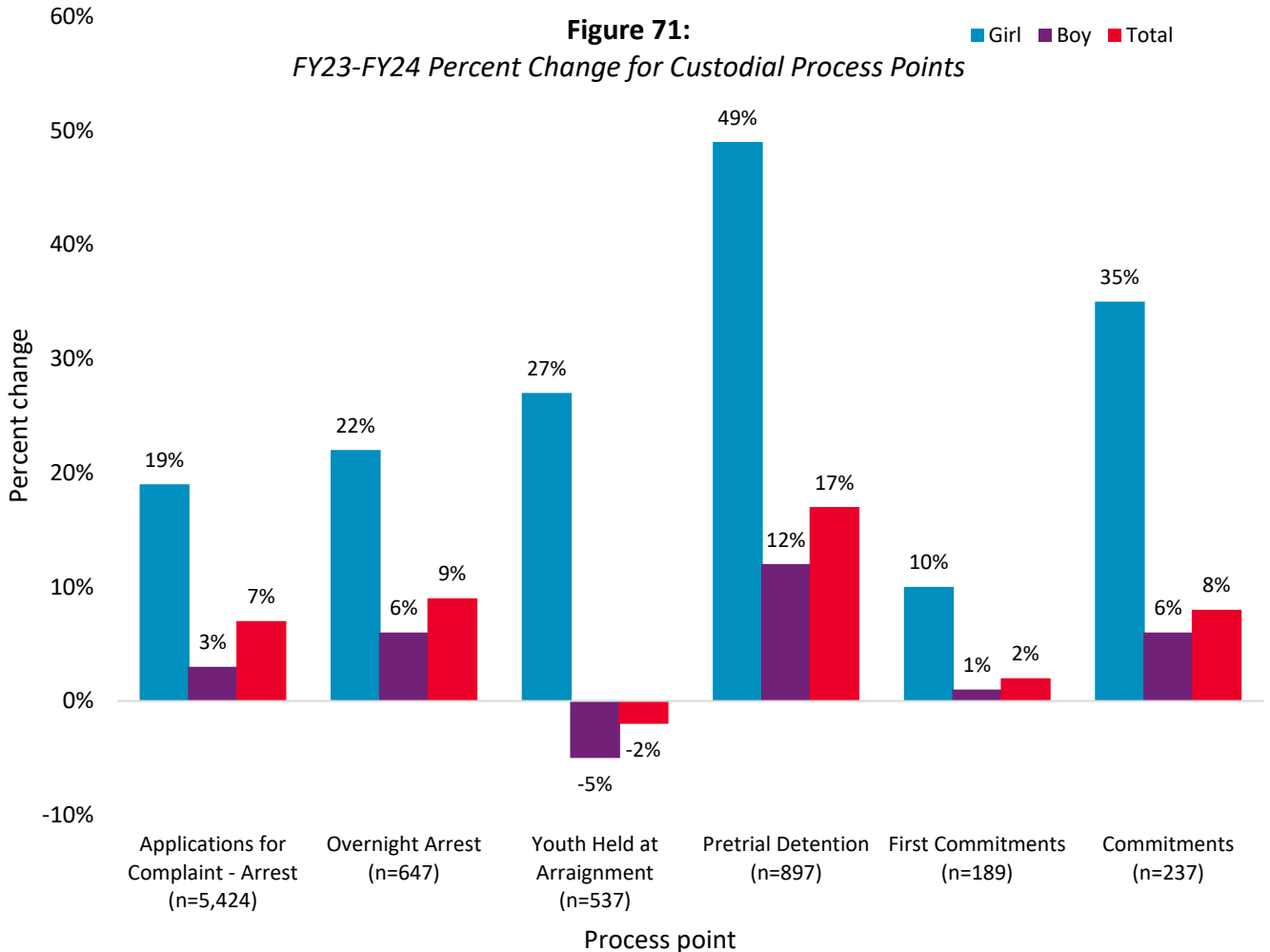
¹²³ Source: Massachusetts population data retrieved from EZAPOP here: <https://www.ojjdp.gov/ojstatbb/ezapop/> ; Summons, arrest, application for complaint, delinquency filings, arraignments, dangerousness hearings and dispositions retrieved between 10/2024 and 1/2025 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687>; Overnight arrest admissions, pretrial detention, and first-time commitment data provided to the OCA by DYS' Department of Research; Probation data provided to the OCA by MPS' Research Department

Figure 70:
MA Juvenile Justice Process Point by Gender (FY24)



Source: Massachusetts population data retrieved from EZAPOP here: <https://www.ojdp.gov/ojstatbb/ezapop/> ; Summons, arrest, applications for complaint, delinquency filings, arraignments,, dangerousness hearings and dispositions retrieved between 10/2024 and 11/2024 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687/vizzes> ; Overnight arrest admissions, pretrial detention, and first-time commitment data provided to the OCA by DYS' Department of Research; Pretrial supervision/monitoring cases, and post adjudication probation case starts provided to the OCA by the Massachusetts Probation Service's Department of Research

However, compared to boys, there was a greater rate of increase in cases involving girls at almost all process points. This increase was greatest at custodial process points.



Source: Applications for complaint, youth held at arraignment, and commitment data retrieved between 10/2024 and 1/2025 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687> ; Overnight arrest admissions, pretrial detention, and first-time commitment data provided to the OCA by DYS' Department of Research

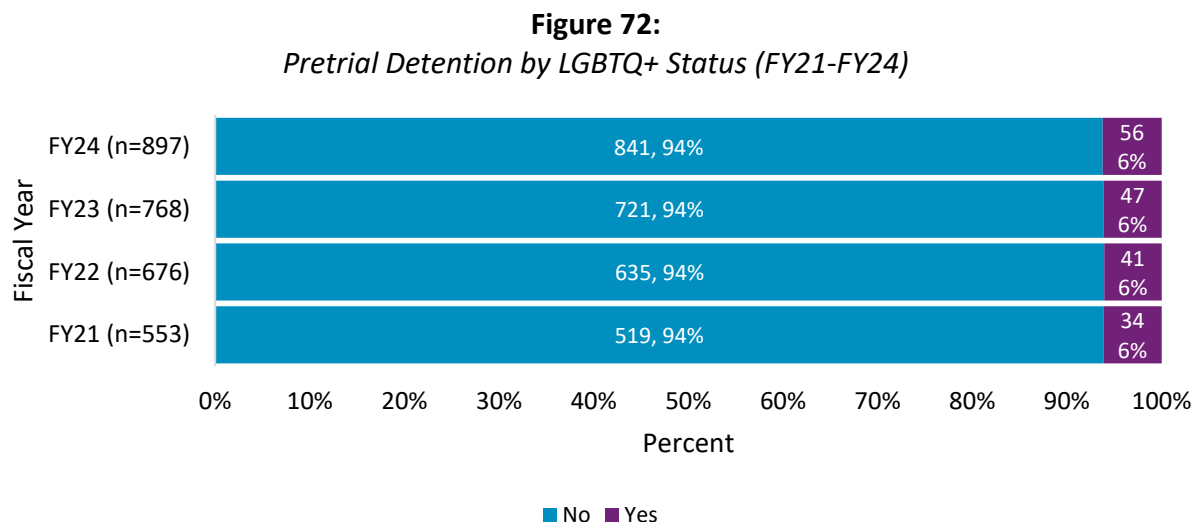
This increase could be due to a number of potential factors, including:

- Girls are committing more alleged delinquent offenses, and the system is responding,
- There was an increase in girls being arrested on serious felony offenses, creating fewer opportunities for court stakeholders to divert/dismiss cases, and/or
- There is a change in the way juvenile justice decisionmakers are responding to girls alleged of committing or adjudicated delinquent of a delinquent offense, resulting in more girls in the system

At this time, the Board is unable to determine, what, if any, of the above factors are contributing to this increase. The OCA will do a deeper dive into the data on girls coming into the system in the year ahead in partnership with the JJPAD Data Subcommittee.

LGBTQ+ Youth

DYS reports the sexual orientation, transgender status, and intersex status of youth in their care and custody.¹²⁴ Six percent (n=56) of pretrial detention admissions were for youth who identified as LGBTQ+.¹²⁵ As the MA LGBTQ+ Youth Commission has highlighted in recent reports, this is below national estimates.¹²⁶ The underrepresentation of LGBTQ+ youth detained pretrial in Massachusetts may be a positive sign – or it may be due to underreporting of detained youth who may decide not to disclose their gender identity or sexual orientation status at intake. However, it is important to note that DYS’ policy is to revisit this question at each intake and create multiple opportunities for youth to disclose LGBTQ+ status as they build trusting relationships with staff.



Source: Data provided to the OCA by the Department of Youth Services

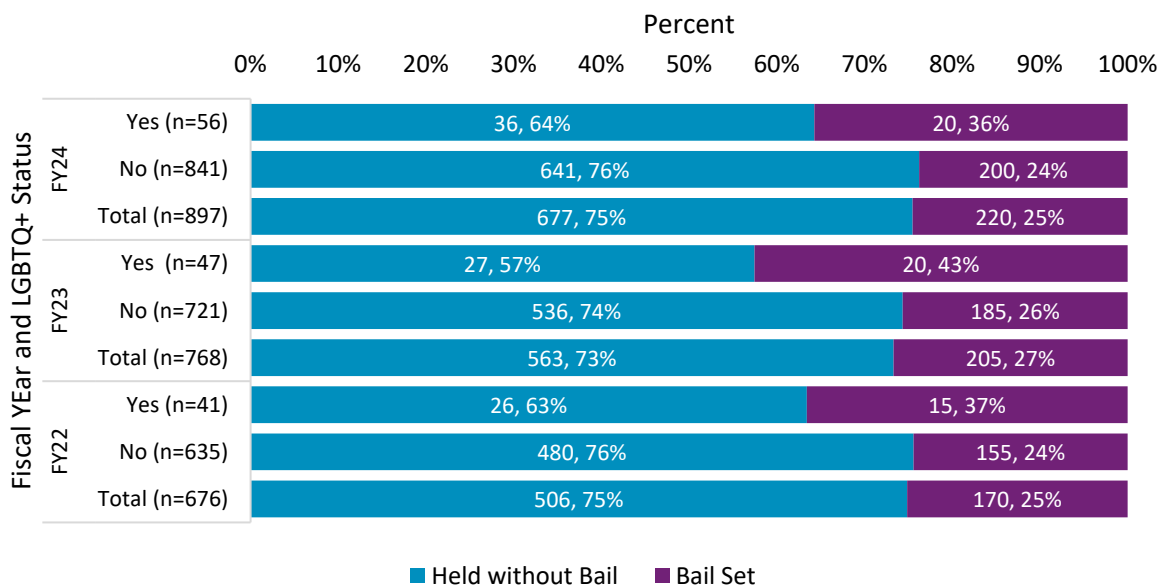
Regardless of whether there is over- or under- representation of LGBTQ+ youth detained in Massachusetts, the reasons *why* youth who identify as LGBTQ+ are detained differ compared to those youth who do not. Consistent with previous years, youth who identified as LGBTQ+ were held on cash bail more frequently, and for lower amounts, than youth who did not identify as LGBTQ+.

¹²⁴ Currently, DYS is the only juvenile justice system entity that collects and reports data on sexual orientation and gender identity/transgender/intersex status.

¹²⁵ For the purposes of this report, sexual orientation and gender identity data is aggregated into one category due to low individual case counts and to protect youth confidentiality.

¹²⁶ [Massachusetts Commission on LGBTQ+ Youth](https://www.mass.gov/doc/mclgbtgy-annual-recommendations-fy-2024-0/download). Report and Recommendations Fiscal Year 2024.
<https://www.mass.gov/doc/mclgbtgy-annual-recommendations-fy-2024-0/download>

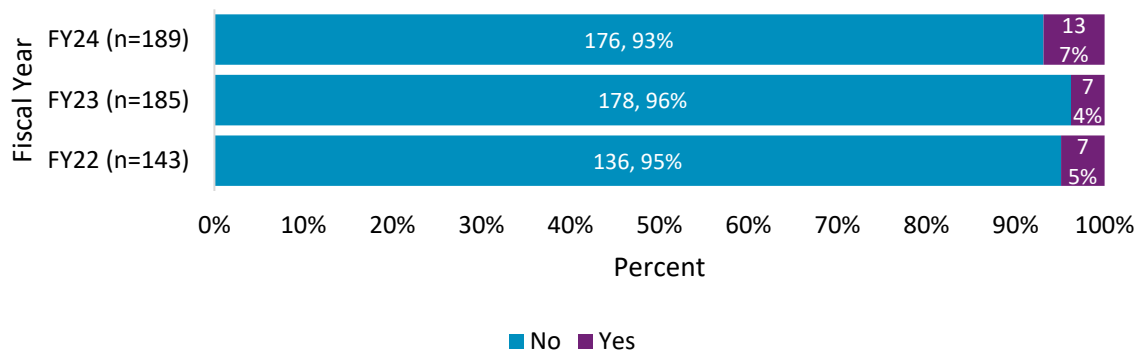
Figure 73:
Detention Admissions by Bail Status and LGBTQ+ Status (FY22- FY24)



Source: Data provided to the OCA by the Department of Youth Services

Of the 189 first-time commitments to DYS, 7% (n=13) were for youth who identify as LGBTQ+, 3 percentage points more than FY23.

Figure 74:
First Time Commitments by LGBTQ+ Status



Source: Data provided to the OCA by the Department of Youth Services

Utilization of Other State Resources

In general, adolescence is a time for taking risks and testing limits; behaviors that adults may consider “problematic” or “concerning” are common among adolescents and are in many cases normal adolescent behavior.¹²⁷ Eventually, most youth mature and grow out of risky behaviors – and will do so without any state intervention (justice system or otherwise) required.

When behaviors *do* require an additional level of state intervention though, there are a variety of state entities that youth may receive services from including the Department of Mental Health and the Department of Public Health. There is also the option to file a Child Requiring Assistance (CRA) petition in Juvenile Court, which in some cases, can involve DCF. The JJPAD Board gathers data on the use of these state resources that may serve youth who are, or might otherwise have been, involved with the juvenile justice system. The goal is to identify the extent to which other response options are being used to address unlawful/concerning adolescent behavior and see if changes restricting the use of the delinquency system for certain types of behavior has led to an increase in the use of other systems.

