Massachusetts Juvenile Justice Data and Information

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Programs Division

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If you have any questions or feedback regarding this report please fill out the survey at the end of the book or contact:

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Message From Secretary of Public Safety Edward A. Flynn

I am pleased to present this volume of data and information on the youth in our juvenile justice system. You may be asking yourselves, in this government environment, having to do more with less, and at the Executive Office of Public Safety, with so great a need to address significant areas for reform:

- What is the purpose of this book?
- Why did we do this?
- What have we found with the initial look at the data?

What is the purpose of this book?

This book is meant to be a single data source for the many issues that pertain to juvenile justice. We imagine that policy makers and program mangers will use this information to help build policies and programs responsive to demand for services. We could not have undertaken this project without the cooperation and wise counsel of so many different people and their agencies. The list spans numerous state agencies and advocacy groups, and each provided us with their data and their feedback and I am grateful to them. In particular I would like to recognize Rob Tansi of the Department of Youth Services who was very responsive to our many requests for information and clarification. I would also like to recognize Chief Justice Martha Grace and her staff who generously donated many hours of their time to review drafts and give us suggestions for improvement.

While our initial intent was to focus exclusively on the juvenile justice system, as the project developed, it became apparent that a larger array of issues that impact the lives of youth are worthy of consideration. In fact, research demonstrates that many are either causal factors or correlated with juvenile delinquency. As a result, you will find in these pages information on the processing of juvenile cases in the justice system, as well as information on educational and health status of juveniles in Massachusetts.

Why publish a book on juvenile justice statistics?

The original objective of this volume was to better understand the problem of disproportionate minority contact (DMC) of our youth with the justice system. We know from what statistics have been gathered to date that minority youth are overrepresented in our juvenile justice system. The problem is, we do not have standardized measurements or a single data source from one part of the justice system to the other, making it difficult to make comparisons.

For example, a youth is arrested by police and demographic information is entered into the police records management system. If the youth is held overnight, demographic information will be separately captured by the alternative lockup program provider. Then, upon arraignment, the court system will separately track data on the youth. If the youth is then put into the custody of the Department of Youth Services, all his or her data is entered once again into a new system, which may vary by facility. None of these systems have the same definitions of key data

elements, so there is no way to compare data across systems, much less to track a case from start to finish and through all the supportive services that may be delivered along the way.

There are few reliable sources of comparable statistics. Our rationale for publishing a series of statistics is a step in addressing the problem of DMC that moves us toward a better understanding of the problem by identifying existing data sources, and demonstrating where standardization of data is necessary to have a true picture of what is going on. Perhaps this book can provide the vehicle for discussing how we can continue to develop standard data definitions and a common way of describing the environment.

What does the initial exploration of the data tell us?

As I look through the data I am at first overwhelmed by how much information there is, and the challenges of making it meaningful across so many different formats and data definitions. Our staff has worked diligently to make the data as accessible as possible, but challenges remain for future stakeholders in the juvenile justice system. Even with the challenges inherent in the data, I am struck by a handful of themes:

- **Striking reductions in juvenile crime** – The national juvenile violent crime arrest rate is now lower than it has been since 1980 and nearly half of what it was in 1994. Massachusetts has witnessed a similar drop in the juvenile violent crime arrest rate. And for property crimes, the juvenile arrest rate is lower now than it has been since the 1960's. And yet, the media continues to sensationalize juvenile violent crime, diverting the attention of most of us away from the fact that the juvenile violent crime arrest rate is 20% less than it was a decade ago in Massachusetts.
- **Increasing reliance on detention** – Despite the marked decrease in juvenile violent crime arrest rates in Massachusetts, there has been a 61% increase in new detentions cases.
- **Increasing oversight of juvenile offenders** – In looking at the probation caseload, during this period of decline in crime rates, the proportion of juveniles who receive maximum supervision probation has doubled from approximately 40% to approximately 80% of all juvenile probationers. Similarly, there has been a 30% increase in total new commitments to the Department of Youth Services.
- **Minority youth exhibit risk factors and are represented in the juvenile justice system at a rate disproportionate to their population** – While minority youth constitute 24% of the Massachusetts population, the existing data show that they exhibit risk factors for delinquency, and are involved with the juvenile justice system at higher rates than their percentage of the population. For example, 61% of students who are excluded from school are members of racial and ethnic minority groups. So are nearly two thirds of juvenile offenders sent to alternative lockup programs and 62% of juvenile offenders committed to the Department of Youth Services. When considering only the juveniles with youthful offender sentences at DYS, those serving sentences for the most serious crimes, the rate is even higher at 79%. As stated above, one of the reasons for creating this compilation of statistics was to begin to understand this issue. Certainly, the confluence of poverty and risk factors for delinquency in the very same neighborhoods that have high concentrations of minority residents is a factor that must be considered as

a part of the context for this disparity. However, the actual causes for the overrepresentation of minority youth in the Massachusetts juvenile justice system are currently unknown.

- **Increasing mental health issues among young people –** There was a 47% increase in the number of youth hospitalized for mental health problems between 1992 and 2001. Currently, suicide is among the leading causes of death for youth in Massachusetts. Last year, 16% of teens surveyed indicated they had considered suicide, 13% had made a plan to commit suicide, and 8% had made an actual attempt. Suicidal thinking is more common among girls than boys. And the situation is even more dire for youth who are gay or lesbian; they are almost five times more likely to report a suicide attempt than their peers.
- **Sharp increase in girls in the system** – While the number of boys on probation has increased 62% in the last decade, the number of girls on probation has tripled. And while the number of boys in DYS care in the last decade increased 71%, the number of girls has quadrupled.
- **Urban concentrations of poverty and disadvantage** – Our urban centers remain centers of disadvantage as witnessed by the data on poverty, child abuse and neglect cases, and commitments to detention.
- **Drugs continue to tempt youth** – Drug use among youth in Massachusetts is significantly higher that the national average. One half of Massachusetts public high school students have used drugs at some point and nearly a third are current users. One third of students were offered drugs at school. Three out of four students report having tried alcohol, and half have used marijuana.
- **Schools as crucibles for youth problems –** Youths spend many of their waking hours both at school and traveling between home and school. Over the course of a year, 12% of students report being in a fight on school property and 5% reported carrying a weapon onto school property. In the 2003 survey, there was a significant decrease in the number of students not going to school because they felt unsafe there. The figure dropped from 8% in 2001 to 5% in 2003. The number of school exclusions has increased 36% in the last decade. Last year, three of four youth excluded from school was male, and one of four female. There were six times as many school exclusions for black students as there were for white students.

The data presented in this book point to opportunities for aggressive collaboration towards healthier outcomes for juveniles in our Commonwealth, and I invite you to join the Executive Office of Public Safety in our work towards that end. While we could not possibly tailor this book to meet the needs of every stakeholder in the juvenile justice community, I hope that you will find this book provocative and useful.

Edward A. Flynn
Secretary of Public Safety

Acknowledgements

This document was prepared by the Programs Division of the Executive Office of Public Safety with the help of many juvenile justice stakeholders. We want to especially thank the members of our Juvenile Justice Data and Information Advisory Group, agencies and organizations that provided data and information, and individuals who gave feedback and helped with editing. We would also like to thank those at the Executive Office of Public Safety whose hard work made the publication of this document possible. In the end, every attempt was made to accommodate as many ideas, suggestions and opinions as possible. However, the conclusions and opinions expressed in the final document are the views of the Executive Office of Public Safety, and are not necessarily the views of the contributing individuals and agencies listed.

