



To: The Honorable Maura Healey, Governor  
The Honorable Maria Mossaides, Child Advocate  
The Honorable Michael Rodrigues, Chair, Senate Committee on Ways and Means  
The Honorable Aaron Michlewitz, Chair, House Committee on Ways and Means  
The Honorable Lydia Edwards, Senate Chair, Committee on the Judiciary  
The Honorable Michael Day, House Chair, Committee on the Judiciary  
The Honorable Robyn Kennedy, Senate Chair, Committee on Children, Families and Persons with Disabilities  
The Honorable Jay Livingstone, House Chair, Committee on Children, Families and Persons with Disabilities  
The Honorable Michael Hurley, Clerk of the Senate  
The Honorable Timothy Carroll, Clerk of the House

From: Jennifer Franco, Massachusetts District Attorneys Association

Date: April 10, 2025

Re: **Report on the Status of Child Abuse and Neglect Cases (G.L. c. 12, § 20D)**

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As required by G.L. c. 12, § 20D<sup>1</sup>, the Massachusetts District Attorneys Association (MDAA) submits the following information relative to child abuse and neglect cases that have been referred for criminal prosecution to the eleven District Attorneys during FY2024. The Department of Children and Families, which is mandated to report certain categories of child abuse and neglect to the District Attorneys, pursuant to G.L. c. 119, § 51A, is the primary source of child abuse and neglect referrals to the District Attorneys. However, the District Attorneys also receive a significant number of reports from the police, directly from victims, and from the victims' families.

The number of criminal prosecutions initiated by the District Attorneys does not reflect the tremendous workload of pre-charge investigations involved in reviewing these sensitive and complex cases.

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<sup>1</sup> G.L. c. 12, § 20D: The executive director [of the Massachusetts District Attorneys Association] shall annually report on the status of child abuse and neglect cases that have been referred for criminal prosecution, including the number prosecuted, the results of those prosecutions, the principal reason for decisions not to prosecute, and what resources would have assisted in those investigations and prosecutions. The report shall be filed with the clerks of the senate and the house, the senate and house committees on ways and means, the joint committee on children, families and persons with disabilities, the joint committee on the judiciary, the child advocate, and the governor.

Please note that MDAA is reporting referrals as the number of new cases reported or referred to the District Attorneys during FY2024; all other information relates to child abuse and neglect cases reported or referred to the District Attorneys in any year. Child abuse and neglect cases, from initial referral to final disposition, can take several years to resolve.

Abuse/Neglect Referrals (Per Child)	13,635
Referrals Closed without Prosecution	9,697
Criminal Cases Initiated (Per Defendant)	2,529
Criminal Cases Disposed with Conviction	1,215
Criminal Cases Disposed without Conviction	1,027

The District Attorneys report the following as the principal reasons for the decision not to prosecute:

- Insufficient evidence
- Psychological trauma
- No disclosure/victim denied abuse
- Competency issues of child/tender age of victim
- Therapeutically inappropriate
- Lack of jurisdiction
- Family unsupportive and unwilling to go forward
- 5<sup>th</sup> Amendment Privilege
- Marital Privilege
- Statute of Limitations
- No crime, neglect referral
- Perpetrator unknown
- Victim left jurisdiction

The District Attorneys believe that each agency utilizes all available resources to serve victims, their families, and the public during the healing process and the resolution of these difficult cases. However, the District Attorneys report that the following resources would have assisted in these investigations and prosecutions:

- Access to crisis services for victims and their families
- Additional prosecutors, victim-witness advocates, investigators, interviewers and detectives that specialize in these complex cases
- Police Departments need additional, well-trained and certified staff to process digital evidence
- Professional development opportunities
- Identification of “Anonymous” callers to allow for follow-up
- Accurate contact information in 51As
- More urgency with technology cases (CSAM, online exploitation/harassment) for preservation orders