To the degree that this can be measured with the data available to the Board, it appears that – for the most part—the reforms in the CJRA have not led to an increase in the use of other state resources. Most state services saw a similar plateau effect as the juvenile justice system between FY23 and FY24. For example, since FY18 the number of:

- CRA filings declined 18%
- Youth applications for DMH services declined 46%

At the same time, there have been increases in participation of state services. For example, since FY18:

- The number of youth participating in violence prevention programming has increased 10%
- Referrals to Juvenile Court Clinics has increased 12%

The increase in the number of youth in prevention programming is encouraging as it can serve as a possible indicator for continued declines in system use; if prevention programming has a greater reach, more youth will be less likely to go on to be delinquency system involved.

Many of the most effective interventions for youth do not involve state government at all: families, schools, community organizations, faith-based organizations, and health care providers are all systems that are likely to respond to difficult adolescent behavior without

¹²⁷ Kann, L., McManus, T., & Harris, W. (2018). [Youth risk behavior surveillance-- United States](https://www.cdc.gov/healthyyouth/data/yrbs/results.htm). *Surveillance Series*, (67). Centers for Disease Control and Prevention. Retrieved from <https://www.cdc.gov/healthyyouth/data/yrbs/results.htm>

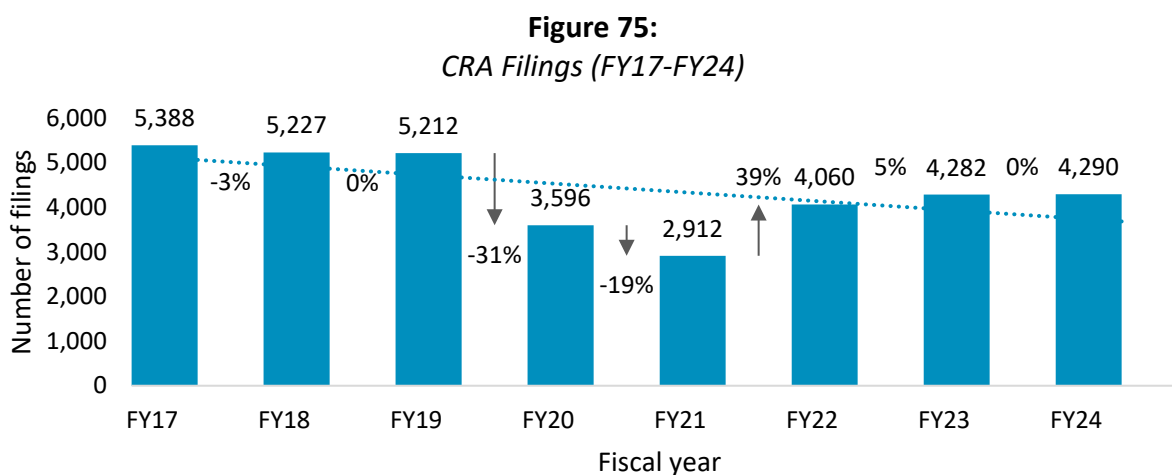
involving state government. None of these interventions will appear in the data, despite the importance these systems and organizations have in a youth's life.

However, as the DYS "needs and traumatic histories" data indicate above—**there is still room for referrals to these state services for support for youth still being processed through the traditional court system.**

Child Requiring Assistance (CRA) Petitions

The Child Requiring Assistance (CRA) civil court process allows parents, guardians, and school officials to bring youth with certain behaviors into court for additional assistance.¹²⁸

In FY24, there were 4,290 CRA petitions filed with the Juvenile Court, an increase of less than 1% from FY23. The number of CRA petitions is down 18% since FY18.



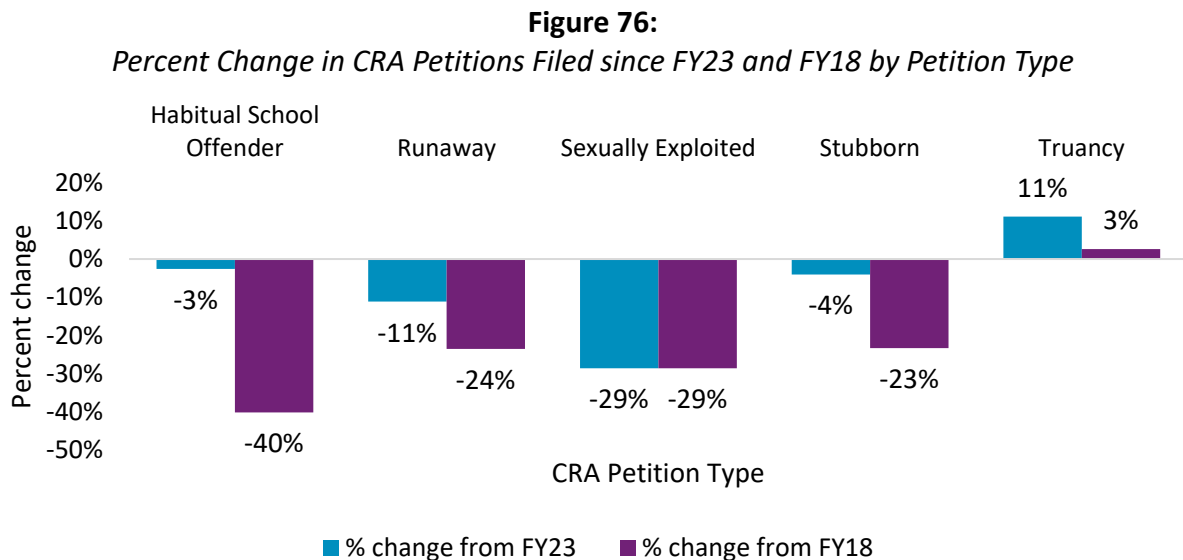
Source: FY17-FY23 data retrieved from the JJPAD Board's FY23 Annual Report; FY24 data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/viz/DemographicsofChildRequiringAssistanceFilings/CRACasesbyRaceEthnicity>

¹²⁸ [Massachusetts Juvenile Justice Policy and Data \(JJPAD\) Board](https://www.mass.gov/doc/improving-massachusetts-child-requiring-assistance-system-an-assessment-of-the-current-system-and-recommendations-for-improvement-10-years-post-chins-reform/download). (2022). Improving Massachusetts' Child Requiring Assistance System: An Assessment of the Current System and Recommendations for Improvement 10 Years Post "CHINS" Reform. <https://www.mass.gov/doc/improving-massachusetts-child-requiring-assistance-system-an-assessment-of-the-current-system-and-recommendations-for-improvement-10-years-post-chins-reform/download>

Types of CRA Petitions

- **Stubborn Petition:** a type of CRA petition that can be filed by a parent/legal guardian for a child who 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.
- **Runaway Petition:** a type of CRA petition filed by the child's parent or legal guardian/custodial for a child who repeatedly runs away from their home.
- **Truancy Petition:** a type of CRA petition that can be filed by schools for a child who is habitually truant by willfully not attending school for more than 8 days a quarter.
- **Habitual School Offender Petition:** a type of CRA petition that can be filed by schools for a child who repeatedly fails to obey the lawful and reasonable regulations of the child's school.
- **Sexual Exploitation Petition:** a type of CRA petition that can be filed by a parent/legal guardian or a police officer for a child who is sexually exploited.

Between FY23 and FY24, the number of CRA filings across all petition types decreased, except for truancy petitions. The number of CRA filings for truancy petitions increased 11% during this time. CRA filings are down 18% compared to FY18; however, CRA truancy petitions have increased 3% during the same period.



Source: FY18 & FY23 data retrieved from the JJPAD Board's FY23 Annual Report; FY24 data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/DemographicsofChildRequiringAssistanceFilings/CRACasesbyRaceEthnicity>

As further discussed in the Juvenile Court Clinic section in this report, the number of referrals to court clinics for CRA evaluations has declined 17% since FY18 (at a similar rate to overall filings). The table below estimates the percentage of CRA filings that result in a court clinic evaluation. In FY24, just 8% of all CRA filings resulted in an evaluation, consistent with previous years.

Table 4: Juvenile Court Clinic CRA Evaluations as an Estimated Percent of Total CRA Filings (FY17-FY24)								
Measure	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24
Total CRA Filings	5,388	5,227	5,212	3,596	2,912	4,060	4,282	4,290
Child Requiring Assistance Eval.	466	417	462	250	254	350	280	348
Evals. as a percent of Total CRA Filings	9%	8%	9%	7%	9%	9%	7%	8%
Source: FY17-FY23 data retrieved from the JJPAD Board's FY23 Annual Report; FY24 data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here: https://public.tableau.com/app/profile/drap4687/viz/DemographicsofChildRequiringAssistanceFilings/CRACasesbyRaceEthnicity ; Child Requiring Assistance Evaluation data provided to the OCA by the Department of Mental Health's Forensic Services								

Department of Public Health

The Department of Public Health (DPH) provides substance addiction services as well as violence prevention programming for youth.

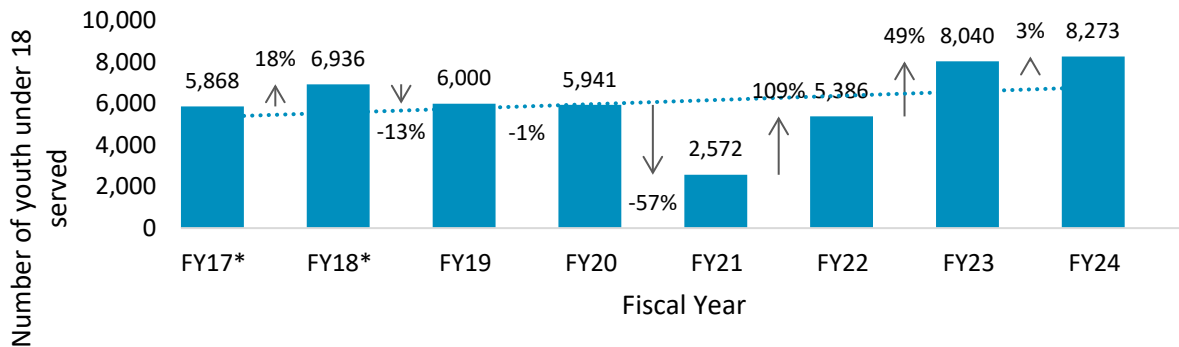
Child and Youth Violence Prevention Programs

DPH's Child and Youth Violence Prevention Unit (CYVPU) provides funding to community-based initiatives across the state working to prevent youth violence for youth ages 10-24.¹²⁹

In FY24, 8,273 youth under 18 years old participated in DPH CYVPU programming across the state through the "Youth Violence Prevention through the Healing, Equity, and Leadership Initiative" at the Department.

¹²⁹ For more information on DPH's violence prevention programs see: <https://www.mass.gov/child-and-youth-violence-prevention-services>

Figure 77:
Number of Youth Served Under 18- DPH CYVPU (FY17-FY24)



*In FY17 and FY18, DPH reported totals for youth 18 years old and younger. For all other fiscal years, the total counts are for youth “under 18” years old. For FY19-FY21 between 15%-38% of data is missing. The overall grant was reprocured in FY23.

Source: Data provided to the OCA from DPH CYCPU

The original Massachusetts Youth Violence Prevention program was funded by the CDC. Upon expiration of federal funding, state funding for the work began in 2007. The iteration of youth violence funding prior to HEAL included service models Primary Violence Prevention (PVP), Safe Spaces for LGBTQIA+ youth (Safe Spaces), and Youth at Risk Grants (YARG). In FY23, the program was reprocured, updated, and named HEAL. The current DPH CYVPU HEAL grant funds three distinct service models:¹³⁰

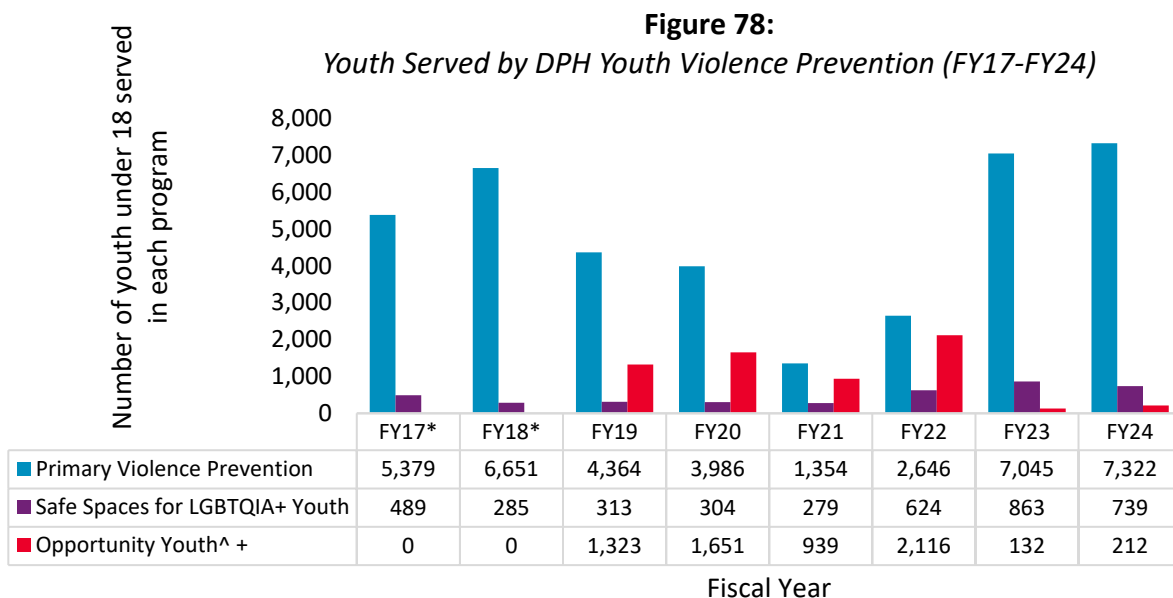
- **Primary Violence Prevention (PVP):** These programs offer developmentally and age-appropriate support services to 10-15-year-old youth at high risk for violence, but who are not yet necessarily engaging in violence.
- **Opportunity Youth**¹³¹: These programs support community organizations which address all types of violence experienced by young people, as well as other significant public health issues that may increase a young person’s risk for violence, such as teen pregnancy and substance use, geared toward youth 16-24 years old.
- **Safe Spaces for LGBTQIA+ Youth:** These programs are designed to create inclusive environments for lesbian, gay, bisexual, transgender, queer and or questioning, intersex, asexual and/or allied (LGBTQIA+) youth and consist of community-based organizations currently working with LGBTQIA+ youth, to provide services that are trauma-informed, founded in Positive Youth Development, and are culturally appropriate and specific to LGBTQIA+ youth.

¹³⁰ For information on the number of programs funded, see Appendix G.

¹³¹ Prior to FY23 this was called the “Youth at Risk Grants Program.”