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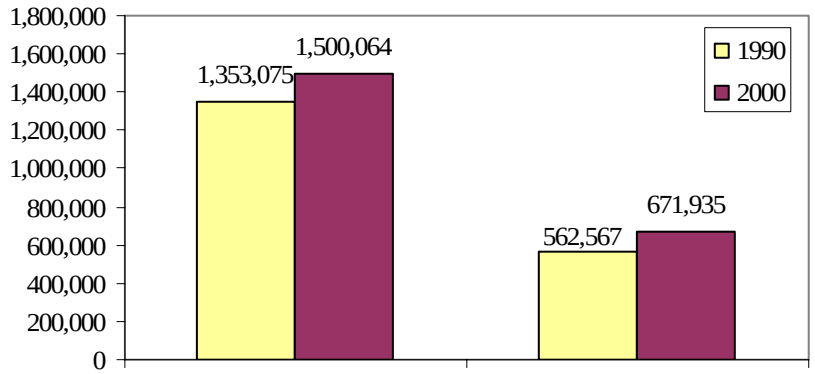
Executive Summary

The juvenile justice system in Massachusetts is an interdependent set of systems that work together to provide for the safety and security of our youth and our communities. The *2004 Juvenile Justice Data and Information* book is a first attempt by the Executive Office of Public Safety to bring together juvenile justice information from various sources across the Commonwealth of Massachusetts in a single publication. The book focuses primarily on juvenile justice data such as arrests, alternative lockup programs (ALPs), detention, the court system (including probation), commitment to the Department of Youth Services (DYS), juveniles in residential placement, and recidivism. It also provides information on self-reported illegal activity such as substance abuse, gang involvement and teen dating violence. Before the juvenile justice data is described, statistics and information on the statewide youth population and child well-being information are presented. Here are the highlights:

MASSACHUSETTS JUVENILE POPULATION

Throughout this document the terms "youth population" and "juvenile population" are used interchangeably, as are the terms, "youth," "juvenile," and "child."[1] U.S. Census data show that in 2000, youth under the age of 18 represented 24% of the total Massachusetts population, and youth ages 10-17 represented 11% of the total Massachusetts population. Approximately 51% of the youth population was male and 49% was female. From 1990 to 2000 the population under the age of 18 increased 10.9% and the population ages 10-17 increased 19.4%.

Figure 0-1. Massachusetts Youth Population Growth, 1990-2000



Source: U.S. Census Bureau, 2004.

[1] One data issue encountered in this publication is the definition of "juvenile" itself. In the Massachusetts juvenile justice system, "juveniles" are defined in different ways. For example, in delinquency cases, a juvenile is at least age 7 but not yet age 17 (Mass. Gen. Laws ch. 119, § 52); Care and Protection cases can apply to any child under the age of 18 (Mass. Gen. Laws ch.119, sec. 23); a youthful offender is at least age 14 but not yet age 17 (Mass. Gen. Laws ch. 119, § 52); and a CHINS petition can be filed for youth of different ages depending on the reason.

At times population-based rates are created in order to compare different geographic locations or different races/ethnicities. We create rates from the general population age 10-16, 10-17 and under 18 depending on the best definition for the topic and the data available.[2]

The 2000 census revealed that approximately three-quarters of the Massachusetts youth population is white and one-quarter is minority. The racial composition of Massachusetts youth ages 10-16 is 76% white, 10% Hispanic, 7% black, 4% Asian, less than 1% American Indian[3], and less than 1% Pacific Islanders. Another 3% of youth identified with some other race or with two or more races.

CHILD WELL-BEING IN MASSACHUSETTS

Massachusetts is ranked as the ninth best state for child well-being in the nation according to the Kids Count 2004 Data Book, which takes into account the educational, social, economic and physical well-being of children.

ARREST

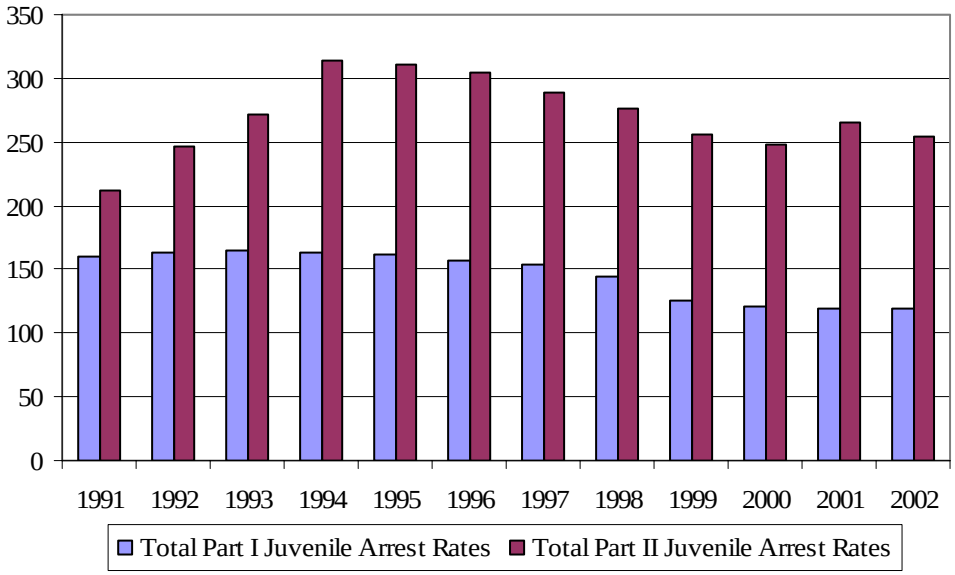
Part I crimes, which are also referred to as index crimes, include criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, arson, and motor vehicle theft (Siegel, 1995). The Massachusetts juvenile arrest rate for Part I crimes has consistently remained considerably below the nationwide rate, and is 27% lower than it was one decade ago (see Figure 0-2). In 2002, there were 120 juvenile Part I arrests for every 100,000 individuals in the general Massachusetts population (Federal Bureau of Investigation, 2003).

Part II crimes include other assaults, forgery and counterfeiting, fraud, embezzlement, buying/possessing stolen property, vandalism, weapons carrying/possessing, prostitution, sex offenses, drug abuse violations, gambling, offenses against family/children, driving under influence, liquor law violations, drunkenness, disorderly conduct, vagrancy, and all other offenses (Siegel, 1995). They also include suspicion, curfew/loitering law violations, and runaways, which are status offenses (Siegel, 1995). The Part II juvenile arrest rate is also lower now than ten years ago. In 2002, there were 254 juvenile arrests per 100,000 persons, a 6.6% decline from the 1993 rate (Federal Bureau of Investigation, 2003).

During the past twelve years, Part I juvenile arrest rates were the highest in 1993, and Part II juvenile arrest rates were highest in 1994. Part I juvenile arrest rates were lowest in 2001, and Part II juveniles arrest rates were lowest in 1991.

[2] The only exception is the juvenile arrest rates, which are created using the total population (both adult and juvenile).
[3] Native American and Alaska Native.

Figure 0-2. Massachusetts Part I and Part II Juvenile Arrest Rates (per 100,000 persons), 1991 – 2002



Source: Uniform Crime Reports. Table reflects only those agencies which submitted 12 months of data to the FBI. The rates are based on a calculation of the total population reporting (adult and juvenile), not just the juvenile population.

ALTERNATIVE LOCKUP PROGRAMS

Alternative Lockup Programs (ALP) were created in Massachusetts in order to comply with federal and state requirements that pertain to youth under the age of 17 who are arrested. ALPs serve youth who are arrested but cannot be sent home with their parents or guardians and who cannot be sent to DYS while awaiting arraignment.

Last year, 3,354 juveniles were sent to ALPs across Massachusetts. Between 1999 and 2003, the number of juveniles sent to ALPs has ranged from 3,025 to 3,511.

DETENTION[4]

Detention is the placement of a juvenile in a restrictive facility between referral to court intake and case disposition (National Center for Juvenile Justice, n.d.[5]). Only juveniles who have been charged as delinquents or youthful offenders can be sent to detention. In Massachusetts, the Juvenile Court is in charge of determining whether secure detention is warranted at a bail hearing.[6] When juveniles are held on bail, they are placed in a detention center until someone posts bail or until the case is resolved (National Center for Juvenile Justice, 2004).

[4] Alternative lockup programs (APL) are one kind of "detention" in Massachusetts, but in this case, detention is defined as non-ALP detention.
[5] "n.d." stands for a work with no date available.
[6] In other states this is referred to as a "detention hearing." According to the Administrative Office of the Juvenile Court, it is called a "bail hearing" in Massachusetts.

Approximately 27% to 30% of all children arraigned in court on criminal charges are held on bail at DYS detention facilities while they await the outcome of their trial (Massachusetts Department of Youth Services [DYS], n.d.). In 2003, there were a total of 6,408 juveniles admitted to detention (5,562 of which were not previously committed to DYS custody). Juveniles who get sent to detention spend an average of approximately 18 days there (DYS, 2004). Between 1993 and 2003, the number of new detention admissions[7] to DYS increased 61%.

