

An Act Relative to Criminal Justice Reform *2018 - Massachusetts*

Goal of law was to reduce the “number of incidents resulting from children’s unlawful or problematic behavior [resulting] in a response from the juvenile justice system”



Raise the age from 7 to 12



Removal of Juvenile Court jurisdiction for first-time, lower-level offenses



Judicial diversion pre-arraignment



New requirements for SRO’s, police and school districts



Revising juvenile overnight arrest lock-up procedures

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Removal of Juvenile Court jurisdiction for first-time, lower-level offenses

Removal of jurisdiction for a “violation of a local ordinance or a first offense of a misdemeanor for which the punishment is a fine, imprisonment in a jail or house of correction for not more than 6 months”

Common Offenses Impacted by Statute Change

Youth Under 12

- All offenses

Lower-Level “Under 6 Mos” Offenses

- Trespass
- Disorderly Conduct
- Disturbing the Peace
- Wanton or Malicious Destruction of Property under \$250
- Annoying or Obscene Telephone Calls or Electronic Communication
- Possess, Distribute or Possess with Intent – Drug Class E [Class E = Narcotics that contain limited amounts of such substances as codeine, diphenoxylate or opium]
- Possess less than 1 oz, Marijuana
- Minor transporting alcohol
- Assorted Moving Vehicle Violations

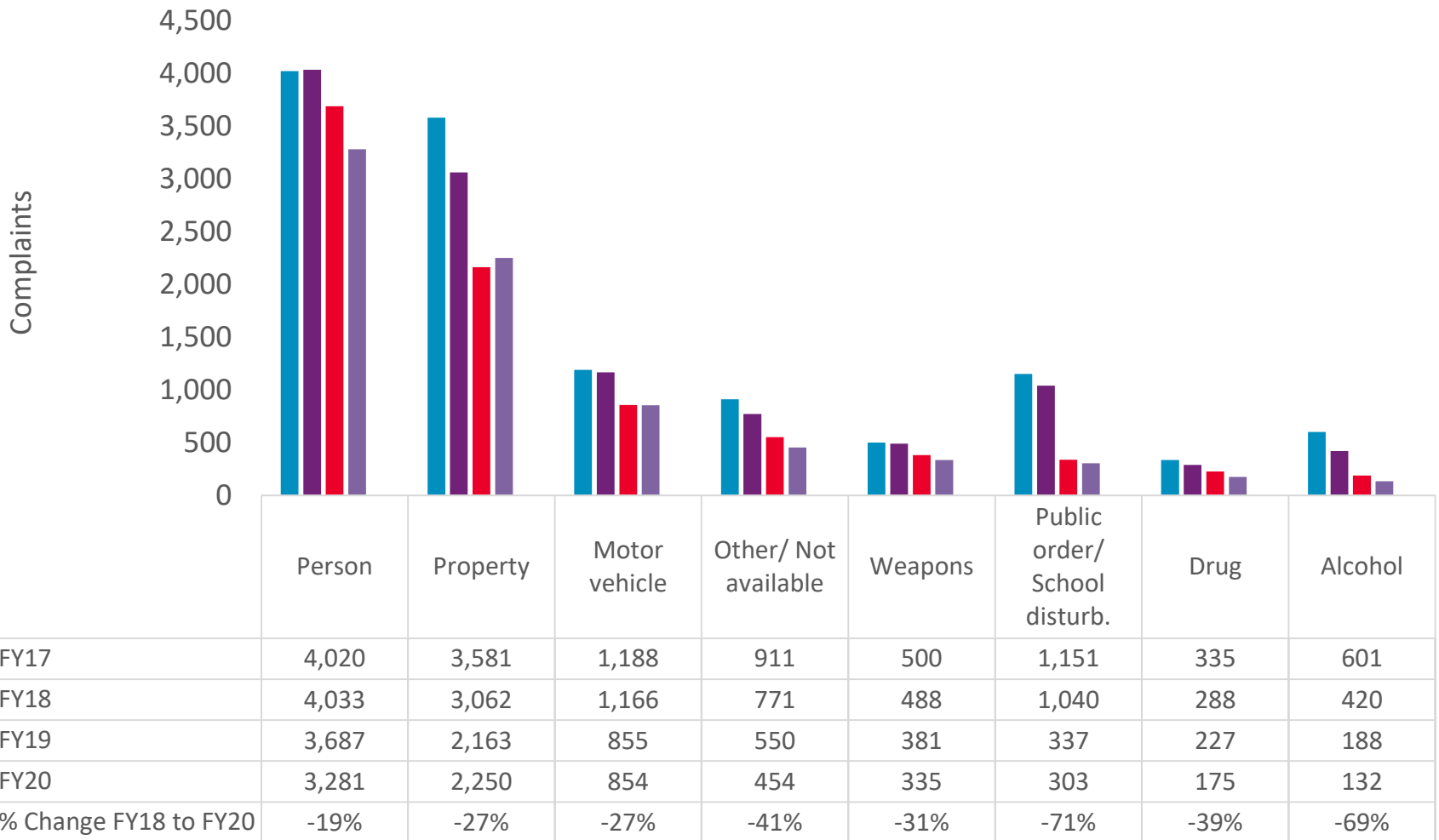
School-Based Offenses

- Disturbing a school assembly
- Disorderly conduct

Alternatives to Arrest

- Family Resource Centers
- Behavioral Health Services/Mobile Crisis
- Local school responses
- Do nothing (family response)

Juvenile Delinquency Complaint Applications Decreased 31% From FY18 to FY20



Largest Reduction in Complaint Applications for Lower-Level Offenses



Lessons Learned from Massachusetts

- Draft statute carefully:
 - What counts as a “first offense”?
 - How do you track it?
 - How to ensure law enforcement has ability to remove individual from scene if necessary (e.g. trespass, disorderly conduct)
- Communicate with law enforcement about alternatives and how to connect families with services when needed