



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE CHILD ADVOCATE
ONE ASHBURTON PLACE, 11TH FLOOR • BOSTON, MA 02108
MAIN: (617) 979-8374 • WWW.MASS.GOV/CHILDAADVOCATE

MARIA Z. MOSSAIDES
DIRECTOR

Michael D. Hurley
Clerk of the Senate
24 Beacon St. Rm. 335
Massachusetts State House
Boston, MA 02133

January 14, 2025

Dear Clerk Hurley,

As chair of the Juvenile Justice Policy and Data Board (JJPAD), I am pleased to submit to you the latest JJPAD report, *Improving Massachusetts' Juvenile Pretrial Phase: An Assessment of the Current Pretrial System and Recommendations for Improvement*.

The JJPAD Board was established as a permanent entity by "An Act Relative to Criminal Justice Reform" in 2018. The Board consists of members representing a broad spectrum of stakeholders involved in the juvenile justice system as well as child welfare and other child serving agencies. The Legislature charged the JJPAD Board with evaluating juvenile justice system policies and procedures and making recommendations to improve outcomes.

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. In 2023, the Board launched a project to study the impacts of these efforts on other aspects of the juvenile justice system.

The resulting report presents **findings and recommendations** that have emerged from the project, which included information gathered from over 70 stakeholder interviews, national research, dozens of JJPAD Subcommittee discussions and presentations, an analysis of available data, and a review of Massachusetts' and other states' policies. Key findings include:

- **Pretrial conditions** for youth can be **developmentally inappropriate** or not tailored to their specific cases.
- Restrictive conditions, most notably **GPS and home confinement, are overused**.
- The pretrial process **lasts too long**, causing harm to youth.
- There are **vastly different regional practices** at this stage, leading to concerns about equity.
- The **pretrial statutory framework is unclear** and does not account for all relevant circumstances.
- There are **disparities** in who is detained pretrial, who gets placed on pretrial monitoring/supervision, and who is released on personal recognizance.
- There are cohorts of **youth who could be diverted** away from pretrial detention, pretrial supervision/monitoring, or the system entirely.



MARIA Z. MOSSAIDES
DIRECTOR

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE CHILD ADVOCATE
ONE ASHBURTON PLACE, 11TH FLOOR • BOSTON, MA 02108
MAIN: (617) 979-8374 • WWW.MASS.GOV/CHILDAVOCATE

The Board also issued recommendations for improving the pretrial phase for youth, which fall under three main categories:

- Improve how **conditions of release are set and re-visited** throughout the pretrial process.
- **Divert more youth** from detention and juvenile court involvement by expanding the range of pretrial supervision and pre-arraignment diversion options.
- Support implementation of **pretrial reforms** and continue to measure the impact.

This report is available here: <https://www.mass.gov/doc/improving-massachusetts-juvenile-pretrial-phase-an-assessment-of-the-current-pretrial-system-and-recommendations-for-improvement/download>

Our office is happy to further discuss this report with you and/or your staff. Please contact Melissa Threadgill, our Senior Director of Policy and Implementation, with any questions. She can be reached at Melissa.Threadgill@mass.gov.

We are grateful for your leadership and support for the children of the Commonwealth. I look forward to continuing to work with you to improve the lives of the children and families of Massachusetts.

Thank you,

A handwritten signature in dark ink, appearing to read 'Maria Z. Mossaides', followed by a long horizontal line.

Maria Z. Mossaides
Director, Office of the Child Advocate