Figure 0-3. Number of New Detention Admissions to DYS, 1993-2003*

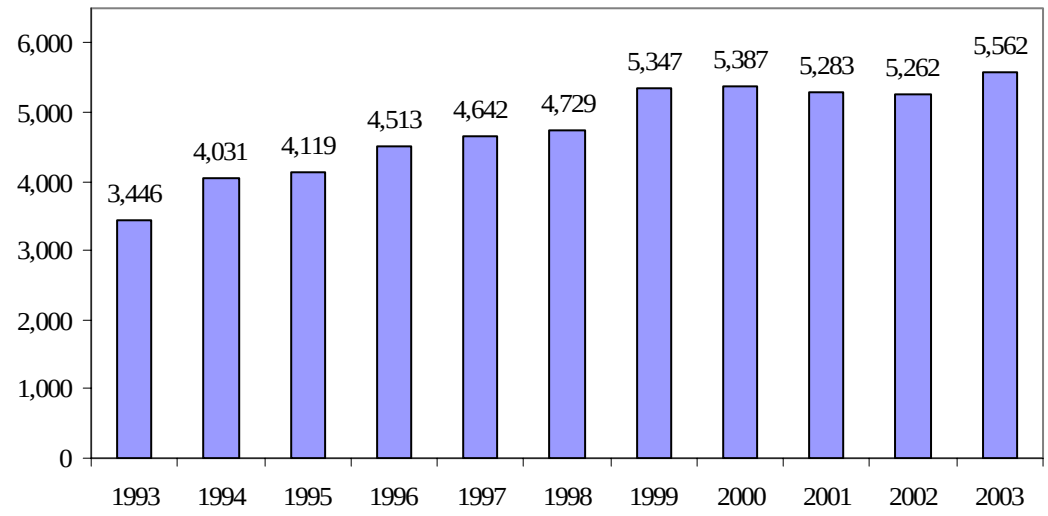


*Chart does not include juvenile previously committed to DYS custody. Source: Massachusetts Department of Youth Services, 2004.

DYS detention admissions vary significantly by city/town. Over half of the DYS admissions come from just 10 of the 351 cities and towns in Massachusetts. Juveniles from Boston, Worcester, Springfield, Lowell, Brockton, Holyoke, Lawrence, Lynn, Fall River and Pittsfield made up 55% of the total DYS admissions in 2003 but only 23% of the total youth population under 18 (DYS, 2004; Massachusetts Institute for Social and Economic Research, 2001).

JUVENILE COURT

The Court Reorganization Act of 1992 authorized the establishment of a statewide Juvenile Court in Massachusetts, and today, there are Juvenile Court divisions in all regions of Massachusetts[8] (Administrative Office of the Trial Court, n.d). The Massachusetts Juvenile Court has jurisdiction over the following:

- Adoption (Mass. Gen. Laws ch. 210, § 1) (ancillary).
- Adult Contributing to a Delinquency of a Minor cases (Mass. Gen. Laws ch. 119, § 63).
- Care and Protection petitions (Mass. Gen. Laws ch. 119, § 26).
- Children In Need of Services (CHINS) (Mass. Gen. Laws ch. 119, § 39E).

[7] Not previously committed to DYS custody.
[8] Except for the Town of Brookline and the City of Gloucester.

- Delinquency (Mass. Gen. Laws ch. 119, § 58).
- Guardianship (Mass. Gen. Laws ch. 201, § 1) (ancillary).
- Mental Health commitments (Mass. Gen. Laws ch. 123).
- Termination of Parental Rights proceedings (Mass. Gen. Laws ch. 119, § 26).
- Youthful Offender cases (Mass. Gen. Laws ch. 119, § 58).

Before the implementation was completed, District Courts had jurisdiction over juvenile matters in the regions of the state without a Juvenile Court.

Delinquency: In Massachusetts, delinquents are defined as individuals who are adjudicated delinquent as a result of violating a state law, a city ordinance, or town by-law while they were between the ages of 7 and 17.[9] In 2003, there were 40,338 delinquency complaints issued by the Juvenile and District Court.[10] The number of delinquency complaints decreased 4% from 1994 to 2003. During this time, the number of delinquency complaints has ranged from a low of 37,043 in 2001 to a high of 48,587 in 1996.

Youthful Offender: A youthful offender is a person who is subject to an adult or juvenile sentence for having committed, while between the ages of 14 and 17, an offense, which, if he/she were an adult, would be punishable by imprisonment in the state prison [i.e., a felony] and

- Has previously been committed to the Department of Youth Services (DYS), or
- Has committed an offense which involves the infliction or threat of serious bodily harm in violation of law, or
- Has committed a violation of [G.L. c. 269, § 10(a)(c), (d), G.L.c.269, § 10E (firearm offenses)] (Mass. Gen. Laws ch. 119, § 58).[11]

In fiscal year 2003, there were 205 individuals indicted as youthful offenders.

PROBATION

In 2002, there were 6,410 juveniles placed on risk/need probation. The number of youth placed on probation (new cases) increased approximately 91% during the past 10 years (from 1993 to 2002) and increased slightly in the last year (from 2001 to 2002).

[9] Once an individual turns 17-years-old, he or she is no longer considered a juvenile.

[10] According to the Administrative Office of the Juvenile Court, "delinquency complaints" in Juvenile Court represent the same data point as "juvenile charge" in District Court. In this case "delinquency complaints" represents both delinquency complaints in the Juvenile Court and juvenile charges in the District Court. In 2003 there were 32,775 delinquency complaints issued by the Juvenile Court and 7,613 total juvenile charges entered in District Court (Administrative Office of the Trial Court, n.d., District Court Department – Juvenile Filings).

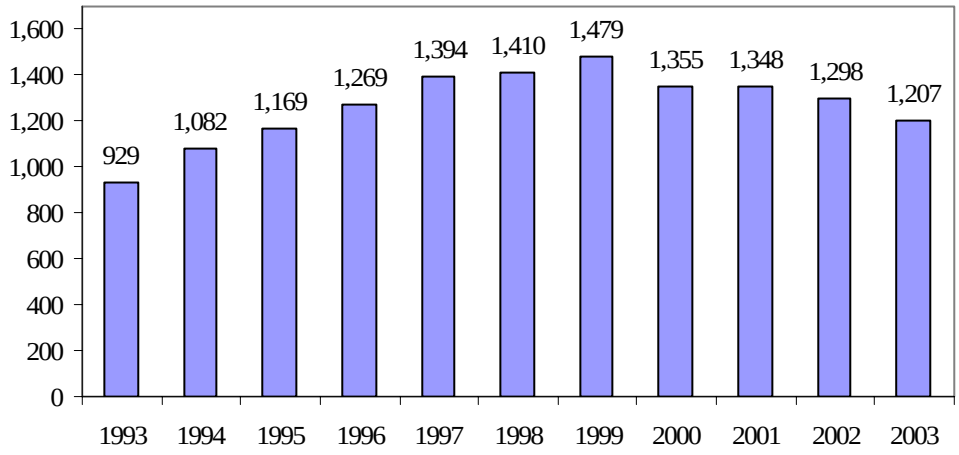
[11] An individual cannot be indicted as a youthful offender if he/she allegedly committed the offense on or after his/her 17th birthday.

COMMITMENT

When youth are "committed to DYS" it means that they have been adjudicated a delinquent child on a complaint or adjudicated a youthful offender on an indictment, and, because of that adjudication, they will be in the custody of DYS until age 18, 19 or 21.[12] "Committed to DYS" does not necessarily mean living in a DYS facility. The continuum of care for a juvenile who is committed to DYS is: Assessment, Residential Phase, Hardware/Secure Treatment, Staff Secure Treatment, Community Phase/Day Reporting, and Discharge. In 2003, approximately 8% of all juveniles arraigned were committed to DYS (DYS, n.d.).

Two common ways to look at DYS commitment data are: 1) to look at the total population at one point in time and 2) to look at new commitments. As of January 1, 2004, there were 2,943 juveniles in the Department of Youth Services committed population. This number represents a 59% increase from 1994 but a 10% decrease from the high in 2002. During 2003, there were 1,207 youth newly committed to the Department of Youth Services. This number represents a 30% increase since 1993 but an 18% decrease from the high in 1999.

Figure 0-4. Total New Commitments to DYS, 1993-2003



Source: Massachusetts Department of Youth Services, 2003.