In FY24:

- 7,322 youth under 18 were directly served by the PVP program, a 4% increase from FY23
- 739 youth under 18 were directly served by the Safe Spaces program, a 14% decrease from FY23¹³²
- 212 youth under 18 were directly served by the Opportunity Youth program, a 61% increase from FY23. This program began in FY18.



*In FY17 and FY18, DPH reported totals for youth 18 years old and younger. For all other fiscal years, the total counts are for youth “under 18” years old. For FY19-FY21 between 15%-38% of data is missing.

^In FY17 no Youth at Risk Grants (currently Opportunity Youth) programs were funded. *Youth at Risk Grant program funding was reestablished toward the end of FY18 via mini-grants, but no data were collected. The overall grant was reprocured in FY23.

Source: Data provided to the OCA from DPH CYCPU

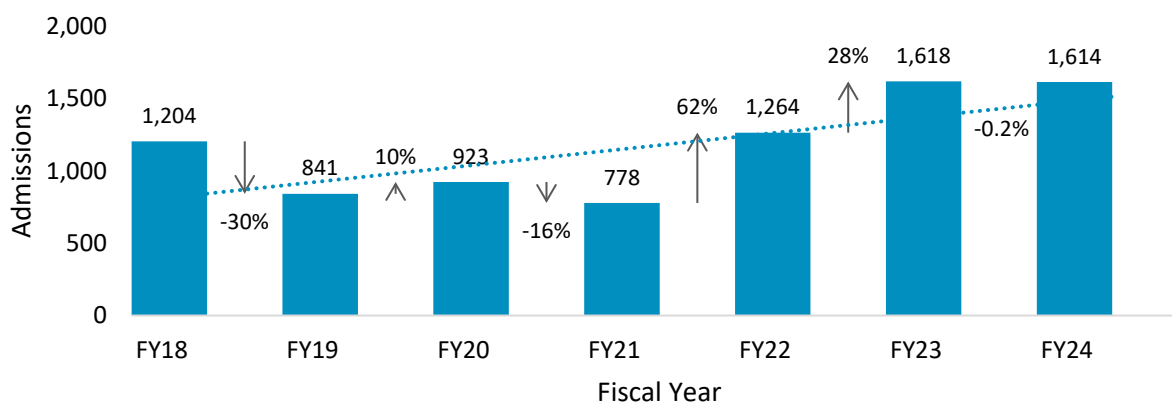
As Appendix G illustrates, the differences in volume each year reflect differences in vendors funded that year. Part of the shift in participants served in each program is due to the age-range served by each program (i.e., some programs serve young adults up to 24 years old) and the timing of program re-procurement at which time many “Opportunity Youth/Youth at Risk Grant” programs became PVP programs.

¹³² DPH reports that 8 out of the 9 programs reported an increase in participants between FY23 and FY24, while just one program reported a major decrease in the number of participants. DPH is working to understand why.

Bureau of Substance Addiction Services Admissions¹³³

DPH’s Bureau of Substance Addiction Services (BSAS) oversees the statewide system of prevention, intervention, treatment, and recovery support services for youth at risk of developing a substance use disorder or affected by substance use. There were four fewer admissions to BSAS in FY24 than FY23. The number of youth admissions to BSAS services is up 34% since FY18.

Figure 79:
BSAS Admissions (FY18-FY24)



Source: Data provided to the OCA by DPH BSAS

Most admissions are for BSAS’ “intervention” service.¹³⁴ This is consistent with recent years. These programs are designed to intervene with youth who have already begun to use substances and are “at risk” for using substances. These programs include activities such as street outreach and youth organizing. Admissions for BSAS clinical stabilization, residential services, and outpatient counseling have declined substantially since FY18.

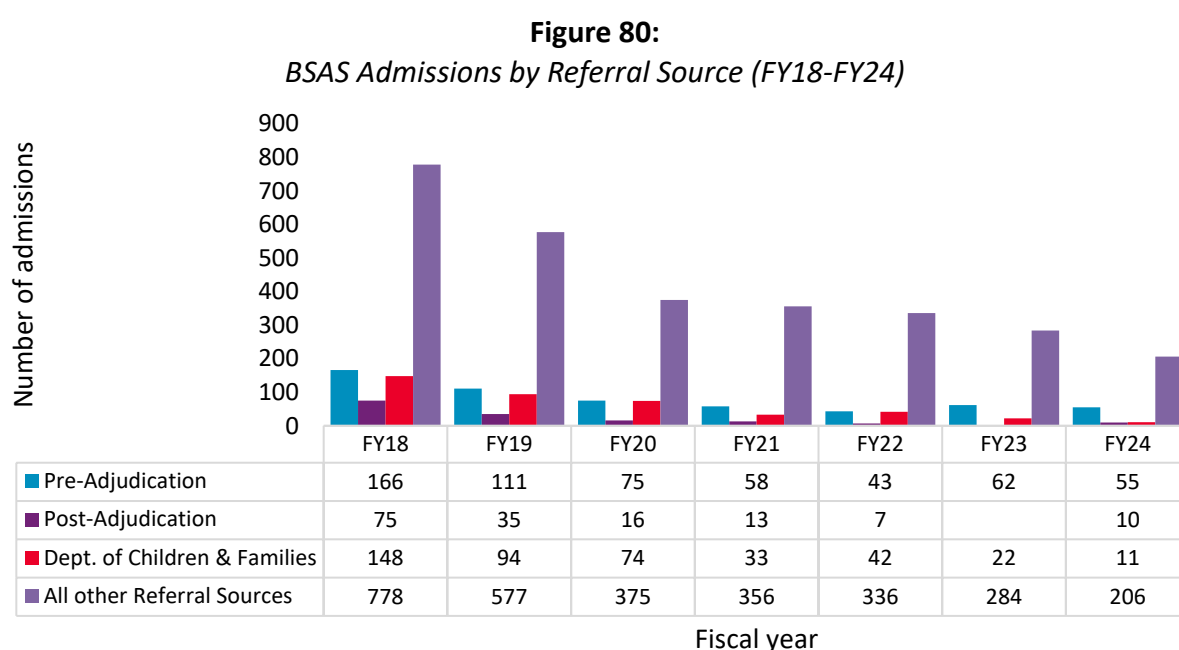
Table 5: BSAS Admissions by Service Type and Year (FY18-FY24)							
Service	2018	2019	2020	2021	2022	2023	2024
1st Offender Drunk Driver	9	9	*	10	*	*	17
Clinical/Youth Stabilization & Detoxification	541	427	268	241	202	158	114
Criminal Justice Diversion	28	16	6	**	*	6	*
Intervention	7	*	356	311	826	1,231	1,329
Outpatient Counseling	341	253	194	111	169	134	100
Recovery Support	0	*	0	0	*	*	**
Residential	163	116	89	94	53	52	18

¹³³ Admissions includes any youth who enrolled in any BSAS intervention, treatment or recovery support service during the timeframe provided.

¹³⁴ For service type definitions, see Appendix I.

Table 5: BSAS Admissions by Service Type and Year (FY18-FY24)							
Other	115	12	**	*	*	27	29
Total	1,204	841	923	778	1,264	1,618	1,614
To maintain client confidentiality, the data in cells with counts ≤ 5 are suppressed (primary cell suppression*). Secondary cell suppression (**) is then applied so the values in the primary suppressed cells cannot be calculated. Due to continuous data updates, do not compare the information in this report to any prior statistics. Source: Data provided to the OCA by the DPH BSAS							

In FY24, 55 BSAS admissions were referred from a juvenile justice stakeholder pre-adjudication, and 10 were referred post-adjudication.¹³⁵ Since FY18, referrals to BSAS from juvenile justice stakeholders (pre-and post-adjudication) have declined 73%.



Out of state and missing values for client county at admission, representing 360 enrollments, are excluded. Missing/unknown values for referral source, representing 4,108 enrollments, are also excluded. To maintain client confidentiality, the data in cells with counts ≤ 5 are suppressed (blank/empty cells in the chart above). Due to continuous data updates, do not compare the information in this report to any prior statistics. Source: Data provided to the OCA by the DPH BSAS

The number of applications for complaint for underlying drug/alcohol offenses provides a rough proxy for the number of youth involved in the juvenile justice system who may be eligible for a BSAS referral. The data in the table, below, compares the number of youth referred to BSAS with the number of applications for complaint with underlying drug/alcohol offenses. In FY24,

¹³⁵ Pre-adjudication includes Court – Other, Court - Section 35, Court – DUI, Drug Court, County House of Correction/Jail. Post-adjudication includes Dept. of Probation, Dept. of Youth Services, Pre-Release, Legal Aid, Police.

an estimated 20% of eligible applications for complaint were referred to BSAS.¹³⁶ The estimated percent of eligible applications for complaint has gone down since CJRA implementation

Table 6: BSAS Referrals as an Estimated Percent of Alcohol/Drug Applications for Complaint (FY18-FY24)							
Process Point	FY18	FY19	FY20	FY21	FY22	FY23	FY24
Applications for complaint (Alcohol & Drug Offenses only)	707	415	307	273	315	353	327
All Juvenile Justice Referrals to BSAS	241	146	91	71	50	62	65
Referrals as a percentage of drug and alcohol juvenile delinquency cases	34%	35%	30%	26%	16%	18%	20%
Source: Application for complaint data retrieved from the Trial Court's Public Tableau Dashboard here: https://public.tableau.com/app/profile/drap4687/viz/DemographicsofSelectedJuvenileMatters/JuvenileMattersbyRaceEthn_ ; BSAS referral data provided to the OCA by the DPH BSAS							

As reported in the "Juvenile Court Clinic" section below, referrals to the Court Clinic for Substance Abuse Commitment evaluations have also declined most years since FY18. This can suggest one of two things:

1. Juvenile justice professionals are referring youth to BSAS less frequently than they could.
2. Youth coming into contact with the juvenile justice system with underlying drug/alcohol charges are there for charges related to something other than actual alcohol/drug use (e.g., distribution of controlled substances as opposed to possession), and therefore, BSAS services may be unnecessary.

BSAS providers may refer youth to other services once their BSAS services have ended. Multiple referrals may be made for each youth. In FY24, the most frequent referrals at dis-enrollment include referrals to:¹³⁷

- Outpatient substance abuse counseling
- Residential treatment
- School personnel, school system
- Recovery high school
- Self, Family, Non-medical professionals
- Referral not made – client dropped out

¹³⁶ Data is approximate based on aggregate applications and aggregate BSAS referrals. We are unable to match individual applications for complaint (Trial Court data) with a BSAS referral outcome (DPH data).

¹³⁷ For more service referrals at disenrollment data see Appendix J.

Department of Mental Health

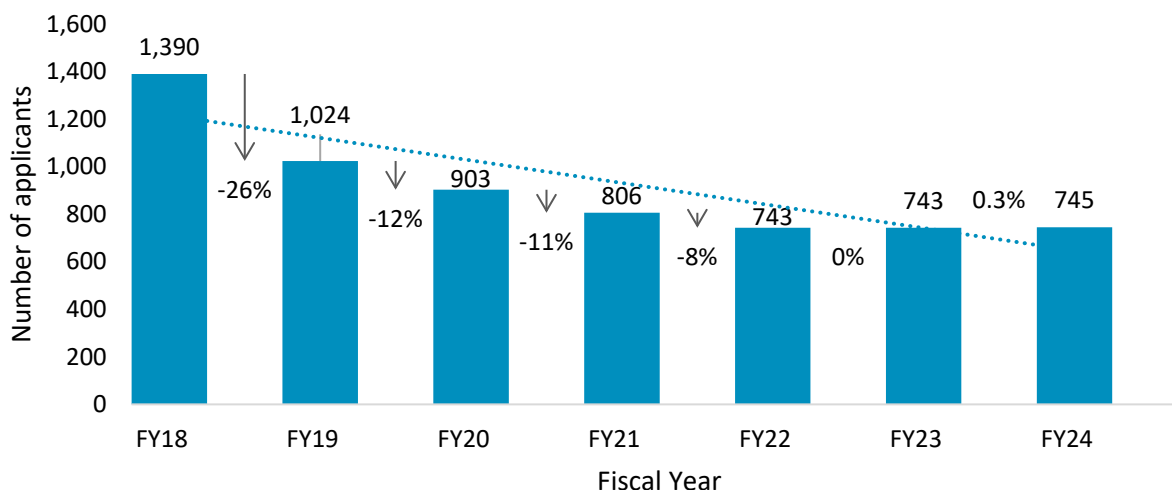
The Department of Mental Health (DMH) reports applications and program participation data for youth in their system, as well as youth in Juvenile Courts who are referred to the Juvenile Court Clinic.

Child, Youth, and Family Programming

Within DMH, the Child Youth and Family (CYF) Services division provides supports and services for youth, as well as young adults up to the age of 22. For the purposes of this report, the data presented represents only individuals between 7 and 17 years old at the end of the fiscal year.

In FY24, the number of youth applicants for DMH full-service authorization¹³⁸ stayed virtually the same as in FY23 and FY22. Of the 745 applications, DMH approved 41% (n=305) and denied 29% (n=214). The rest of the applications were withdrawn either by DMH service authorization staff or parent/caregivers withdrawing from the process. In the case of withdrawn applications, DMH staff ensure families receive information about other mental health services and resources that they can access in their communities to meet their child's mental health needs. Approval rates for DMH applicants have stayed roughly the same since FY21. Since FY18, applications for DMH services have declined 46%.

Figure 81:
DMH Full Service Authorization Applicants (FY18-FY24)



Service authorization regulations were updated in FY18 which created the limited service authorization (LSA) pathway to receiving DMH services. Due to this, a sizeable portion of applications that would have been FSA were treated as LSA applications in FY19 which impacted the FY19 FSA numbers considerably.

