



Fact Sheet: Massachusetts

Key Facts:

- In 2006, there were 4,817 youth in DYS secure facilities. This number has been falling since its maximum in 2003 at 5,562.¹
- In 2006, youth of color made up 57% of new detention cases, 45% of new probation cases, 59% of new DYS commitments, and 62% of the DYS committed population.² As a comparison, youth of color comprise only 17% of the youth population in Massachusetts.³
- Between January 1992 and January 2004, the number of females in the DYS committed population increased 279%, while the male committed population increased 71%.⁴ New data, however, actually show a recent drop in female commitment; caseloads have declined 38% since 2002 and 17% between 2006 and 2007.⁵
- Black youth account for 25% of total detention admissions in 2003, yet account for 7% of all youth ages 10-17. Hispanic youth account for 21% of the total detention admissions in 2003, but account for 10% of the total youth population aged 10-17.⁶
- For fiscal year 2005, Massachusetts allocated more than five times more money to provide secure residential services to youth in the custody of DYS than for community-based/nonresidential services (over \$86 million for secure residential services for committed youth and almost \$19 million for pre-trial detention, compared to approximately \$20 million for nonresidential services).⁷
- In 2006, almost one-quarter of all youth detained in Massachusetts were 14 and under.⁸

Major Developments:

- In 2006, Massachusetts received \$1,940,513 in funds from the OJJDP, down from \$6,882,662 in 2001.⁹
- At the annual Juvenile Justice Advisory Committee retreat in 2005, the JJAC voted to adopt a Youth Development Approach. The JJAC now requires that all alternative detention and community programs applying for federal grants utilize a Youth Development Approach in their setup.¹⁰
- In 2006, the JJAC created a subcommittee that focuses primarily on finding a better way to remove youth who are being securely held until arraignment from police lockups.¹¹
- The Juvenile Justice Advisory Committee (JJAC) is currently piloting two projects that provide alternatives to detention: the Annie E. Casey Foundation's Juvenile Detention Alternative Initiative (JDAI) and the Detention Diversion Advocacy Project (DDAP).¹²
- The JJAC recently funded improved defender training as a disproportionate minority contact (DMC) reduction strategy.

What Massachusetts Law Says:

- The adult court has jurisdiction over a person who is charged with committing murder in the first or second degree and was 14-17 years of age at the time of the offense.¹³
- A person under age 17 who is found guilty of murder and is sentenced to a state prison shall be held in a youthful offender unit separate from the general population of adult prisoners until his/her 17th birthday.¹⁴
- Secure detention in Massachusetts is primarily for holding youth preadjudication. However, these units may also house youth

who are committed by the juvenile court to DYS and are awaiting placement in a long-term residential facility.¹⁵

- Detention cannot be ordered as a disposition or as a sanction for violation of probation, but can be used for youth who violate the terms of DYS community placements.¹⁶

The "care, custody and discipline of the children brought before the court shall approximate as nearly as possible that which they should receive from their parents...they shall be treated, not as criminals, but as children in need of aid, encouragement and guidance. Proceedings against children under said sections shall not be deemed criminal proceedings."¹⁷

State Resources:

State Advisory Group (JJAC)

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¹ Massachusetts Juvenile Justice Advisory Committee. 2006. *Annual Report to the Governor*.

www.mass.gov/Eeops/docs/programs/fjj/2006_jjac_annual_report.pdf

² Puzanchera, C., Finnegan, T. and Kang, W. 2006. *Easy Access to Juvenile Populations*. www.ojdp.ncjrs.gov/ojstatbb/ezapop/. Cited in: Massachusetts Juvenile Justice Advisory Committee. 2006. *Annual Report to the Governor*.

³ Citizens for Juvenile Justice. 2004. *Fact Sheet: Recent Trends in Massachusetts' Juvenile Justice System*. http://cfjj.org/Pdf/111-JJ-fs-12_04-RecTrendsMaJJsyst.pdf

⁴ Massachusetts Executive Office of Public Safety—Programs Division. 2004. *Massachusetts Juvenile Justice Data and Information*. www.burnsinstitute.org/dmc/ma/massdata.pdf.

⁵ Massachusetts Department of Youth Services. 2007. *Annual Population Analysis—Committed Caseload*.

www.mass.gov/?pageID=eohhs2terminal&L=4&L0=Home&L1=Researcher&L2=Specific+Populations&L3=Juvenile+Offenders&sid=Eeohhs2&b=terminalcontent&f=dys_r_juv_annual_commit&csid=Eeohhs2.

⁶ Massachusetts Department of Youth Services. 2007.

⁷ Citizens for Juvenile Justice. 2006. *Detention Fact Sheet*.

www.cfjj.org/Pdf/detention%20fact%20sheet%2011_29_06%20v.2.pdf.

⁸ Citizens for Juvenile Justice. 2006.

⁹ Massachusetts Executive Office of Public Safety. 2006. *Alternative Lockup Program data, 1999-2005*. Unpublished raw data.

¹⁰ Massachusetts Juvenile Justice Advisory Committee. 2006. *Annual Report to the Governor*.

www.mass.gov/Eeops/docs/programs/fjj/2006_jjac_annual_report.pdf.

¹¹ Massachusetts Juvenile Justice Advisory Committee. 2006.

¹² Citizens for Juvenile Justice. 2006. *Detention Fact Sheet*.

www.cfjj.org/Pdf/detention%20fact%20sheet%2011_29_06%20v.2.pdf.

¹³ M.G.L. ch.119 §74

¹⁴ M.G.L. ch.119 §72b

¹⁵ National Center for Juvenile Justice, State Juvenile Justice Profiles. www.ncjj.org

¹⁶ National Center for Juvenile Justice

¹⁷ M.G.L. ch.119 §53