While youth committed to DYS come from all over Massachusetts, some locations are overrepresented. A greater percentage of the total DYS committed population on January 1, 2004 youth came from Boston than any other city in January 2004. Nineteen percent of the DYS committed youth came from Boston, 11% came from Worcester, 8% came from Springfield, 4% came from Lynn, 4% came from Holyoke, 3% came from Lawrence, 3% came from Fall River, 3% came from Lowell and 3% came from New Bedford. These ten cities account for 62% of the DYS committed population but only 24% of the youth population under 18 years old. As for

[12] If a juvenile is adjudicated a delinquent child and committed to DYS, he or she will usually be committed until age 18. In the case of a child whose case is disposed of after he or she has attained his or her 18th birthday, he or she will be committed until age 19. If charged as a youthful offender, he or she could be committed until age 21 (Mass. Gen. Laws ch.119, § 58).

youth newly committed or recommitted in 2003, Boston, Worcester, Springfield, Lynn, Brockton, Fall River, Holyoke, Lawrence, New Bedford and Lowell remain the top ten cities.

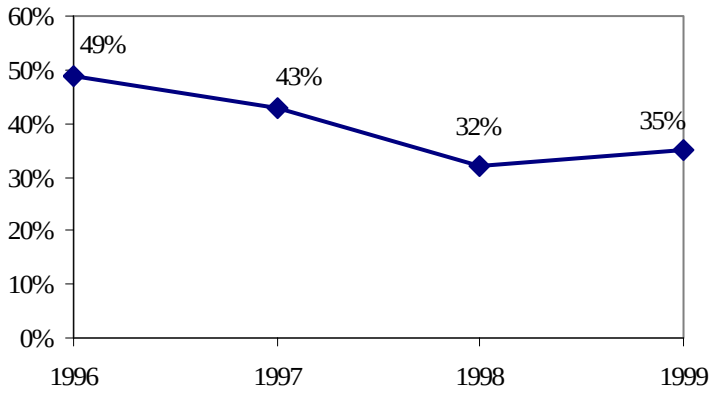
JUVENILES IN RESIDENTIAL PLACEMENT

In 2001, approximately 223 per 100,000 juveniles[13] in Massachusetts were in juvenile justice residential placement (in juvenile detention, correctional and shelter facilities). This rate is well below the national average of 336. Only 11 states have lower rates of juveniles in residential placement.[14] From 1997 to 2001 there was an increase in the rate of juveniles in residential placement in Massachusetts. During this time, the rate for males increased 17% and the rate for females increased 13% (Office of Juvenile Justice and Delinquency Prevention, Census of Juveniles in Residential Placement Databook, 2004).

DYS RECIDIVISM

From 1996 to 1999, the majority of former DYS committed youth were not convicted of a crime within one year of discharge from DYS, and during this time recidivism rates declined from 49% to 35%.

Figure 0-5. Percent of DYS Discharges Reconvicted Within One Year of Discharge, 1996-1999



Data from the Massachusetts Department of Youth Services, 2003.
Chart compiled by the Executive Office of Public Safety, 2004.

THEMES THROUGHOUT THE CHAPTERS

Until now, the Executive Summary has summarized key points from the data presented in each chapter of this document. In addition, several themes emerge when looking at the information

[13] Rates are calculated per 100,000 juveniles ages 10 through the upper age of original juvenile court jurisdiction in each State.
[14] Hawaii, Vermont, New Hampshire, Maine, Maryland, North Carolina, Mississippi, Arkansas, Connecticut, Oklahoma and New Jersey all have rates lower than Massachusetts.

across chapters. The most salient of these themes are briefly described in this next section: gender differences, disproportionate minority contact (DMC), and data issues.

GENDER

Similar to most criminal justice systems, males continue to be overrepresented in the Massachusetts juvenile justice system compared to the general population. Males account for 51% of the total youth population, but account for approximately 76% of the arrests, 77% of the youth sent to alternative lockup programs, 73% of the delinquency cases in Juvenile Court, 95% of the youthful offender cases in Juvenile Court, 79% of the detention admissions, 84% of the total DYS committed population, and 87% of the juveniles in residential placement.

Table 0-1. Contact with the Juvenile Justice System by Gender

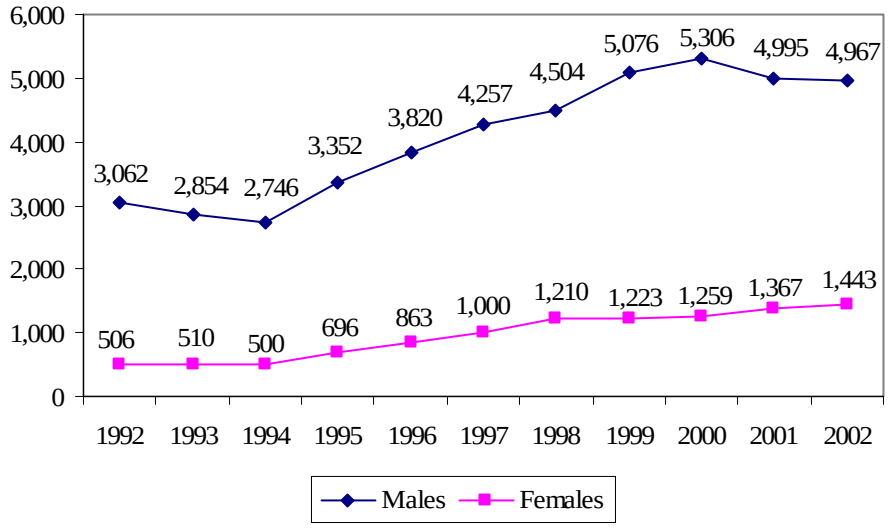
	Percent Male	Percent Female
Youth Population age 10-17 (2000)	51%	49%
CHINS Petitions in Juvenile Court (2003)	48%	52%
CHINS Applications in Juvenile Court (2003)	50%	50%
Arrests (2001)	76%	24%
Alternative Lockup Program (2002)	77%	23%
Delinquency Cases in Juvenile Court (2003)	73%	27%
Youthful Offender Cases (2003)	95%	5%
Detention Admissions (2003)	79%	21%
New Probation Cases (2002)	77%	23%
New DYS Commitments and Recommitments (2003)	86%	14%
DYS Committed Population (January 1, 2004)	84%	16%
Juveniles in Residential Placement (2001)	87%	13%

Youth population data from 2000 U.S. Census. Arrest data from the MA State Police Crime Reporting Unit NIBRS reports. CHINS data from the Administrative Office of the Trial Court. Probation data from the Office of the Commissioner of Probation. Juveniles in residential placement data from OJJDP and includes young persons assigned to beds who are younger than 21, who are charged with an offense or court-adjudicated for an offense, and who are in residential placement because of that offense.

Despite male overrepresentation, increases in contact with the juvenile justice system at various stages, at both a national level and a state level, have been greater for females than for males over the past ten years. According to a national report by the American Bar Association and the National Bar Association, "[g]irls are the fastest growing segment of the juvenile justice population, despite the overall drop in juvenile crime."[15] The involvement of females in the juvenile justice system is increasing faster than the involvement of males in Massachusetts as well. For example, from 1993 to 2002, the number of males placed on risk/need probation increased 74%, while the number of females placed on risk/need probation increased 183%. In 1993, females made up 15% of the total risk/need probation juvenile placements and by 2002, females made up 23% of the total risk/need probation juvenile placements (see Figure 0-6).

[15] American Bar Association and the National Bar Association. (May 1, 2001). *Justice by Gender: The Lack of Appropriate Prevention, Diversion and Treatment Alternatives for Girls in the Justice System.*