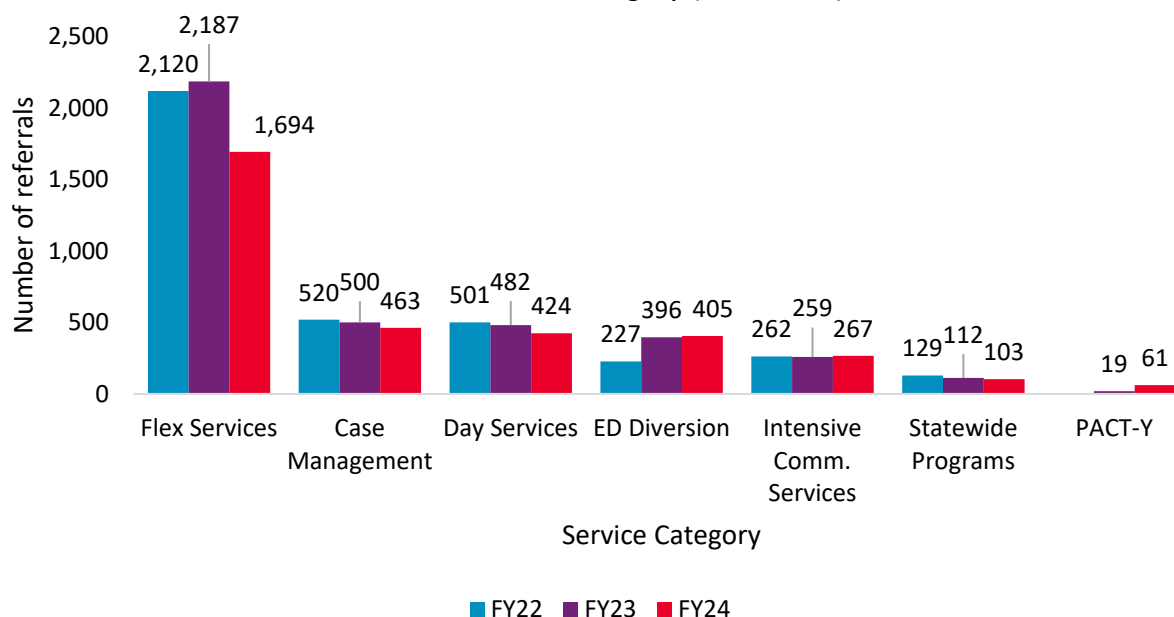
Source: Data provided to the OCA by the Department of Mental Health, Child, Youth, and Family Programming

¹³⁸ This is the typical service authorization process that most youth/families applying to DMH go through. It includes both a clinical and service needs review to determine whether youth are approved to receive DMH services. [104 CMR 29 \(mass.gov\)](https://www.mass.gov/info-details/104-cmr-29)

In addition to the 305 youth applicants whose “full-service authorization” application was approved for DMH services in FY24, DMH also approved 367 additional youth via a “limited service authorization” (LSA) process (down 21% from 464 LSA applicants in FY23). DMH’s LSA process enables more youth to access low-barrier, early intervention mental health services in their communities.

DMH provided 2,547 youth statewide with community mental health services in FY24. The majority of youth received Flexible Support Services. Still, the number of youth enrolled in these services was down 23% from last year. The number of youth enrolled in the PACT-Y program tripled between FY23 and FY24. The number of youth who received emergency room diversion services increased just 2% after increasing 74% in FY23.¹³⁹

Figure 82:
DMH CYF Service Category (FY22-FY24)



Note: Youth can be enrolled in multiple services, therefore numbers do not add up across service categories.

*Statewide Programs includes Intensive Residential Treatment (ages 13-18), Clinically Intensive Residential Treatment (ages 6-12), and Continuing Care inpatient services for DMH youth who need the most intensive level of clinical treatment available. Source: Data provided to the OCA by the Department of Mental Health, Child, Youth, and Family Programming

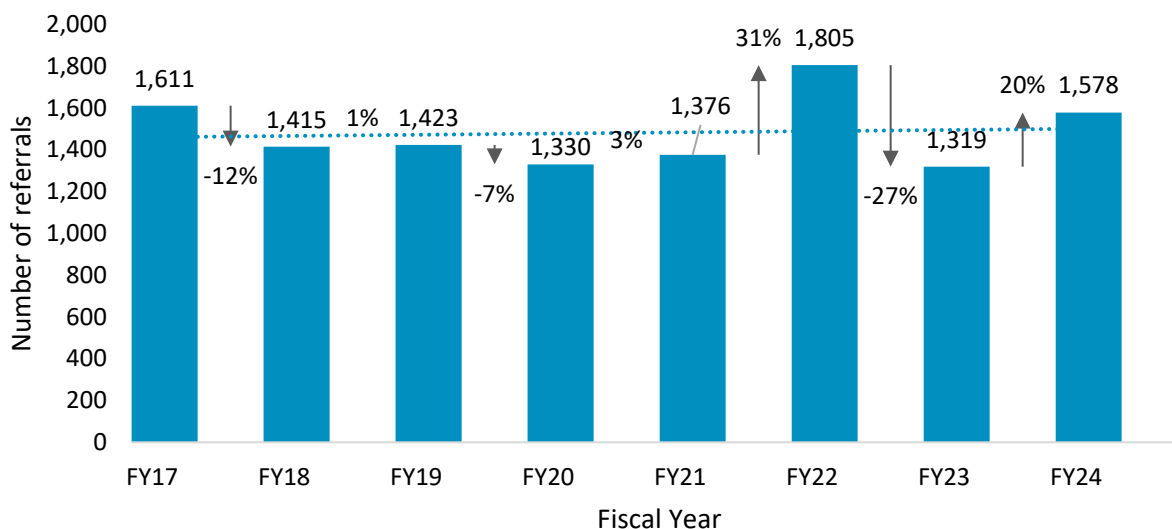
Juvenile Court Clinics

In addition to DMH’s CYF services, DMH operates the Juvenile Court Clinics. Youth with open delinquency cases, CRA cases, and Care and Protection cases can be referred by a judge to the Court Clinic for evaluations and services at any time during their Juvenile Court case.

¹³⁹ For DMH CYF service descriptions, see: <https://www.mass.gov/info-details/dmh-child-youth-and-family-services-overview>

There was a 20% increase in the number of Juvenile Court clinic referrals in FY24 compared to FY23. There were 12% more referrals in FY24 than FY18.

Figure 83:
Juvenile Court Clinic Referrals (FY17-FY24)



Source: Data provided to the OCA by the Department of Mental Health's Forensic Services

Most youth are referred to the Court Clinic for "other" reasons or for a CRA evaluation. This has been consistent over the past several years.¹⁴⁰

Table 7: Most Frequent Juvenile Court Clinic Referral Reasons (FY17-FY24)

Referral Reason	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24
Other^	236	118	32	429	507	611	384	496
Child Requiring Assistance Eval.	466	417	462	250	254	350	280	348
Behavioral Health Screening	178	234	325	186	106	257	156	232
Competency and/or Criminal Responsibility Eval.	240	209	157	109	128	140	132	180
Diagnostic Study (c119 §68A)	226	195	174	128	92	115	111	102
Case Management	0	0	*	*	63	125	115	93
Substance Abuse Commitment Eval.	94	84	80	47	70	62	73	67
Care & Protection Eval	101	64	85	46	94	84	34	60

^"Other" is inclusive of multidisciplinary meetings, consultations, specialized evaluations

Source: Data provided to the OCA by the Department of Mental Health's Forensic Services

¹⁴⁰ For a complete list of all referral reasons, see Appendix K.

Appendix A: Guide to Acronyms

Acronym	Definition
BSAS	Bureau of Substance Addiction Services
CAFL	Children and Family Law Division of CPCS
CBHI	Children’s Behavioral Health Initiative
CBI	Community-based intervention
COR	Conditions of Release
CPCS	Committee for Public Counsel Services (Public Defenders)
CRA	Child Requiring Assistance
CTTF	Childhood Trauma Task Force
CWOF	Continue Without a Finding
DCF	Department of Children and Families
DESE	Department of Elementary and Secondary Education
DMH	Department of Mental Health
DPH	Department of Public Health
DYS	Department of Youth Services
EOE	Executive Office of Education
EOHHS	Executive Office of Health & Human Services
EOPSS	Executive Office of Public Safety & Security
JJPAD	Juvenile Justice Policy and Data Board
JDAI	Juvenile Detention Alternatives Initiative
MOU	Memorandum of Understanding
MPS	Massachusetts Probation Service
OCA	Office of the Child Advocate
ONA	Overnight Arrest Admission
PTP as a Dispo.	Pretrial Probation as a Disposition
PR	Personal Recognizance
SRO	School Resource Officer
YAD	Youth Advocacy Division (Division of CPCS)
YO	Youthful Offender

Appendix B: 2020 Policing Bill Implementation Update

As highlighted in the “Key Data Takeaways” in this report, some provisions of the 2020 Policing Bill have not been implemented (partially or fully) or implementation cannot be measured due to lack of data.¹⁴¹ Those specific provisions are detailed in the table below.

Table 8: 2020 Policing Bill, Juvenile Provisions Implementation Status		
Provision	Status	Board Update
Expanding the expungement eligibility for youth with up to two delinquent adjudications (up from the previous allowance of one) and allowing for expungement of multiple charges related to a single incident.	Cannot be measured	Massachusetts Probation Services (MPS) is unable to report data on expungement that would allow the Board to determine the impact of this portion of the law.
Establishing a commission responsible for training state and county correction officers and juvenile detention officers, specifically on the use of physical force.	Not implemented	The Board has been unable to determine if this commission has been convened.
Requiring schools to annually file with DESE the MOUs between a district with school resource officers and local police departments.	Partially implemented	DESE sent out a survey to 399 districts about their SRO program for FY23-24. As of December 13, 2024: <ul style="list-style-type: none"> • 276 districts (69% of total districts) responded to the survey • 123 districts (31% of total districts) did not respond Of the districts who responded to the survey regarding SROs:

¹⁴¹ For more information, see: <https://malegislature.gov/Laws/SessionLaws/Acts/2020/Chapter253>

		<ul style="list-style-type: none"> 188 districts reported that they had at least a part time SRO (68% of respondents, 47% of total districts). Of those 188 districts: <ul style="list-style-type: none"> 129 (69%) districts submitted an MOU to DESE 59 (31%) districts have not submitted an MOU to DESE 88 districts reported that they did not have at least one SRO (32% of respondents, 22% of total districts)
Requiring that all law enforcement agencies be certified by the POST Commission regarding juvenile operations, among other procedures	Ongoing	This is ongoing work by POST Commission and, as of February 2025, POST has received public comment on its draft requirement for police department certification regarding juvenile operations.
Directs DESE to report school-based arrests, citations, and court referrals made each school year.	Partially implemented	DESE started reporting this data in 2020. However, data quality concerns remain given the small number of school districts reporting data and the very low counts reported by some large school districts. ¹⁴²

Appendix C: Data on Lead Charges

“Lead charge” is the first listed charge at case filing, not disposition. This is often, though not *always*, the most serious charge alleged against the youth. The Trial Court publishes more detailed data on its public dashboard linked below.

Table 9: Lead Charge Data FY19-FY24								
Lead Charge	FY19	FY20	FY21	FY22	FY23	FY24	% Change from FY23	% Change from FY19
Assault & Battery	1,841	1,513	1,034	1,957	2,388	2,367	-1%	29%
Larceny	538	532	444	487	612	707	16%	31%

¹⁴² This data report can be found here: <https://profiles.doe.mass.edu/statereport/ssdr.aspx>

B&E / Burglary	234	323	286	218	396	446	13%	91%
Motor Vehicle	162	185	184	266	342	385	13%	138%
Assault	243	220	217	321	358	372	4%	53%
Motor Vehicle Other	302	270	362	337	364	364	0%	21%
Other	349	275	195	292	354	340	-4%	-3%
Other Property	184	189	152	234	332	243	-27%	32%
Robbery	199	250	134	145	163	200	23%	1%
Public Order	246	192	150	171	145	166	14%	-33%
Firearm	99	94	133	178	186	157	-16%	59%
Sex	195	182	139	212	171	139	-19%	-29%
Shoplifting	100	65	35	39	101	118	17%	18%
Dangerous Weapon	63	62	28	119	146	117	-20%	86%
Other Weapon	126	110	36	106	164	109	-34%	-13%
Other Person	72	49	44	73	97	83	-14%	15%
Trespassing	39	65	39	43	47	75	60%	92%
Distribute Class D	57	41	32	22	47	37	-21%	-35%
Arson/Burn	22	28	36	35	40	28	-30%	27%
MV OUI	23	18	28	24	25	26	4%	13%
Restraining Order, Violate	36	28	21	18	29	26	-10%	-28%
Distribute Class B	24	21	19	9	13	16	23%	-33%
Forgery	10	7	6	4	12	14	17%	40%
Possess Class C	8	9	3	3	5	10	100%	25%
MV Homicide	0	0	3	3	1	8	700%	n/a
Distribute Class A	20	11	14	5	5	7	40%	-65%
Possess Class B	19	10	7	7	7	7	0%	-63%
Fraud	7	1	9	8	12	6	-50%	-14%
Kidnap	17	10	3	3	4	6	50%	-65%
Possess Class A	5	5	4	1	4	6	50%	20%
Distribute Class C	8	5	5	5	3	5	67%	-38%

Distribute School Zone	5	13	2	2	7	5	-29%	0%
Other Drug	4	2	3	6	6	5	-17%	25%
Possess Marijuana	1	0	1	0	3	2	-33%	100%
Traffick Class B/Cocaine	4	0	6	4	8	2	-75%	-50%
License Violation	0	0	1	0	0	1	n/a	n/a
Murder/Manslaughter	1	1	0	0	0	1	n/a	0%
Possess Class D	3	3	3	2	4	1	-75%	-67%
Possess Class E	8	4	3	1	2	1	-50%	-88%
Traffick Heroin	2	3	2	0	1	1	0%	-50%
Distribute Class E	2	2	3	1	1	0	-100%	-100%
Traffick Marihuana	0	2	0	0	0	0	n/a	n/a
Total	5,278	4,800	3,826	5,361	6,605	6,609	0%	25%
Source: FY19-FY24 data obtained by the OCA from the Trial Court's Dashboard: https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtChargesDashboard/AllCharges								

Appendix D: Process Point by Offense Type

As is consistent with previous years, the majority of cases moving through the juvenile justice system involved an underlying persons offense. Table 10 below gives an overview of each offense type and examples of offenses. Table 11 breaks down each process point by offense type.

