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Juvenile & Emerging Adult Bureau Proposal

In Massachusetts, as across the country, we are disproportionately arresting and incarcerating young people of color. A criminal record can severely interfere with a young person's ability to join the workforce, enlist in the military, pursue higher education, or secure housing. Because the criminal justice system impacts minority communities at higher rates, these communities are hit hardest by the loss of socio-economic opportunity that comes with involvement in the criminal justice system.

Compounding the problem of mass incarceration is the high rate of recidivism. The Council on State Governments Justice Center found that 76% of emerging adults (those between the ages of 18 and 24) who were released from a Massachusetts county house of correction in 2011 were back in court within three years.¹

At the same time we are incarcerating young people at rates that far outpace their share of the general population, recent scientific research confirms that young adult brains are still developing.² This continued cognitive development offers a unique opportunity to disrupt the cycle of involvement in the criminal justice system.

While we have made progress in recent years, including raising the age for juvenile justice jurisdiction to 18, we need to continue building on that success. With a responsibility to ensure both safety and social justice for 1.6 million residents, including more than 300,000 people under the age of 18, the Middlesex District Attorney's Office should be leading this effort.

As District Attorney, I will create a Juvenile & Emerging Adult Bureau to prioritize efforts at rehabilitation, the collection of data at every point to ensure equity and accountability, and the reduction of recidivism.

The Bureau will consist of four components: a Juvenile Justice Unit; an Emerging Adult Unit; the Diversion Program; and the Restorative Justice Initiative. Staff members across all units will be trained on juvenile and emerging adult brain development, the effects of adversity and trauma, and

¹The Council on State Governments, *Report on Justice Reinvestment in Massachusetts* (February 2017) p. 16 available at https://csgjusticecenter.org/wp-content/uploads/2017/03/FINAL_JC_Justice-Reinvestment-in-Massachusetts_3.21.17.pdf

² MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice, Temple University, Department of Psychology, *Adolescent Development and Juvenile Justice Issue Brief 3*, available at http://www.adjj.org/downloads/6093issue_brief_3.pdf

positive youth development strategies. With very few exclusions, cases involving a defendant under the age of 25 will go through the Juvenile & Emerging Adult Bureau for screening and referral to the appropriate unit.

Priorities for the Bureau will include the following.

- **Data Collection:** We cannot correct inequity in the system if we cannot identify the source. The Bureau will collect data to ensure equity, establish a new norm for decision-making informed by data, and welcome accountability.
- **Supporting Victims:** As a key component of initial case screening, Bureau staff will assess whether victims are eligible for assistance from the Victim Witness Fund. The Bureau will also work with victims to ensure that their needs are met throughout investigation and prosecution or diversion of the case.
- **Improving Outcomes:** Recidivism is more likely to be reduced when interventions are evidence-based and outcomes are measured. Bureau staff will work with researchers and experts in the field to identify programs that work to put offenders on course for productive lives, and will assess impact on a yearly basis to determine the 1, 3, and 5 year rates of recidivism.
- **Effective Screening:** Case screening is an early opportunity to disrupt the cycle of recidivism. Bureau screenings will follow a validated rubric to reduce the impact of implicit bias. Screenings will determine whether a prosecution or diversion is the most appropriate next step.
- **Community Collaboration:** To ensure success, the Bureau will further develop and expand partnerships with community-based organizations. Dedicated staff will work with partners to write for grants and dedicate resources to evidence-based programs.

The positive impacts of this plan will extend beyond the justice system. The Bureau will collaborate with community agencies to create age-appropriate and evidence-based protocols to reduce racial and ethnic disparities and create new opportunities for success for some of the most vulnerable young people in our county.