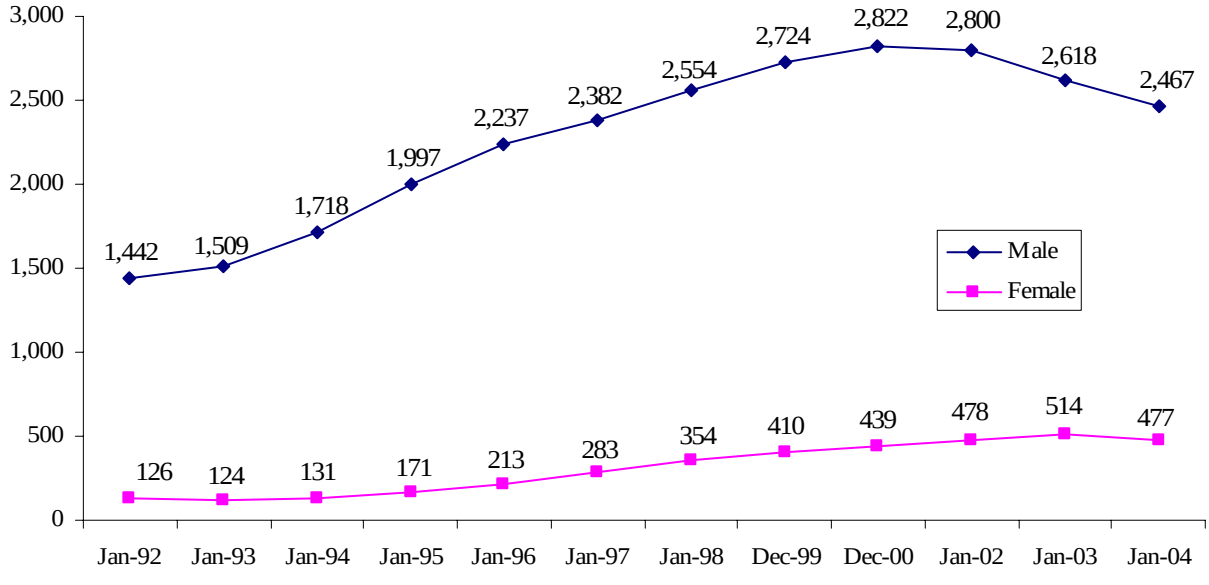
Figure 0-6. Number of Males and Females Placed on Risk/Need Probation, 1992-2002



Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety.

Also, between January 1992 and January 2004, the number of females in the DYS committed population increased 279% while the number of males in the DYS committed population increased 71% (Massachusetts Department of Youth Services, 2004).

Figure 0-7. DYS Committed Caseload by Gender, 1992-2004



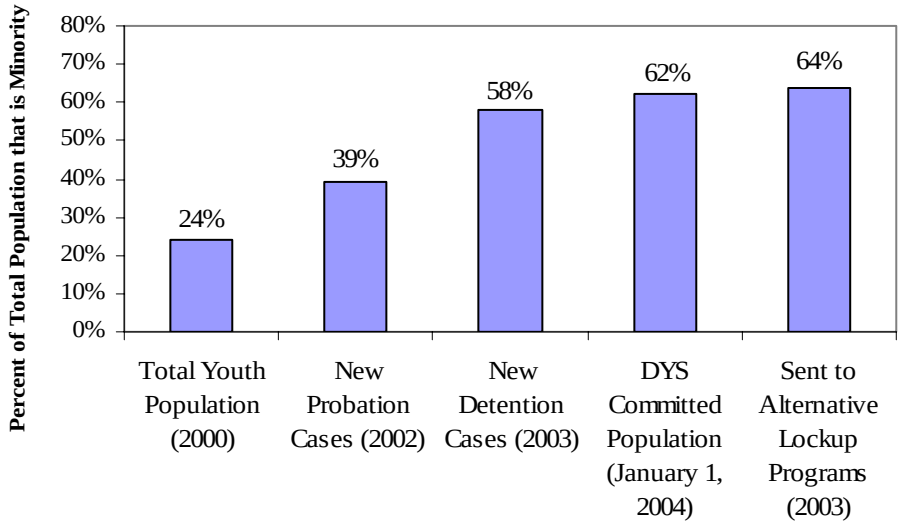
Source: Massachusetts Department of Youth Services, 2004.

DISPROPORTIONATE MINORITY CONTACT

Disproportionate minority contact (DMC) refers to the "overrepresentation of minority youth in the juvenile justice system at all points in the juvenile justice process" (Office of Juvenile Justice and Delinquency Prevention, n.d.). There is much debate around this issue in Massachusetts and across the United States. Common debates revolve around the causes of DMC, the levels of DMC within various aspects of the system, what is considered "overrepresentation," and terminology used to describe DMC. One major challenge in assessing the extent of DMC is that race and ethnicity have the potential to be measured in different ways at different points in the juvenile justice system. Another matter for debate is how to present data that point to the existence of DMC. For example, with a problem as complex as DMC, some prefer to state that there "appears to be" an overrepresentation of minority youth in the juvenile justice system, as opposed to there "is" an overrepresentation of minority youth. For the purpose of this document, and work at the Executive Office of Public Safety, data that demonstrate an overrepresentation of minority youth in the juvenile justice system are interpreted as the existence, not appearance, of DMC.

In Massachusetts there is an overrepresentation of minority youth in the juvenile justice system, a problem that is not unique to this state. Overrepresentation of minority youth in the juvenile justice system is also a national problem. For example, in 1997 minorities made up about one-third of the juvenile population nationwide but accounted for nearly two-thirds of the detained and committed population in secure juvenile facilities (OJJDP, 1999).

Figure 0-8. Minority Overrepresentation in the Massachusetts Juvenile Justice System



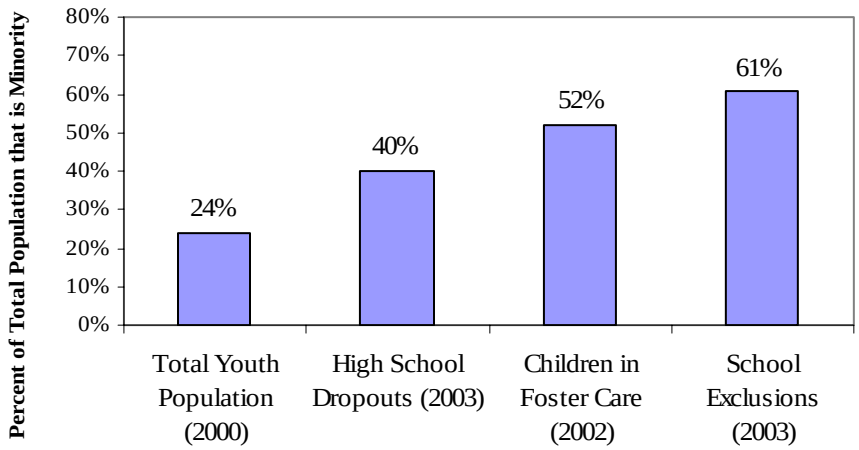
Sources: 2000 U.S. Census; Office of the Commissioner of Probation, 2004; Department of Youth Services, 2004; Executive Office of Pubic Safety, Programs Division, 2004; Boston Overnight Lockup, 2004.

In 2003, while minority youth accounted for approximately 24% of the juvenile population in Massachusetts, they made up approximately 39% of the probation placements, 58% of the

detention placements, 62% of the DYS committed population, and 64% of the juveniles sent to alternative lockup programs.

Minority youth in Massachusetts are also at greater risk than white youth in a number of other categories. For example, minority youth are overrepresented in the populations of youth who dropout of school, are excluded from school, get pregnant, and are living below the federal poverty income level. While minority youth make up 24% of the youth population, they make up 40% of the school dropouts, 52% of the children in foster care, and 61% of the students who are excluded from school.

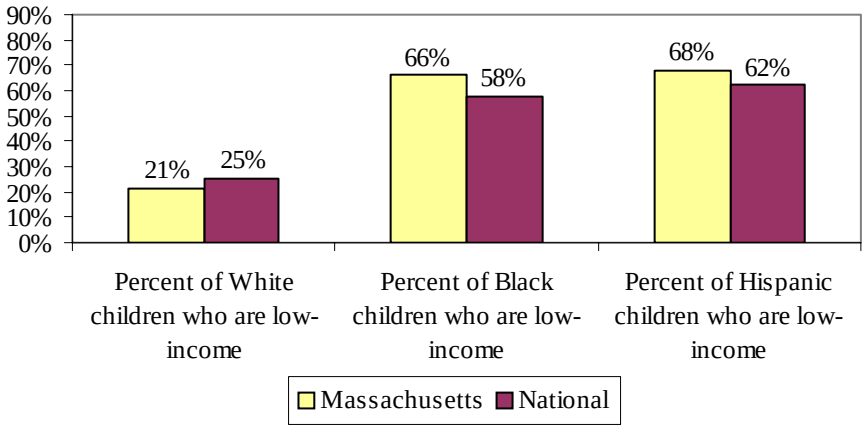
Figure 0-9. Minority Overrepresentation Among School Dropouts, Foster Care & School Exclusions in Massachusetts



Sources: 2000 U.S. Census; Massachusetts Department of Education, 2004; Massachusetts Department of Social Services, 2004; Massachusetts Department of Education, 2004.