Table 10: Offense Types and Corresponding Examples Offenses	
Offense type	Examples of offenses
Person	Assault and battery, home invasion, carjacking, robbery
Property	Larceny, unarmed burglary, arson, breaking and entering, shoplifting
Motor Vehicle	Receiving stolen motor vehicle, operating a motor vehicle with suspended license, reckless operation of motor vehicle
Weapons	Carrying a dangerous weapon, possession of a firearm without license

Drug/Alcohol	Possession of Class A or B drugs, distributing drugs or possession with intent to distribute (class A, B, C, D, E), Possession of alcohol under age 21
Public Order	Disorderly conduct

Table 11: Juvenile Justice Process Point by Offense Type (FY24)¹⁴³

Process Point	Alcohol	Drug	Motor Vehicle	Person	Property	Public Order	Weapons	Other/Not Available	FY24 Total
Applications for Complaint - Summons	113	64	915	2,167	1,107	127	163	303	4,959
Applications for Complaint - Arrest	74	81	532	2,131	1,773	235	306	292	5,424
Overnight Arrest	0	13	41	266	84	149	86	8	647
Applications for Complaint	187	140	1,443	4,299	2,879	362	469	593	10,372
Delinquency Filings	20	105	444	3,212	1,973	165	379	311	6,609
Arraignments	11	64	259	1,968	1,087	79	275	180	3,923
Youth Held at Arraignment	1	13	8	274	95	6	105	35	537
Youth Not Held at Arraignment	9	49	162	1,665	1,013	70	168	246	3,382
58A Hearings	0	2	3	192	7	0	119	21	344
Pretrial Supervision/Monitoring New Case Starts	*	*	*	*	*	*	*	*	*
Pretrial Detention	0	12	52	477	123	70	163	0	897
Dispositions (Total)	8	43	184	874	516	48	194	115	1,982
CWOF	6	21	128	603	324	30	86	68	1,266
Adjudicated Not Delinquent	0	0	12	22	5	2	10	2	53
Delinquent Adjudications	2	22	44	249	187	16	98	45	663
No Sanction	0	2	7	31	31	1	6	9	87
Probation	1	8	14	108	81	8	8	20	248
Suspended Commitment	0	1	3	42	21	3	18	3	91
Commitment	1	11	20	68	54	4	66	13	237

¹⁴³ For historical data, please visit: <https://www.mass.gov/resource/massachusetts-juvenile-justice-system-data-and-outcomes-for-youth>

Post Adjudication Probation (Total New Starts)	*	*	*	*	*	*	*	*	*
Probation (Risk/Need)	*	*	*	*	*	*	*	*	*
Probation (Admin)	*	*	*	*	*	*	*	*	*
First Commitments	0	^	15	70	34	12	54	0	189
YES Transitions	0	0	10	53	17	7	46	0	133
Note: * data is unavailable broken down by offense type. ^ data omitted due to cell suppression Source: Summons, arrest, application for complaint, delinquency filings, arraignments,, dangerousness hearings and dispositions retrieved between 10/2024 and 1/2025 from the Massachusetts Trial Court's Tableau Public page here: https://public.tableau.com/app/profile/drap4687 ; Overnight arrest admissions, pretrial detention, first-time commitment, and YES data provided to the OCA by DYS' Department of Research									

Appendix E: DYS “Grid” Level

DYS categorizes offense severity by “grid level.” This is a numeric representation, ranging from 1 (least serious) to 7 (most serious), based on adult sentencing guidelines. Table 12 below highlights common offenses and their corresponding grid level.

For the purposes of this report, grid levels have been combined into *low* (grid levels 1-2), *medium* (grid level 3), and *high* (grid levels 4-7) severity levels.

Table 12: Common Offenses and Corresponding Grid Level			
DYS Grid Level	Common Offense	DYS Grid Level	Common Offense
1	Disturbing the Peace	4	Assault and Battery with a Dangerous Weapon
1	Petty Larceny	4	Armed Robbery
1	Possession of Marijuana	4	Distributing Cocaine
2	Distributing Marijuana	5	Armed Assault & Robbery
2	Possession of Cocaine	5	Attempted Murder
2	Poss. of a Dangerous Weapon	5	Rape
2	Receiving Stolen Property	6	Home Invasion
2	Assault and Battery	6	Carjacking with a firearm
3	Breaking and Entering (Felony)	7*	Murder

3	Larceny (Felony)	*Grid level 7 is reserved for youth sentenced in adult court for murder.
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Appendix F: Racial and Ethnic Disparities in the Juvenile Justice System

As noted in this and all previous JJPAD annual reports, there are persistent racial and ethnic inequities in the Commonwealth's juvenile justice system, and in FY24 Black and Latino youth remained overrepresented at each process point in the juvenile justice system. Table 13 below breaks down juvenile justice process point by race/ethnicity. Tables 14-16 calculate the disparities in cases involving Black youth and Latino youth compared to cases involving white youth by process point.

There are several methods for studying disparities. The tables below highlights two:

1. Percent Change—compares year-to-year changes for each race category. For example, there was a 25% increase in the number of applications for complaint initiated by arrest for Black/African American youth from FY23 to FY24. (Table 14)
2. Relative Rate Index (RRI)*— compares the observed rate of disproportionality for white youth to the observed rate of disproportionality for youth of color after adjusting for “base” population rates, using either data on the demographics of all Massachusetts youth as identified by the U. S. Census, or the demographic breakdown of the youth at an earlier stage of the juvenile justice process. RRIs greater than 1.0 indicate an increased likelihood of involvement for people of color at that point. RRIs less than 1.0 indicate a decreased likelihood of involvement for people of color at that point. For example, Latino youth were 2.79 times more likely to experience an overnight arrest admission than white youth. (Tables 15 and 16)

Table 13: Juvenile Justice Process Point by Race/Ethnicity (FY24)						
Process Point	Black/ African American	Hispanic/ Latino	White	Other Race/ Multi Race	Not known/ Not reported	Total
MA Youth Population (2022)	48,329	90,241	303,930	39,352	0	481,852
Applications for Complaint - Summons	887	1,109	1,887	153	923	4,959
Applications for Complaint - Arrest	1,374	1,544	1,595	198	714	5,425
Overnight Arrest	247	290	87	15	8	647
Applications for Complaint	2,223	2,605	3,473	368	1,704	10,373
Delinquency Filings	1,658	1,920	2,007	272	752	6,609

Arraignments	1,107	1,260	1,154	162	240	3,923
Youth Held at Arraignment	174	218	98	25	22	537
Youth Not Held at Arraignment	934	1,050	1,055	137	216	3,392
58A Hearings	78	162	68	18	18	344
Pretrial Supervision/Monitoring New Case Starts	300	553	361	70	12	1,296
Pretrial Detention	306	413	153	16	9	897
Dispositions (Total)	518	686	623	84	71	1,982
CWOF	282	443	442	52	47	1,266
Adjudicated Not Delinquent	13	22	2	16	0	53
Delinquent Adjudications	223	221	165	30	24	663
No Sanction	37	22	22	5	1	87
Probation	81	72	84	7	4	248
Suspended Commitment	28	32	18	7	6	91
Commitment	77	95	41	11	13	237
Post Adjudication Probation (Total New Starts)	237	435	376	63	9	1,120
Probation (Risk/Need)	103	229	186	25	3	546
Probation (Admin)	134	206	190	38	6	574
First Commitments	62	96	22	^	6	189
YES Transitions	45	67	18	^	0	133
^ Data omitted due to cell suppression Source: Summons, arrest, application for complaint, delinquency filings, arraignments, dangerousness hearings and dispositions retrieved between 10/2024 and 1/2025 from the Massachusetts Trial Court's Tableau Public page here: https://public.tableau.com/app/profile/drap4687 ; Overnight arrest admissions, pretrial detention, first-time commitment, and YES data provided to the OCA by DYS' Department of Research ; Probation data provided to the OCA by MPS' Research Department						

Table 14: Percent Change in Cases by Race/Ethnicity (FY23-FY24)				
Process Point	Black/African American	Hispanic/Latino	White	FY24 Total
Applications for Complaint - Summons	1%	6%	-3%	0%
Applications for Complaint - Arrest	14%	18%	-2%	7%
Overnight Arrest	13%	16%	-22%	9%

Applications for Complaint	6%	10%	-3%	3%
Delinquency Filings	5%	5%	-6%	0%
Arraignments	6%	3%	-13%	-3%
Youth Held at Arraignment	-11%	10%	-10%	-2%
Youth Not Held at Arraignment	13%	-1%	-13%	-1%
58A Hearings	-26%	21%	-3%	1%
Pretrial Supervision/Monitoring New Case Starts	*	*	*	*
Pretrial Detention	14%	22%	9%	17%
Dispositions (Total)	28%	19%	2%	14%
CWOF	29%	38%	-1%	16%
Delinquent Adjudications	27%	-6%	9%	9%
Adjudicated Not Delinquent	8%	22%	-87%	10%
No Sanction	6%	-56%	0%	-23%
Probation	72%	0%	53%	28%
Suspended Commitment	17%	19%	-28%	10%
Commitment	12%	9%	-16%	8%
Post Adjudication Probation (Total New Starts)	*	*	*	*
Probation (Risk/Need)	*	*	*	*
Probation (Admin)	*	*	*	*
First Commitments	2%	20%	-49%	2%
YES Transitions	5%	16%	-31%	4%

Notes: * data unavailable for FY23

Source: Summons, arrest, application for complaint, delinquency filings, arraignments,, dangerousness hearings and dispositions retrieved between 10/2024 and 1/2025 from the Massachusetts Trial Court's Tableau Public page here: <https://public.tableau.com/app/profile/drap4687>; Overnight arrest admissions, pretrial detention, first-time commitment, and YES data provided to the OCA by DYS' Department of Research; Probation data provided to the OCA by MPS' Research Department

Table 15: Relative Rate Index (RRI)— Black/African American Youth			
Point (white youth comparison/base population)	FY18	FY23	FY24
Applications for Complaint- Summons (MA Youth Pop)	2.97	2.98	2.96
Applications for Complaint- Arrests (MA Youth Pop)	4.70	4.89	5.42
Overnight Arrest Admissions (Applications for Complaint- Arrests)	1.71	2.66	3.30
Applications for Complaint- Total (MA Youth Pop)	3.71	3.85	4.03
Delinquency Filings (Applications for Complaint- Total)	1.14	1.27	1.29
Arraignments (Delinquency Filings)	1.03	1.10	1.16
Youth Held at Arraignment (Arraignments)	*	2.20	1.85
Youth Not Held at Arraignment (Arraignments)	*	0.84	0.92
58A Hearings (Arraignments)	1.00	1.88	1.20
Pretrial Supervision/Monitoring New Case Starts (Arraignments)	*	*	0.87
Pretrial Detention (Arraignments)	1.54	2.34	2.08
Dispositions Total (Arraignments)	1.01	0.81	0.87
CWOF (Arraignments)	0.79	0.60	0.67
Adjudicated Not Delinquent (Arraignments)	1.18	0.88	6.78
Delinquent Adjudications (Arraignments)	1.52	1.42	1.41
No Sanction (Adjudicated Delinquent)	1.28	1.37	1.24
Probation (Adjudicated Delinquent)	0.65	0.74	0.71
Suspended Commitment (Adjudicated Delinquent)	1.60	0.83	1.15
Commitment (Adjudicated Delinquent)	0.99	1.22	1.39
Post Adjudication Probation (Total New Starts) (Adjudicated Delinquent)	*	*	0.47
Probation (Risk/Need) (Adjudicated Delinquent)	*	*	0.41
Probation (Admin) (Adjudicated Delinquent)	*	*	0.52
First-time Commitment (Adjudicated Delinquent)	0.87	1.22	2.09
*Data Unavailable Source: Summons, arrest, application for complaint, delinquency filings, arraignments,, dangerousness hearings and dispositions retrieved between 10/2024 and 1/2025 from the Massachusetts Trial Court's Tableau Public page here: https://public.tableau.com/app/profile/drap4687 ; Overnight arrest admissions, pretrial detention, first-time commitment, and YES data provided to the OCA by DYS' Department of Research ; Probation data provided to the OCA by MPS' Research Department			

Table 16: Relative Rate Index (RRI)— Hispanic/Latino Youth			
Point (white youth comparison/base population)	FY18	FY23	FY24
Applications for Complaint- Summons (MA Youth Pop)	1.77	1.93	1.98
Applications for Complaint- Arrests (MA Youth Pop)	3.46	2.89	3.26
Overnight Arrest Admissions (Applications for Complaint- Arrests)	1.50	2.79	3.44
Applications for Complaint- Total (MA Youth Pop)	2.47	2.35	2.53
Delinquency Filings (Applications for Complaint- Total)	1.24	1.31	1.28
Arraignments (Delinquency Filings)	1.16	1.10	1.14
Youth Held at Arraignment (Arraignments)	*	1.92	2.04
Youth Not Held at Arraignment (Arraignments)	*	0.93	0.91
58A Hearings (Arraignments)	1.10	2.03	2.18
Pretrial Supervision/Monitoring New Case Starts (Arraignments)	*	*	1.40
Pretrial Detention (Arraignments)	1.71	2.55	2.47
Dispositions Total (Arraignments)	0.88	1.00	1.01
CWOF (Arraignments)	0.73	0.77	0.92
Adjudicated Not Delinquent (Arraignments)	1.42	1.29	10.07
Delinquent Adjudications (Arraignments)	1.19	1.66	1.23
No Sanction (Adjudicated Delinquent)	0.70	1.45	0.75
Probation (Adjudicated Delinquent)	0.72	0.84	0.64
Suspended Commitment (Adjudicated Delinquent)	1.33	0.69	1.33
Commitment (Adjudicated Delinquent)	1.43	1.14	1.73
Post Adjudication Probation (Total New Starts) (Adjudicated Delinquent)	*	*	0.86
Probation (Risk/Need) (Adjudicated Delinquent)	*	*	0.92
Probation (Admin) (Adjudicated Delinquent)	*	*	0.81
First-time Commitment (Adjudicated Delinquent)	1.18	1.19	3.26
*Data Unavailable Source: Summons, arrest, application for complaint, delinquency filings, arraignments,, dangerousness hearings and dispositions retrieved between 10/2024 and 1/2025 from the Massachusetts Trial Court's Tableau Public page here: https://public.tableau.com/app/profile/drap4687 ; Overnight arrest admissions, pretrial detention, first-time commitment, and YES data provided to the OCA by DYS' Department of Research; Probation data provided to the OCA by MPS' Research Department			

Appendix G: Child and Youth Violence Prevention Unit (CYVPU) Programs Funded by Year

Table 17: Number of programs funded per fiscal year by service model (FY17-FY24)								
Program	FY17	FY18	FY19	FY20	FY21	FY22	FY23*	FY24
Primary Violence Prevention	20	19	24	23	23	23	36	36
Safe Spaces for LGBTQIA+ Youth	6	6	8	8	8	8	9	9
Opportunity Youth (formerly Youth at Risk)	0	0 ⁺	28	28	34	34	7	7
Total	26	25	60	59	65	65	52	52
*Opportunity Youth (formerly Youth at Risk) program funding was re-established via mini grants toward the end of FY18, but not process data were collected. *New procurement began in FY23 Source: Data provided to the OCA from DPH CYVPU								

Appendix H: Youth Violence Prevention Programming (DPH) Percent of Youth Served by Race/Ethnicity (FY17-FY24)