The causes of overrepresentation of minority youth in the juvenile justice system are complex. Disproportionate minority contact may results from a variety of factors. Studies show that the following factors may contribute to DMC nationally and in specific states: unequal access to good legal representation (Schiraldi & Ziedenberg, 2002), unequal access to programs and services in the community (Schiraldi & Ziedenberg, 2002), bias in the way that the juvenile justice system in designed (Hoytt, Schiraldi, Smith & Ziedenberg, 2002), differences in neighborhood characteristics and aggressive policing (Kaufmann, 1997), stereotyping (Bridges & Steen, 1998), differences in the severity and number of offenses (Hawkins, Laub, Lauritse & Cothern, 2000), differences in criminal records (Kaufmann, 1997), economic differences (Schiraldi & Ziedenberg, 2002), and differences in other social variables (Schiraldi & Ziedenberg, 2002). In the 1990s, the Executive Office of Public Safety commissioned three reports on DMC, which concluded that minority overrepresentation was found throughout the juvenile justice system in Massachusetts. However, the studies did not conclude that the juvenile justice system operated in a biased manner toward minority youth.

Figure 0-10. Low Income Children in Massachusetts by Race/Ethnicity, 2000-2002



Source: National Center for Children in Poverty, 2004. Data were calculated from the Annual Demographic Supplement (the March supplement) of the Current Population Survey from 2001, 2002, and 2003, representing information from calendar years 2000, 2001, and 2002. NCCP averaged three years of data because of small sample sizes in less populated states. Children are defined as low income if the family income is less than twice the federal poverty threshold. The poverty threshold for a family of four with two children was $18,244 in 2002, $17,960 in 2001, and $17,463 in 2000.

DATA ISSUES

While creating this book, many data limitations were discovered. Decisions had to be made about which data to leave out and which data to include in order to make this book both useful and accurate. Each chapter has information about the data used in order to avoid misinterpretation. General imitations to juvenile justice data in Massachusetts include:

- Race/Ethnicity data is difficult to report, collect, and interpret. The three main limitations to the race/ethnicity data in this document are: 1) different agencies have different reporting mechanisms, 2) different agencies have different race/ethnicity categories, and 3) some agencies have unverified race/ethnicity data, which they are not prepared to share.
- Crime reporting is voluntary in Massachusetts and not all jurisdictions report their data to the Massachusetts State Police Crime Reporting Unit.
- Hispanic is not a Uniform Crime Reporting (UCR) system category, and 55% of the crime volume in Massachusetts is reported using UCR.
- Juvenile arrest data includes individuals who are age 17 even though the oldest age for a delinquency or youthful offender charge in Massachusetts is 16.
- Tracking individual cases throughout the system in Massachusetts is very difficult because there is no integrated system for tracking individual juveniles across agencies, and most of the data systems do not "talk to each other."

There are also limitations with some of the rates presented in this book. In order to compare different geographic areas and races/ethnicities at different points of the juvenile justice system, rates were created using population data from the United States Census. These are called population-based rates. There are two main issues to using population-based rates:

- Deciding on the population to include: Rates were created from the general population ages 10-16, 10-17 and under 18 depending on the data available and the most appropriate definition for the data discussed.[16]
- Creating rates from the general population and not from the "at-risk" population: Knowing how many youth from the general youth population are at one stage of the juvenile justice system is different than knowing how many youth from the "at-risk" population go on to the next stage. For example in the DYS Commitment chapter, rates are given for the number of youth in the DYS committed population per 10,000 youth in the general population, not per 10,000 youth who were arraigned in court. Being able to compare the rates of youth going from one stage of the system to the next stage of the system by race/ethnicity and by geographic location would be a more accurate measure. However, because of the available data limitations this book only presents population-based rates.

CONCLUSION

This book is the result of the cooperation and support of many agencies and individuals. While there are a few conclusions presented in parts of this book, the authors attempted to focus on presenting the "facts" in the main body of the document and generally let the readers draw conclusions for themselves. It is the hope of the Executive Office of Public Safety that this document can help to develop a better understanding of the Massachusetts juvenile justice system and the needs of our youth and that it can be a catalyst for more study and positive steps forward in juvenile justice.

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[16] The one exception is arrest rates, which were created using the total population (adult and juvenile).

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Introduction

Welcome to the *2004 Juvenile Justice Data and Information* book! This publication is a first attempt by the Executive Office of Public Safety to bring together juvenile justice information from a variety of sources across the Commonwealth of Massachusetts in a single, comprehensive reference document. We hope that this book will be a resource for local nonprofit organizations, police departments, state agencies, and anyone interested in Massachusetts youth. The book can be used to examine juvenile justice trends in Massachusetts, learn more about the Massachusetts juvenile justice system, and help develop strategies to prevent or combat juvenile crime.

The Massachusetts juvenile justice system, in fact, is not really one "system" at all. Similar to other states, our system is really an interdependent set of systems that work together to provide for the safety and security of our youth and our communities. The "system" includes community-based organizations and government entities such as the police (state, local, and school), the Department of Youth Services, the Department of Social Services, the Courts (Juvenile and District, including Probation), the Department of Education, the Department of Mental Health, the Department of Public Health, District Attorneys' offices, the Committee for Public Counsel Services and other attorneys representing juveniles, and the Executive Office of Public Safety.

This book is organized into three main sections. In the first section, in order to give some context, we develop a portrait of Massachusetts youth by providing information about the overall well-being of the youth population in general. Information on issues such as economic conditions, health, education, child abuse and neglect, and unemployment is presented. In the second section, we look at self-reported risky activity by Massachusetts youth. Most of this data comes from the Massachusetts Youth Risk Behavior Survey (YRBS) and includes information such as substance abuse, gang involvement, dating violence, and hate crimes. The third section, which is the largest section, includes an overview of the juvenile justice system in Massachusetts and information on the Commonwealth's responses to juvenile crime and delinquency. This section also includes detailed information about arrests, alternative lockup programs, detention, the court system (including probation), DYS commitment, juveniles in residential treatment, and recidivism. For those readers interested in learning more about certain topics presented in this book, we have compiled a list of other sources of juvenile justice information and data. Finally, we provide an appendix with data on every city and town in Massachusetts.

It is important to note that this project would not have been possible without the cooperation of the Administrative Office of the Juvenile Court, the Department of Youth Services, the Office of the Commissioner of Probation, the State Crime Reporting Unit, the Department of Social Services, the Department of Education, Citizens for Juvenile Justice, the Boston Overnight Lockup, the Lowell Police Department, the Boston Police Department, the Juvenile Justice Advisory Committee, the Children's Law Center of Massachusetts, the Crime and Justice Institute, and the Northwestern District Attorney's Office. The conclusions and opinions expressed concerning the data and information supplied by these agencies are the views of the Executive Office of Public Safety, and are not necessarily the views of the individual contributing agencies listed.

In addition, we would like to acknowledge that much of the data here is being published for the first time in this specific format. We anticipate that there may be some amount of error or

omission based solely on the fact that this undertaking is both monumental and new. We invite comment and input for our next edition. Please feel free to contact Elizabeth Spinney, Elizabeth.Spinney@state.ma.us, 617-727-6300 x25356 with any comments and suggestions.

We hope you find the *2004 Juvenile Justice Data and Information* book helpful, insightful and thought-provoking.

About the Data

This section gives an overview of sources of data, definitions, analyses performed, and limitations of the data and analyses. One of the most difficult issues to grapple with in the publication of this book is data itself. For one thing, the ability to verify data reported from a second source is limited. For another, the data examined were often incongruous across the various source entities. Agencies have a variety of ways that they keep and track data, and in the aggregate, it can be difficult to make sense of it all. Another limitation is the lack of data available on many vital issues. Finally, in an attempt to ensure that the book be a useful resource to those concerned with juvenile justice, a variety of system stakeholders were consulted who, not surprisingly, had strong opinions about what should be included in the book and to what extent, as well as what should be excluded from the book and why. In the end, every attempt was made to accommodate as many reviewers as possible, but there is no way to make all reviewers completely happy with the final product. Nevertheless, we hope that our readers find it to be useful. If you are interested in sharing your impressions with us, please fill out the feedback form located at the back of the book.

Data were collected from a variety of state-level and national-level sources. Table D-1 lists the source agency for many of the key data items. For example, the Office of the Massachusetts Commissioner of Probation provided the data in the Probation chapter, and the Massachusetts Department of Youth Services provided the data for the Detention, DYS Commitment, and Recidivism chapters. The Programs Division of the Executive Office of Public Safety compiled, and when feasible and appropriate, merged data to present the data in a more complete manner. The EOPS wrote each section and created all graphs unless otherwise stated. All of the sources are cited in each chapter.

DEFINITION OF JUVENILE

The terms "youth," "juvenile," and "child" are used interchangeably throughout this document.

Within the Massachusetts juvenile justice system, "juveniles" are defined in different ways. For example, in delinquency cases, a juvenile is at least age 7 but not yet age 17 (Mass. Gen. Laws ch. 119, § 52). A youthful offender is at least age 14 but not yet age 17 (Mass. Gen. Laws ch. 119, § 52). A CHINS petition can be filed for youth of different ages depending on the reason: below the age of 17 for Stubborn/Runaway (Mass. Gen. Laws ch. 119, § § 21, 39E) and at least age 6 but not yet age 16 for Truancy/School Offender (Mass. Gen. Laws ch. 119, § 21). Care and Protection cases can apply to any child under the age of 18 (Mass. Gen. Laws ch.119, sec. 23). Arrest data is collected for youth who are arrested when under the age of 18.

Throughout the book, population-based rates were created to compare different geographic locations or different races/ethnicities. Rates were created from the general population ages 10-16, 10-17 and under 18 depending on the data available and the most appropriate definition for the data discussed.[17] Each section notes which "population" is used.

[17] The one exception is arrest rates, which are created using the total population (adult and juvenile).

RACE AND ETHNICITY DATA

The various sources cited in this publication use multiple terms for different races and ethnicities. To maintain consistency throughout the book, the following terms are used: American Indian, Asian, black, Hispanic, white, and other. Throughout the publication, black is used instead of African American and African-American; white is used instead of Caucasian; Hispanic is used instead of Latino; and American Indian is used instead of Native American. Other race/ethnicity is used whenever the individual is multi-racial, some other race/ethnicity or when the number of individuals with that particular race/ethnicity is very small.[18] Unless otherwise stated, American Indian, Asian, black, white, and other race/ethnicity are non-Hispanic, and Hispanic is an exclusive category.

It is important to note that race and ethnicity data are inherently flawed given the complexity of race as a concept and perception. In this document, there are three main limitations to the race/ethnicity data. The first limitation is that different agencies have different reporting mechanisms. For example, in some agencies youth may self-report their race/ethnicity whereas in other agencies a staff member may report race/ethnicity. A second limitation is that different agencies have different race/ethnicity categories. For example, the Probation Department has a separate category for Cape Verdean youth whereas some other agencies include Cape Verdean youth in other categories such as black or other race/ethnicity. A third limitation is that some agencies have race/ethnicity data that they classify as "unverified," and are not prepared to share. Even with these limitations, we believe that the data are complete enough to give an overview of the disparate contact that certain races/ethnicities have with the juvenile justice system, which is one of the purposes of looking at race/ethnicity.

Disproportionate minority contact (DMC) refers to the overrepresentation of minority youth in the juvenile justice system at all points in the juvenile justice process.[19] Throughout this book DMC is measured by both percentages and rates:

- Percentages: The percent of minority youth at different juvenile justice stages is compared to the percent of minority youth in the general population. The general population data come from the 2000 U.S. Census.
- Rates: The number of youth at different juvenile justice stages is presented per 1,000 youth in the general population. These are called population-based rates because they are based on the general population. Ideally, rates would be created from the population encompassed in the previous point in the system[20], but because of insufficient race/ethnicity data at each stage of the juvenile justice system, only population-based rates are presented.

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[18] For example, in most sections, there is not a large number of Native Americans or Pacific Islanders. In these cases, Native American and Pacific Islander youth are placed in the Other category and are still considered minorities. Another example is in the Probation section where there is a separate category for Cape Verdean youth. In this case, those individuals were put into the Other category in this document.

[19] Office of Juvenile Justice and Delinquency Prevention, "Disproportionate Minority Contact," Retrieved October 13, 2004 from http://ojjdp.ncjrs.org/programs/ProgSummary.asp?pi=18&ti=&si=&kw=DMC&PreviousPage=ProgResults.

[20] For example, when looking at DYS commitment rates by race/ethnicity, it would be most helpful to use the population of youth adjudicated. However, because of a lack of court data by race/ethnicity, the best option is to create population-based rates from the general youth population.

- Relative Rate Index: The Relative Rate Index (RRI) compares "rates" for minority youth to those of white youth. It is computed by dividing a minority rate by a white rate. If the rate for minority youth is equal to those of white youth, the relative rate index is "1". The higher the RRI, the higher the overrepresentation of minorities.

In this book, minority youth involvement with the juvenile justice system is compared with white youth involvement at the following juvenile justice points:

- Alternative Lockup Program
- Detention
- Probation
- DYS Commitment
- Juveniles in Residential Treatment

Racial disparities in areas outside of the juvenile justice system are also presented, such as school drop-outs, school exclusions, DSS foster care, income levels, gang involvement and substance abuse. Again, in each of these areas, we describe the level of overrepresentation that exists and do not attribute the existence of this overrepresentation to any specific reason.

DATA LIMITATIONS

There are many limitations to the data used in (as well as omitted from) this publication. In addition to what has previously been described, this report discovered the following data limitations in creating this document:

- Crime reporting is incomplete.
  Crime reporting is voluntary in Massachusetts (Massachusetts State Police, 2002) and not all jurisdictions report their data to the Massachusetts Crime Reporting Unit. Because of this, it is difficult to look at absolute numbers of arrests from year to year since the number of jurisdictions reporting can change. This is why arrest rates are used in this book instead of absolute numbers.
- Hispanic is not a UCR category.
  The Uniform Crime Reporting (UCR) system standards do not count Hispanics as a separate category, making it difficult to do an analysis of arrests by race/ethnicity. The National Incident-Based Reporting System (NIBRS) is the replacement data collection system developed by the FBI to take the place of the older (UCR) system. NIBRS does have Hispanic as a separate category. While Massachusetts was one of the first states to adopt NIBRS, only two-thirds of Massachusetts police departments collect data in the NIBRS format. In addition, these agencies represent about 45% of the crime volume in the Commonwealth, since several large departments do not report data in that format. Hispanic youth make up 10% of the youth population in Massachusetts, and they are not identified at arrest in such large urban centers as Boston, Lawrence, Lowell, Malden, Medford and Somerville.
- Juvenile arrest data includes individuals who are age 17.
  The juvenile arrest rate is calculated for individuals who are arrested when under the age of 18. However, the oldest age for a delinquency or youthful offender charge in Massachusetts is 16.

- Tracking individual cases throughout the system is very difficult.
  In Massachusetts, there is no integrated system for tracking individual juveniles across agencies, and most of the data systems do not "talk to each other." This greatly limits the types of analyses that can be performed and limits our understanding of how individuals move through the criminal justice system in Massachusetts.
- Throughout this document, rates were created from United States Census data.
  Rates were created in order to compare different geographic areas and races/ethnicities. However, there are two main limitations to using population-based rates from U.S. Census data:
    - A first limitation relates to using general population data to create rates (called population-based rates), rather than using the "at-risk" population data to create rates. Knowing how many youth from the general youth population are at one stage of the juvenile justice system is different than knowing how many youth from the "at-risk" population go on to the next stage. For example, in the Detention chapter, detention rates are created from the number of youth in the general population (to compare different geographic locations and different race/ethnicities). The detention rate in this case would mean that for every 1,000 youth of a certain age, there was some number of detention placements. However, it does not say anything about the rate of youth going from the "at risk" population (youth arrested or youth arraigned) to detention.
    - A second issue when using population-based rates is deciding on the population to include. For example, while youth can be tried as delinquents and sent to detention if they are at least age 7 and not yet age 17, rates were created from the 10-17 population instead of the 7-16 population because only 1 youth sent to detention was less than 10 years old, and 5% of the youth being sent to detention were age 17 or older. In the Alternative Lockup Program chapter rates were created from the 10-16 population. When comparing cities and towns, the "under 18" age group was used because it represents the most reliable town- and city-specific data for this population.[21]
- Race/Ethnicity data is difficult to report, collect and interpret
  The three main limitations to the race/ethnicity data in this document are: 1) different agencies have different reporting mechanisms, 2) different agencies have different race/ethnicity categories, and 3) some agencies have unverified race/ethnicity data, which they are not prepared to share. For more information, please go to the "Race and Ethnicity Data" part of this chapter.