Table 18: Percent of youth served (all ages**) by Race/Ethnicity (FY17-FY24*)							
Race/ethnicity	FY17	FY18	FY19	FY21	FY22	FY23	FY24
American Indian/Alaska Native/First Nation	0.2%	0.2%	0.5%	0.9%	0.8%	0.3%	0.3%
Asian	6.5%	7.0%	7.3%	9.1%	6.2%	3.5%	3.7%
Black	24.5%	24.8%	23.8%	42.5%	30.7%	26.0%	23.6%
Cape Verdean+						1.6%	1.6%
Hispanic/Latinx	46.0%	46.8%	38.1%	53.5%	42.3%	29.0%	29.2%
Native (Indigenous) Hawaiian or Other Pacific Islander	0.1%	0.1%	0.4%	7.0%	0.4%	0.1%	0.1%
White	16.3%	13.6%	16.0%	25.9%	19.7%	16.3%	17.5%
Biracial or Multiracial+						8.7%	8.6%
Other race (not listed above)	5.4%	6.4%	6.4%	11.0%	7.4%	2.7%	2.2%
Undisclosed/Unknown	2.6%	3.6%	7.7%	7.3%	12.2%	18.1%	18.3%

Number of quarters of data missing for the fiscal year, (total expected quarters), % quarters missing	0 (104), 0%	0 (100), 0%	74 (232), 31.9%	26 (228), 11.4%	99 (260), 38.1%	0 (260), 0%	0 (208), 0%
<p>*Data broken down by race/ethnicity is not accessible for FY20 because of a combination of MDPH staff turnover and the impacts of the COVID-19 pandemic on both community-based organizations and MDPH. **Race/ethnicity data consists of aggregated counts of all youth served, including youth who are 18 and older. +FY23 was the first year Cape Verdean and Biracial or Multiracial were tracked in the reporting system. Race/Ethnicity categories are NOT mutually exclusive. Youth may self-identify in as many categories as apply to their backgrounds, therefore these counts will sum to greater than the corresponding totals in the report and the percentages will sum to greater than 100%. These race-ethnicity counts do not reflect all youth served by these programs because race-ethnicity information was not recorded for all youth. In some cases, this likely reflected that a program did not know the racial/ethnic self-identification of some of their youth (e.g., youth may not self-report during interactions with staff, may decline to answer in response to a direct intake question, or were unsure of their own ancestry). Source: Data provided to the OCA from DPH CYVPU</p>							

Appendix I: BSAS Service Type Definitions

Table 19: Service Type Definitions	
1st Offender Drunk Driver	<p>The Driver Alcohol Education (DAE) programs are available to those individuals who agree to the alternative sentencing, sanction as specified within Massachusetts General Laws for the offense of driving under-the-influence. Specifically, each DAE program participant is provided with a structured group where they receive educational material to help them identify and understand alcohol abuse issues and drinking-and-driving behaviors. While the major focus of these programs is on alcohol, other substances of abuse are also discussed. The program provides 40 hours of services conducted over 16 weeks and includes an assessment, participation in self-help and victim-impact community meetings.</p> <p><u>Eligibility:</u> Individuals convicted for the first time for drunk driving and who choose this option as an alternative to losing their license or possible incarceration. Referrals are generally made by the adjudicating district court; however, if the client is under 21, the Registry of Motor Vehicles may mandate the offender's participation.</p>

Clinical/Youth Stabilization and Detoxification	A short-term (generally less than 45 days) 24-hour addiction treatment program for adolescents or transition age youth whose substance use or dependence impacts multiple areas of functioning, which may be accompanied by mental health issues. These programs provide stabilization/detoxification services for youth 13 through 17. Services provide medical, psychological, and behavioral stabilization; biopsychosocial assessment; treatment planning; referral to appropriate treatment and support services; and follow-up for the adolescents.
Criminal Justice Diversion	Initiative in which individuals with substance use disorder who are also involved with the criminal justice system are redirected from traditional criminal justice pathways to substance addiction treatment systems.
Intervention	Programs that are designed to intervene with youth who have already begun to use substances and participate in risky behaviors. These programs include activities such as street outreach and youth organizing. This includes programs called Project Amp, Intensive School-Based Intervention, Community Innovation, High School Co-Occurring Response Teams, and Green Care.
Outpatient	<p>Outpatient services provide treatment for adults and adolescents, their families, and/or their significant others who are affected by the use of alcohol or other drugs. Clients are assisted in gaining and maintaining skills for a substance-free lifestyle. Services include assessment and treatment planning, individual, group, and family counseling.</p> <p><u>Eligibility:</u> Any person with concerns about a substance abuse problem, or a family member/significant other who has concerns about someone else's substance abuse problem. Individual must be medically stabilized and not in need of acute inpatient services.</p>
Recovery Support	Recovery Support Services provide case management services to help link individuals and families to community supports such as self-help, housing, educational/vocational services and employment.

Residential	<p>Youth Residential Programs provide short-term residential rehabilitative services to youth between the ages of fourteen and eighteen years who need a supervised environment to strengthen their recently acquired sobriety. Includes diagnostic, counseling, educational and pre-vocational, recreational, and HIV/AIDS related services.</p> <p><u>Eligibility:</u> High-risk youth between 14 and 18 years of age who are experiencing emotional/behavioral, family, developmental and/or social dysfunction as a result of their alcohol and other drug use.</p>
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Appendix J: BSAS Admissions by Primary Referral at Disenrollment and Fiscal Year of Enrollment (FY18-FY24)

Table 20: BSAS Admissions by Primary Referral at Disenrollment and Fiscal Year of Enrollment (FY18-FY24)														
Referral at Disenrollment	FY18		FY19		FY20		FY21		FY22		FY23		FY24	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Referral Not Needed - Assessment Indicates that Client Does Not Require to Enter Formal Treatment	3 1	3.3 %	2 7	3.8 %	1 4	3.1 %	2 0	5.1 %	2 1	5.6 %	9 %	3.0 %	8 %	3.9 %
Self, Family, Non Medical Professionals	4 9	5.3 %	3 5	4.9 %	2 8	6.1 %	2 8	7.1 %	2 1	5.6 %	2 5	8.2 %	1 3	6.3 %
BMC Central Intake	* *	* %	0 0	0.0 %	0 0	0.0 %	0 0	0.0 %	0 0	0.0 %	0 0	0.0 %	0 0	0.0 %
ATS - Level A	1 1	1.2 %	1 0	1.4 %	* *	* %	* *	* %	* *	* %	* %	* %	0 0	0.0 %
Transitional Support Services	* *	* %	* *	* %	0 0	0.0 %	0 0	0.0 %	* *	* %	* %	* %	* *	* %
Clinical Stabilization Services	1 0	1.1 %	9 %	1.3 %	* *	* %	* *	* %	* *	* %	* %	* %	* *	* %
Residential Treatment	1 6 0	17. 2% %	1 1 1	15. 5% %	5 5	12. 1% %	4 5	11. 5% %	2 7	7.2 % %	2 1	6.9 % %	3 0	14. 6% %

Outpatient SA Counseling	2 2 3	23. 9%	1 8 9	26. 4%	5 8	12. 7%	4 7	12. 0%	4 4	11. 7%	3 3	10. 8%	4 1	20. 0%
Opioid Treatment	*	*	*	*	0	0.0 %	0	0.0 %	*	*	*	*	*	*
Drunk Driving Program	0	0%	*	*	0	0.0 %	0	0.0 %	0	0.0 %	0	0.0 %	*	*
Acupuncture	0	0%	*	*	0	0.0 %	0	0.0 %	0	0.0 %	0	0.0 %	0	0.0 %
Sober House	*	*	*	*	0	0.0 %	*	*	*	*	*	*	0	0.0 %
Recovery Support Center	9	1.0 %	*	*	*	*	*	*	*	*	*	*	*	*
Second Offender Aftercare	0	0%	0	0%	0	0.0 %	*	*	*	*	0	0.0 %	*	*
Family Intervention Programs	6	0.6 %	6	0.8 %	1 2	2.6 %	1 3	3.3 %	1 3	3.5 %	*	*	*	*
Other SA Treatment	1 5	1.6 %	7	1.0 %	9	2.0 %	1 1	2.8 %	*	*	*	*	6	2.9 %
Healthcare Professional, Hospital	*	*	6	0.8 0%	7	1.5 %	6	1.5 %	*	*	*	*	*	*
Emergency Room	*	*	7	1.0 0%	*	*	*	*	*	*	*	*	*	*
Needle Exchange Program	0	0%	0	0%	0	0.0 %	0	0.0 %	*	*	0	0.0 %	0	0.0 %
Mental Health Care Professional	1 9	2.0 0%	2 1	2.9 0%	3 7	8.1 %	1 2	3.1 %	1 6	4.3 %	1 7	5.6 %	1 2	5.9 %
School Personnel, School Systems	9	1.0 0%	*	*	*	*	*	*	2 3	6.1 %	2 3	7.5 %	2 6	12. 7%
Recovery High School	9	1.0 0%	*	*	9	2.0 %	6	1.5 %	*	*	*	*	1 5	7.3 %

Supervisor / Employee Counselor	0	0%	0	0%	0	0%	0	0%	0	0.0%	0	0.0%	*	*
Shelter	0	0%	*	*	0	0%	0	0%	0	0.0%	0	0.0%	0	0%
Community and Religious Organizations	6	0.6 0%	*	*	0	0.0 %	*	*	0	0.0 %	0	0.0 %	*	*
Drug Court	0	0%	0	0%	*	*	0	0.0 %	0	0.0 %	0	0.0 %	0	0.0 %
Court - Section 35	0	0%	0	0%	*	*	0	0.0 %	0	0.0 %	0	0.0 %	0	0.0 %
Pre-Release, Legal Aid, Police	0	0%	*	*	0	0.0 %	0	0.0 %	0	0.0 %	0	0.0 %	0	0.0 %
Dept. of Probation	6	0.6 0%	*	*	*	*	*	*	0	0.0 %	0	0.0 %	0	0.0 %
Dept. of Youth Services	9	1.0 0%	*	*	*	*	*	*	*	*	*	*	*	*
Dept. of Children and Families	2 4	2.6 0%	2 2	3.1 0%	2 1	4.6 %	1 2	3.1 %	1 3	3.5 %	*	*	*	*
Dept. of Mental Health	*	*	0	0%	0	0.0 %	0	0.0 %	0	0.0 %	*	*	0	0.0 %
Dept. of Developmental Services	0	0%	*	*	0	0.0 %	0	0.0 %	0	0.0 %	0	0.0 %	0	0.0 %
Other State Agency	0	0%	*	*	*	*	*	*	*	*	*	*	0	0.0 %
Referral Not Needed - Appropriate Mental Health Clinical Services Already in Place	8 7	9.3 0%	6 8	9.5 0%	6 7	14. 7%	7 2	18. 3%	5 8	15. 5%	3 7	12. 1%	7	3.4 %
Referral Not Needed - Appropriate Substance Abuse Clinical Services Already in Place	3 7	4.0 0%	1 9	2.7 0%	2 5	5.5 %	2 0	5.1 %	1 6	4.3 %	1 8	5.9 %	*	*
Referral Not Made - Client Dropped Out	1 4 8	15. 90%	1 0 9	15. 20%	5 7	12. 5%	6 6	16. 8%	8 2	21. 9%	6 0	19. 7%	1 3	6.3 %

Referral Attempted - Not Wanted by Client	5 0	5.4 0%	4 2	5.9 0%	2 9	6.4 %	1 4	3.6 %	1 7	4.5 %	2 3	7.5 %	*	*
Total	9 3 2	100 % 	7 1 6	100 % 	4 5 6	100 .0% 	3 9 3	100 .0% 	3 7 5	100 .0% 	3 0 5	100 .0% 	2 0 5	100 .0%
Missing/Unknown values for primary referral made at disenrollment, representing 2,973 enrollments, are excluded. To maintain client confidentiality, the data in cells with counts ≤ 5 are suppressed (primary cell suppression*). Secondary cell suppression (**) is then applied so the values in the primary suppressed cells cannot be calculated. Note: Due to continuous data updates, do not compare the information in this report to any prior statistics. Source: Data provided to the OCA from DPH BSAS														

Appendix K: Juvenile Court Clinic Referrals by Reason and Year

Table 21: Juvenile Court Clinic Referrals by Reason (FY17-FY24)								
Referred To JCC For	Statewide Totals							
	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24
Youthful Offender Eval (c119 §58)	0	*	0	0	0	*	*	0
Aid In Sentencing Eval	*	0	*	0	*	*	*	0
Behavioral Health Screening	178	234	325	186	106	257	156	232
Brief Psychotherapy	39	75	75	106	37	46	34	*
Care & Protection Eval	101	64	85	46	94	84	34	60
Case Management	0	0	*	*	63	125	115	93
Child Requiring Assistance Eval	466	417	462	250	254	350	280	348
Competence to Proceed Eval	19	*	13	*	14	15	*	*
Competency and/or Criminal Responsibility Eval	240	209	157	109	128	140	132	180
Diagnostic Study (c119 §68A)	226	195	174	128	92	115	111	102
Emergency Mental Health Commitment Eval	*	*	*	*	11	*	*	*
Medication Consultation	*	*	0	0	0	0	0	
Other^	236	118	32	429	507	611	384	496
Parental Rights Eval	0	0	0	0	0	0	0	0
Psychological Testing	*	*	12	*	*	*	*	*

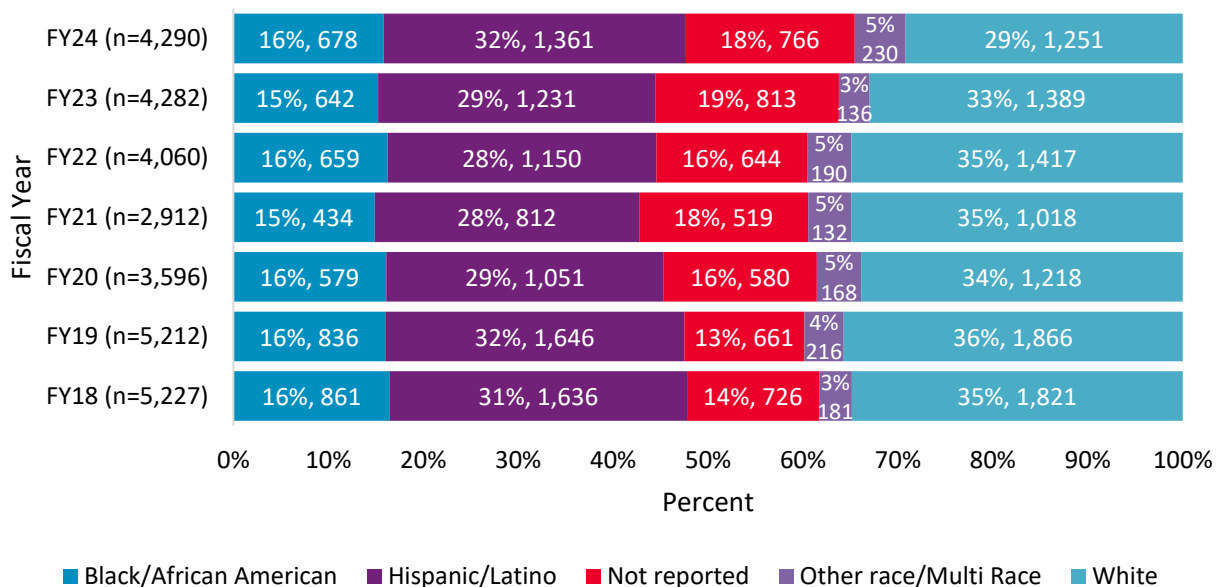
Substance Abuse Commitment Eval	94	84	80	47	70	62	73	67
Totals	1,611	1,415	1,423	1,330	1,376	1,805	1,319	1,578
Source: Data provided to the OCA by the Department of Mental Health's Forensic Services								

Appendix L: Demographic Data of Youth Served by Other State Services

Child Requiring Assistance (CRA) Petitions

In FY24, 32% (n=1,361) of CRA filings were for Hispanic/Latino youth. The number of CRA filings for white youth declined 10% between FY23 and FY24 while the number of filings for Black and Latino youth increased (6% and 11%, respectively). The number of CRA filings has declined across most race categories since FY18. However, the rate of decline for white youth is greatest (-31%).

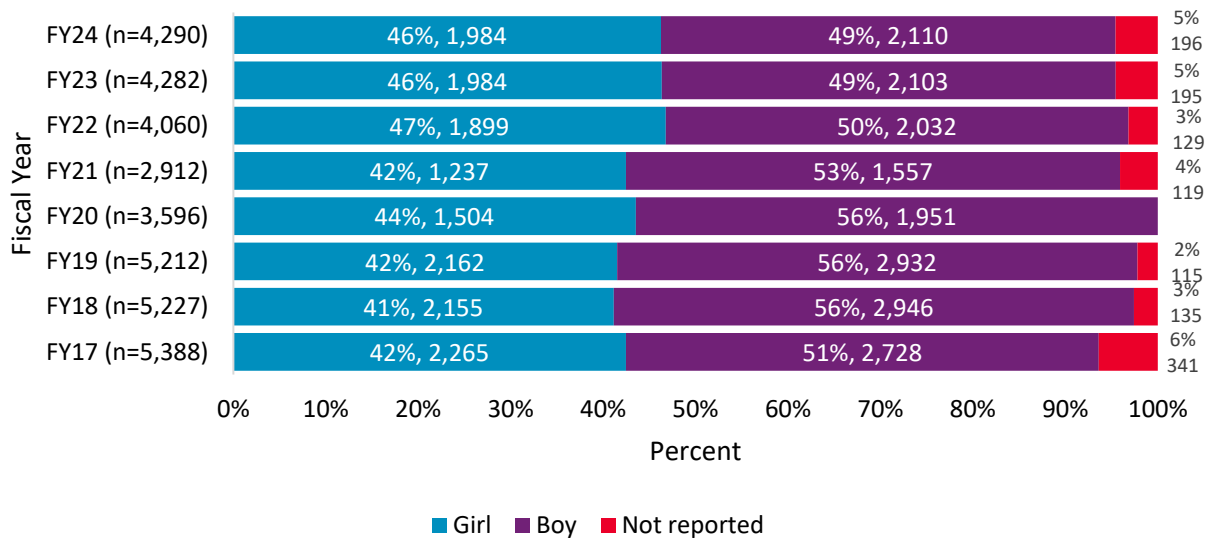
Figure 84:
CRA Filings by Race/Ethnicity (FY18-FY24)



Source: FY17-FY23 data retrieved from the JJPAD Board's FY23 Annual Report; FY24 data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:
<https://public.tableau.com/app/profile/drap4687/viz/DemographicsofChildRequiringAssistanceFilings/CRACasesbyRaceEthnicity>

Boys accounted for 49% (n=2,110) of CRA filings in FY24. The number of filings remained consistent between both boys and girls between FY23 and FY24. Since FY18, there has been a sharper decline in the number of CRA filings for boys compared to girls (-28% compared to -8%, respectively).

Figure 85:
CRA Filings by Gender (FY17-FY24)



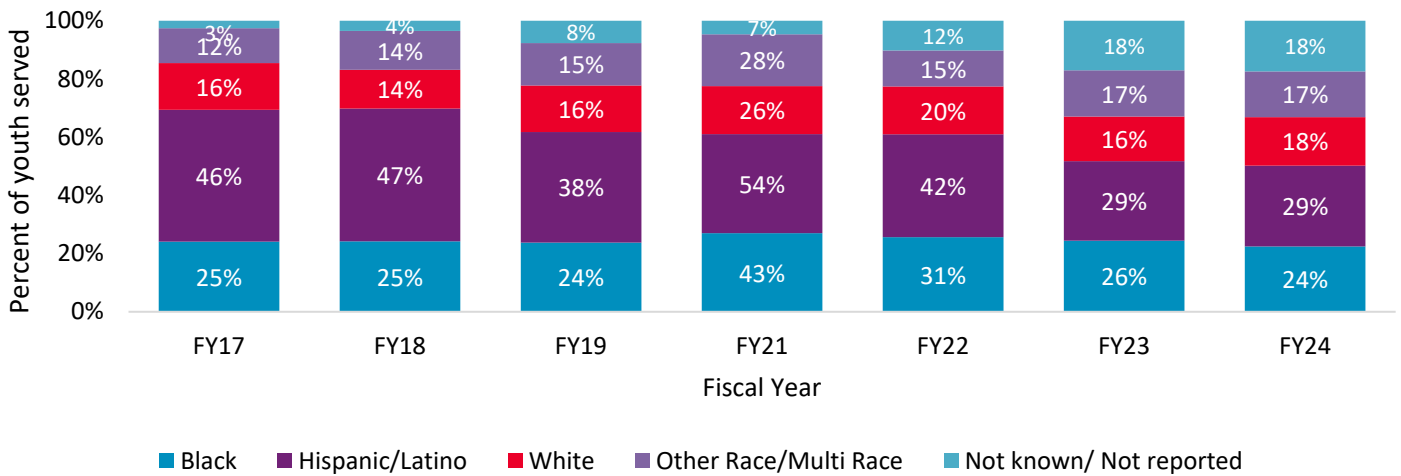
Source: FY17-FY23 data retrieved from the JJPAD Board's FY23 Annual Report; FY24 data retrieved on 10/2024 from the Massachusetts Trial Court's Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/DemographicsofChildRequiringAssistanceFilings/CRACasesbyRaceEthnicity>

Department of Public Health Child and Youth Violence Prevention Programs

The following descriptions of HEAL-engaged youth characteristics include all youth served by DPH HEAL, including youth over 18. The aggregate data reporting processes in place do not allow disaggregation by age and characteristics.

Figure 86:
Youth Served (all ages) by DPH CYVPU by Race/Ethnicity (FY17-FY24)*



In FY24, more than half (53%) of youth served by the DPH HEAL program identified as Black and/or Hispanic/Latinx, consistent with FY23 but down from prior years.¹⁴⁴

Note: Race/ethnicity data consists of aggregated counts of all youth served, including youth over 18 years old. Race/ethnicity categories are not mutually exclusive. Youth may self-identify in as many categories as apply to their backgrounds, therefore these percentages will sum to greater than 100% and more than the individual youth totals presented in the above charts. These race/ethnicity counts do not reflect all youth serviced by HEAL programs due to unknown or missing data. For FY19-FY22, between 11% and 38% of data is missing. *FY20 is excluded from this chart because data is unavailable due to a combination of DPH staff turnover and the impacts of the pandemic on both the programs and DPH. The overall grant was reproposed in FY23. Source: Data provided to the OCA from DPH CYVPU

In FY24, 36% of all youth served by DPH HEAL programs identified as girls, 10% identified as transgender, non-binary, or gender nonconforming, and 19% identified as lesbian, gay, bisexual, queer, asexual or questioning their sexual orientation.

Table 22: Percent of youth served (all ages) by Sexual Orientation/Gender Identity (SOGI)/Transgender Status (FY23-FY24)		
SOGI/Transgender Status	FY23 (n=12,235)	FY24 (n=11,534)
Female	35%	36%
Male	43%	41%
Transgender Female	3%	2%
Transgender Male	4%	2%
Non-Binary, Gender Non-Conforming, Genderqueer	4%	6%
Lesbian, Gay, Bisexual, Queer, Questioning, Asexual	26%	19%
Other Sexual Orientation (Not listed above)	1%	0%
Undisclosed/Unknown	11%	13%

¹⁴⁴ For detailed race/ethnicity reporting categories, see Appendix H.

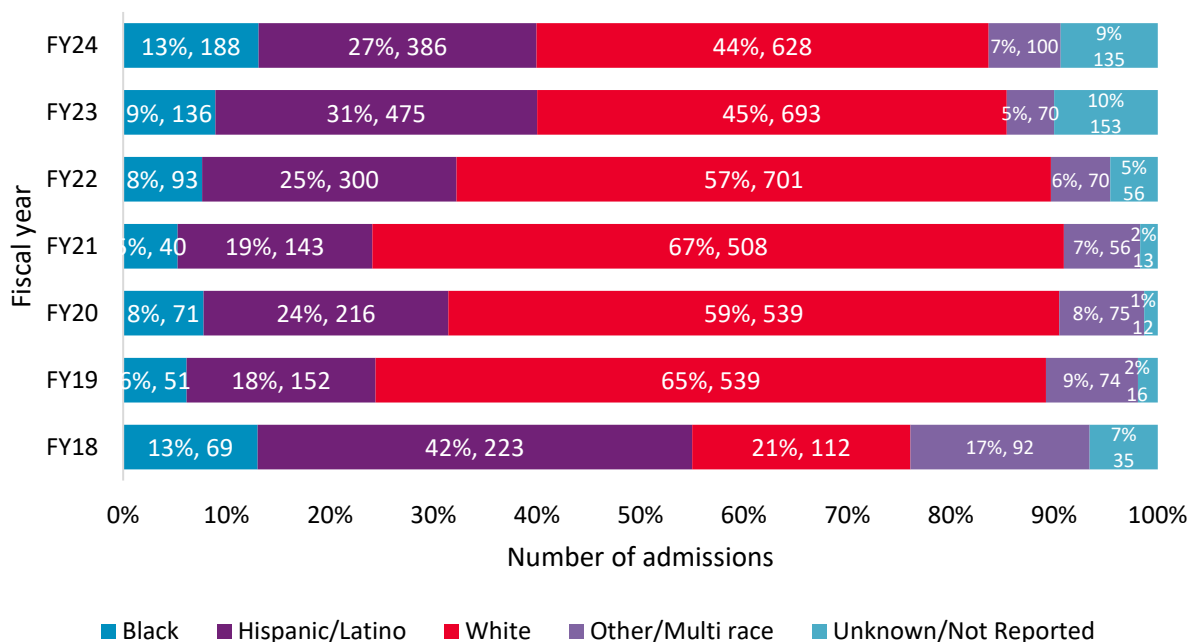
SOGI consists of aggregated counts of all youth served, including youth who are 18 and older. FY23 was the first year that DPH HEAL tracked youth's self-identified gender identity, transgender status, and sexual orientation. These counts do not reflect all youth served by these programs because it was not recorded for all youth if it was undisclosed or unknown to the program. Source: Data provided to the OCA from DPH CYVPU

Department of Public Health Bureau of Substance Addiction Services (BSAS)

Contrary to the juvenile justice system data presented in this report, white youth represent the most frequent admissions to BSAS compared to other race/ethnicity categories. In FY24, 44% (n=628) of admissions to BSAS were for white youth, though the number of admissions for white youth declined 9% since FY23. The number of admissions increased 38% for Black youth between FY23 and FY24 and declined 19% for Latino youth.

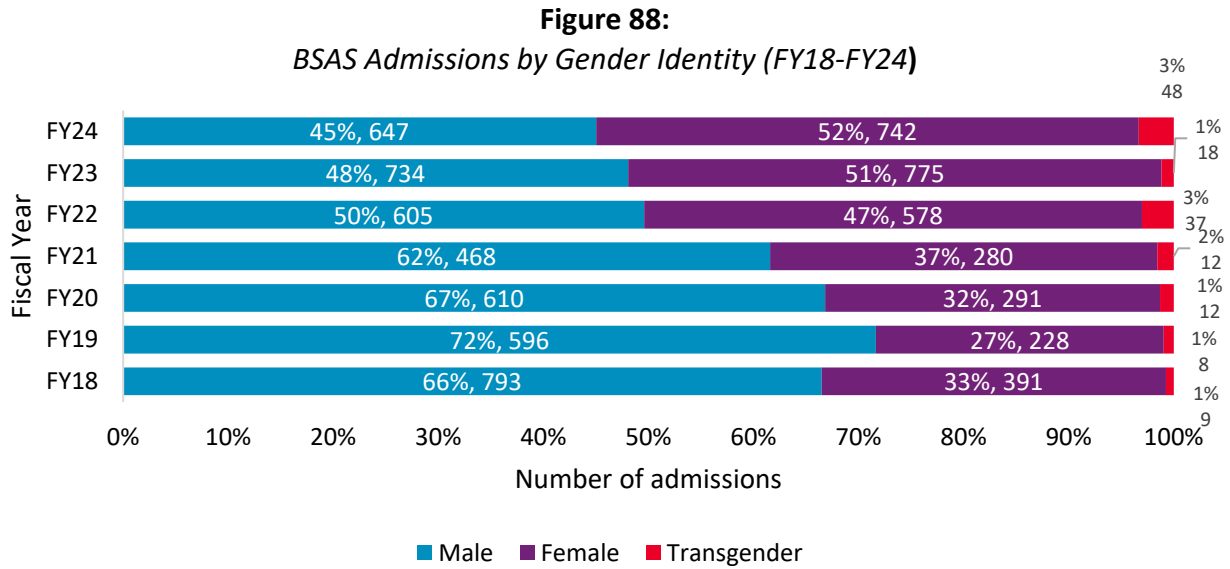
While admissions to BSAS for *all* youth increased since FY18, the number of admissions for white youth increased at the highest rate: 461% compared to a 172% increase for Black youth and a 73% increase for Latino youth.

Figure 87:
BSAS Admissions by Race/Ethnicity (FY18-FY24)



Source: Data provided to the OCA by the DPH BSAS

In FY24, girls made up a slight majority of the BSAS admissions. The number of admissions to BSAS for youth identifying as transgender more than doubled between FY23 and FY24. Since FY18, the number of admissions for girls increased 90% (from 391 admissions in FY18 to 742 in FY24) while the number of admissions for boys decreased 18% (from 793 in FY18 to 647 in FY24).

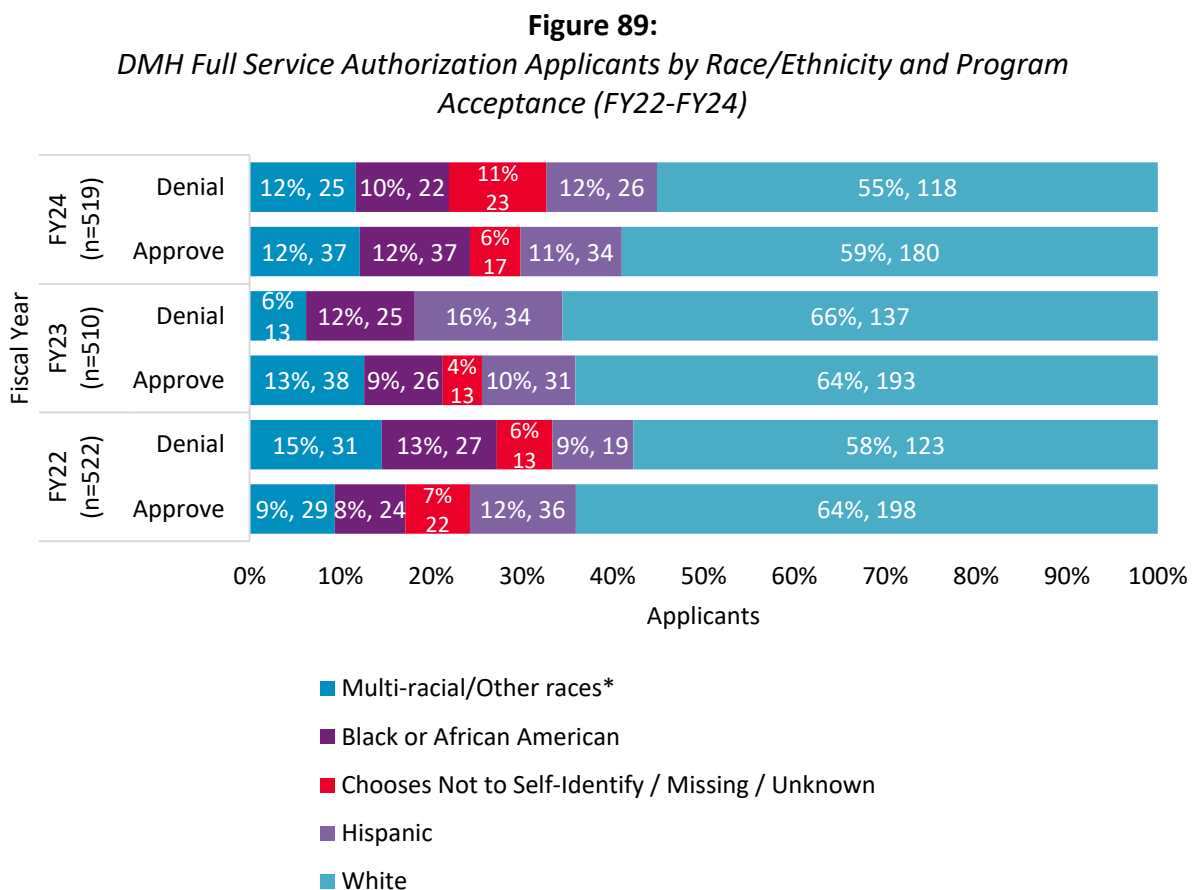


In FY24, 3% (n=37) of admissions to BSAS were for youth who identified as gay, lesbian, or bisexual. However, this is likely an underestimate as 80% of sexual orientation data is missing.

Table 23: BSAS Admission by Sexual Orientation (FY18-FY24)							
Sexual Orientation	FY18	FY19	FY20	FY21	FY22	FY23	FY24
Heterosexual	1,009	706	468	395	337	272	215
Gay, Lesbian, or Bisexual	119	92	58	36	41	53	37
Other	10	8	11	6	35	24	13
Refused	23	20	11	12	23	31	17
Unknown/NA/Missing/Not Collected/Invalid	32	6	365	311	784	1,147	1,155
Source: Data provided to the OCA by the DPH BSAS							

Department of Mental Health Children, Youth, and Family Services

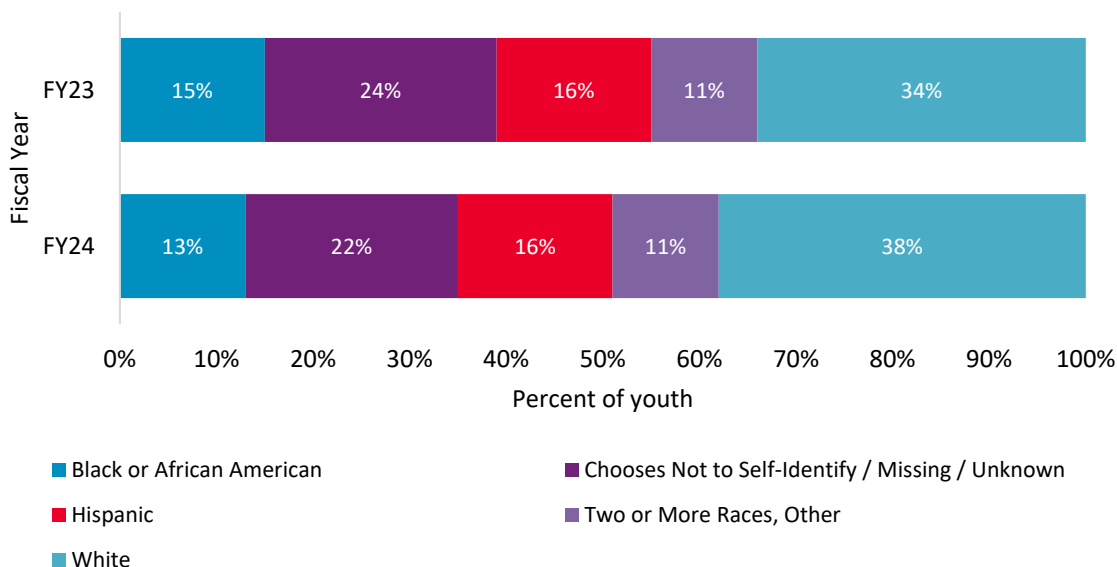
In FY24, most (59%, n=180) approved applications for Full Service Authorization services were for white youth, consistent with prior years.



Source: Data provided to the OCA by the Department of Mental Health, Child, Youth, and Family Programming

In FY24, 38% of youth participants in CYF services identified as white.

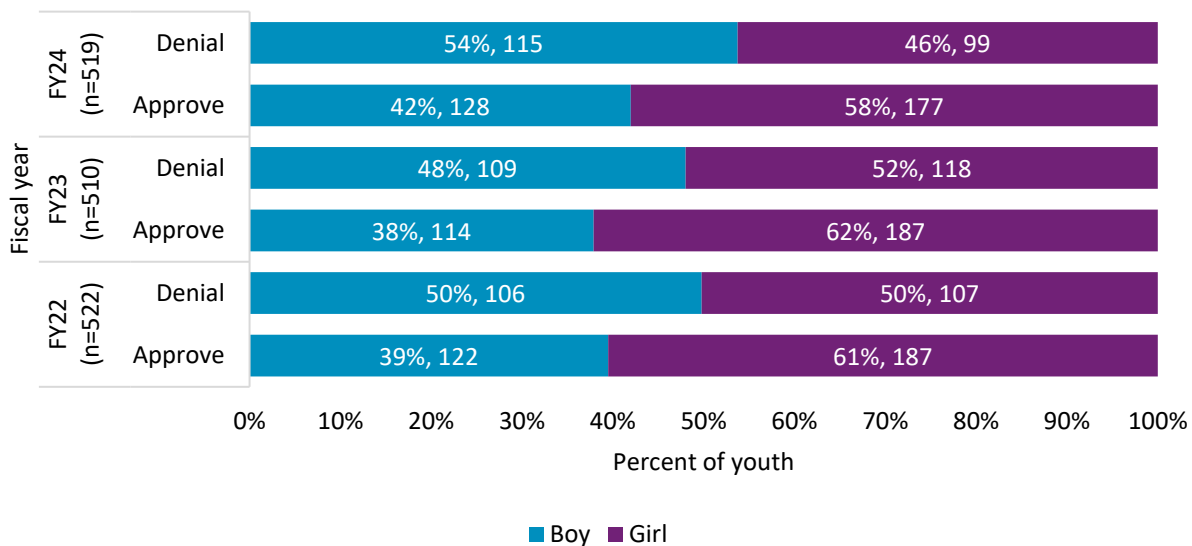
Figure 90:
DMH CYF Services by Race/Ethnicity (FY23-FY24)



Source: Data provided to the OCA by the Department of Mental Health, Child, Youth, and Family Programming

In FY24, girls made up the majority (58%, n=177) of approved applications for FSA services.

Figure 91:
DMH Full Service Authorization Applicants by Gender and Program Acceptance (FY22-FY24)



Gender percentages are based on total of unique applicants for FSA, not the total numbers of service referral type.

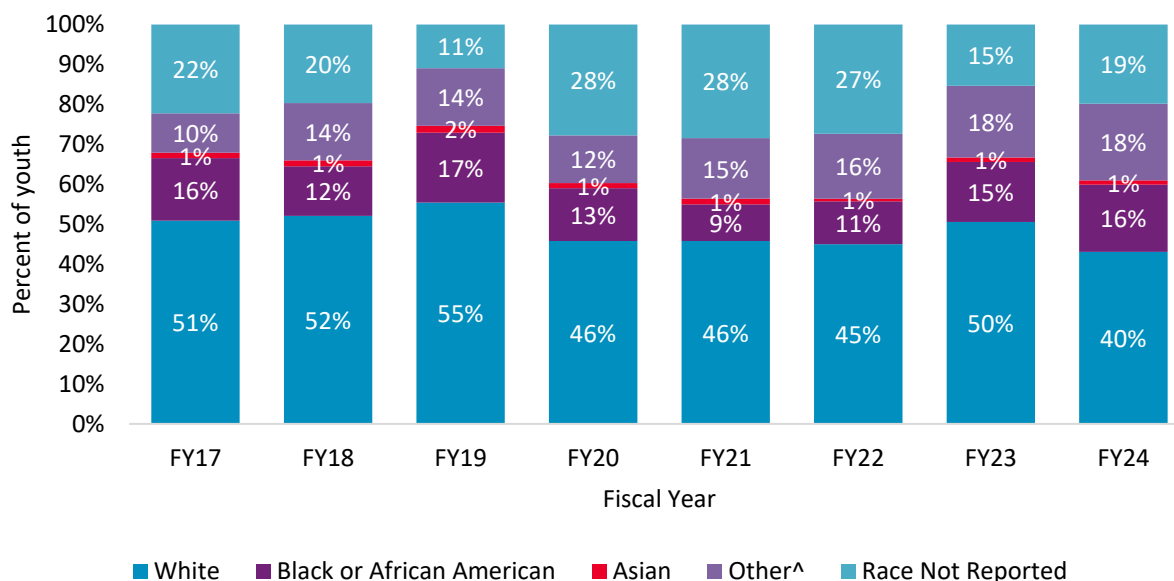
Source: Data provided to the OCA by the Department of Mental Health, Child, Youth, and Family Programming

Department of Mental Health Juvenile Court Clinics

In FY24, 40% of all referrals to the Juvenile Court Clinics were for white youth. Most youth (81%) did not identify as Hispanic/Latino.

Figure 92:

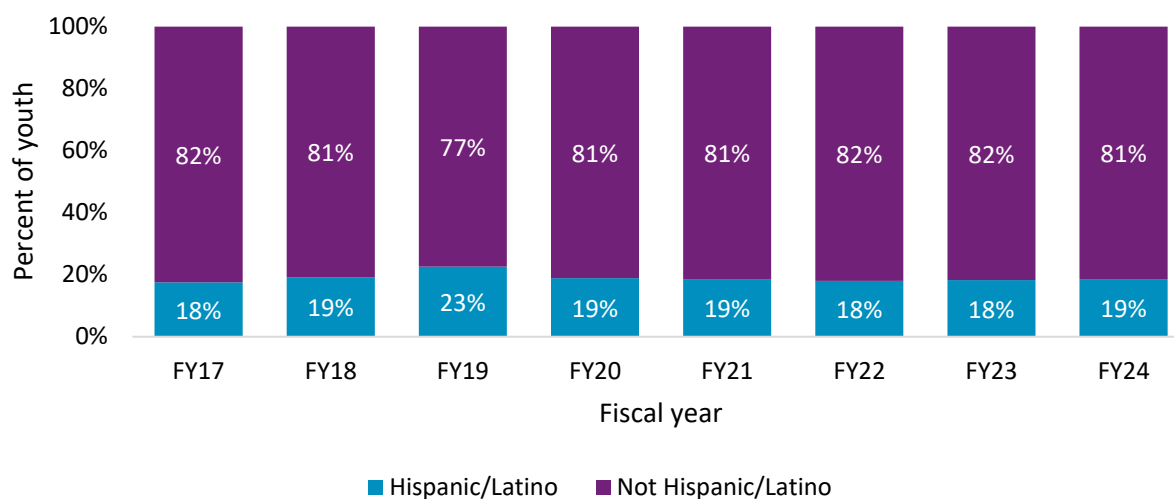
Juvenile Court Clinic Youth Served by Race (FY17-FY24)



Race & Ethnicity percentages are based on total of unique individuals, not the total numbers of service referral type. Source: Data provided to the OCA by the Department of Mental Health's Forensic Services

Figure 93:

Juvenile Court Clinic Youth Served by Ethnicity (FY17-FY24)



Race & Ethnicity percentages are based on total of unique individuals, not the total numbers of service referral type. Source: Data provided to the OCA by the Department of Mental Health's Forensic Services

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Office of the Child Advocate



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