[21] "Under the age of 18" was used to create these rates for cities and towns because the information compiled by the Massachusetts Institute for Social and Economic Research, *Population 18 Years and Over and Percent Under 18 Years (on April 1, 2000): Massachusetts Cities, Towns, Counties and Congressional Districts*, had the most complete data for Massachusetts cities and towns.

Table D-1. Data Sources

Item	Data Source	Most recent year used	Includes Race/ Ethnicity	Includes Gender
Alternative Lockup Programs	Executive Office of Pubic Safety, Programs Division	2003	Yes	Yes
	Boston Overnight Lockup	2003	Yes	Yes
Arrest	FBI Uniform Crime Reports	2002	No*	No**
DYS Commitment	Massachusetts Department of Youth Services	2003/2004	Yes	Yes
Juvenile and District Court Cases	Administrative Office of the Trial Court	2003	No	Yes
Dating Violence	Massachusetts Department of Education (Youth Risk Behavior Survey)	2003	Yes	Yes
Detention	Massachusetts Department of Youth Services	2003	Yes	Yes
Gang Involvement	Massachusetts Department of Education (Youth Risk Behavior Survey)	2003	Yes	Yes
Probation	Office of the Commissioner of Probation	2002	Yes	Yes
Recidivism	Massachusetts Department of Youth Services	1999	Yes	Yes
Residential Placement	National Center for Juvenile Justice and Office of Juvenile Justice and Delinquency Prevention (Census of Juveniles in Residential Placement Databook)	2001	Yes	Yes
School Dropouts	Massachusetts Department of Education	2002-2003 school year	Yes	Yes
School Enrollment	Massachusetts Department of Education	2003-2004 school year	Yes	Yes
School Exclusions	Massachusetts Department of Education	2002-2003 school year	Yes	Yes
School Safety	Massachusetts Department of Education (Youth Risk Behavior Survey)	2003	Yes	Yes
Substance Abuse	Massachusetts Department of Education (Youth Risk Behavior Survey)	2003	Yes	Yes
	Massachusetts Department of Public Health MassCHIP data	2002	Yes	Yes
	National Household Survey on Drug Abuse	2001	No**	No**

*Not all jurisdictions in Massachusetts have Hispanic as a separate category, making any race analysis difficult.
**Does not imply that this data was unavailable, just that it was not used in this document.

References

Mass. Gen. Laws ch. 119, § 52.

Mass. Gen. Laws ch. 119, § § 21, 39E.

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Section I: Massachusetts Youth Population

Massachusetts Juvenile Population

According to the United States Census, in 2000 the Massachusetts population was 6,349,097, ranking 13th in population size compared to the other 49 states. U.S. Census data also shows that in 2000, youth under the age of 18 represented 24% of the total Massachusetts population, and youth age 10-17 represented 11% of the total Massachusetts population. Approximately 51% of the youth population was male and 49% is female.

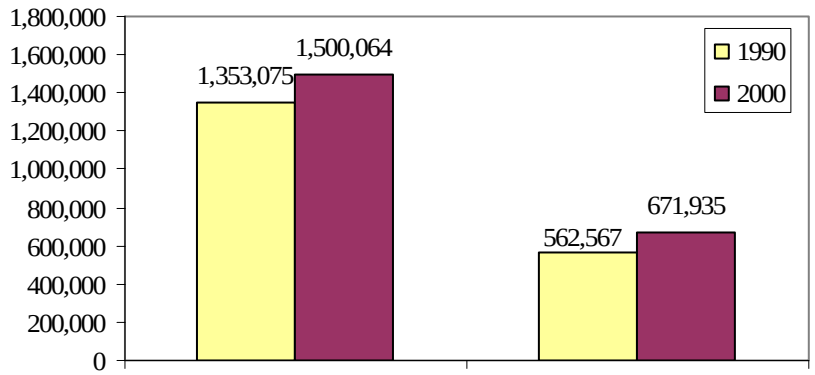
From 1990 to 2000, the total population of Massachusetts increased 5.5%. During this time, the population under the age of 18 increased 10.9% and the population age 10-17 increased 19.4%.

Highlights:

- The youth population has been growing faster than the total population in Massachusetts.
- The youth population has a larger percentage of minorities than the adult population in Massachusetts.
- The percent of the youth population that is minority varies greatly across Massachusetts counties.

Throughout this document the terms "youth population" and "juvenile population" are used interchangeably, as are the terms "youth," "juvenile," and "child." Additionally, in this document, population-based rates are created in order to compare different geographic locations or different races/ethnicities. We create rates from the general population age 10-16, 10-17 and under 18 [22]. These age groupings reflect both the most appropriate grouping for the data point discussed and the differing data sets collected and analyzed by the agencies that contributed to this publication. It is noted in each section which "population" we are using.

Figure 1-1. Massachusetts Youth Population Growth, 1990-2000



Source: U.S. Census 2000

One data issue encountered in this publication is the definition of "juvenile" itself. In the Massachusetts juvenile justice system, "juveniles" are defined in different ways. For example, in

[22] The only exception is arrest rates, which are created using the total population.

delinquency cases, a juvenile is at least age 7 but not yet age 17 (Mass. Gen. Laws ch. 119, § 52); Care and Protection cases can apply to any child under the age of 18 (Mass. Gen. Laws ch.119, sec. 23); a youthful offender is at least age 14 but not yet age 17 (Mass. Gen. Laws ch. 119, § 52); and a CHINS petition can be filed for youth of different ages depending on the reason.[23]

GEOGRAPHY

Data are presented throughout this book at the state, county, or city/town levels depending on the data sets.

Table 1- 1. Youth Population by County

	Total Population (and rank)	Number of Youth Under 18 Years Old (and rank)	Number of Youth age 10-17 (and rank)	Percent of Total Massachusetts Youth Population age 10-17	Percent of Total Massachusetts Minority Youth Population age 10-17	Percent of County Population that is Under 18 years old	Percent of County Youth Population age 10-17 that is Minority
Barnstable	222,230 (9)	45,440 (9)	22,030 (9)	3.3%	1.3%	20.4%	9.5%
Berkshire	134,953 (11)	30,187 (10)	14,845 (10)	2.2%	0.8%	22.4%	8.1%
Bristol	534,678 (6)	131,718 (6)	59,532 (6)	8.9%	5.1%	24.6%	13.6%
Dukes	14,987 (13)	3,398 (13)	1,692 (13)	0.3%	.01%	22.7%	10.6%
Essex	723,419 (3)	182,187 (3)	80,984 (3)	12.1%	12.2%	25.2%	23.7%
Franklin	71,535 (12)	16,788 (12)	8,541 (12)	1.3%	0.4%	23.5%	7.6%
Hampden	456,228 (8)	118,858 (8)	55,329 (8)	8.2%	12.6%	26.1%	36.0%
Hampshire	152,251 (10)	29,850 (11)	14,579 (11)	2.2%	1.1%	19.6%	12.3%
Middlesex	1,465,396 (1)	329,073 (1)	142,486 (1)	21.2%	17.9%	22.5%	19.9%
Nantucket	9,520 (14)	1,828 (14)	792 (14)	0.1%	.03%	19.2%	6.4%
Norfolk	650,308 (5)	152,342 (4)	66,805 (4)	9.9%	5.8%	23.4%	13.6%
Plymouth	472,822 (7)	126,487 (7)	57,310 (7)	8.5%	5.8%	26.8%	16.1%
Suffolk	689,807 (4)	139,460 (5)	60,596 (5)	9.0%	27.0%	20.2%	70.5%
Worcester	750,963 (2)	192,448 (2)	86,414 (2)	12.9%	9.8%	25.6%	17.8%
Massachusetts total	6,349,097	1,500,064	671,935	100%	100%	23.6%	23.5%

Source: U.S. Census 2000 and University of Massachusetts at Amherst, Massachusetts Institute for Social & Economic Research, Massachusetts State Data Center, March 2001. Percents may not perfectly add up to 100% due to rounding.

The percentage of the total population under age 18 varies slightly by county. The counties with the highest percentage of youth under age 18 are Plymouth County, Worcester County, Hampden County, and Essex County, each with more than 25% of the populations under the age of 18.

[23] CHINS petitions for Stubborn/Runaway can be filed for youth below the age of 17 (Mass. Gen. Laws ch. 119, § 21, 39E); CHINS petitions for Truancy/School Offender can be filed for youth at least age 6 but not yet age 16 (Mass. Gen. Laws ch. 119, § 21). For more information, see the "About the Data" chapter.

The counties with the lowest percentage of youth under age 18 are Nantucket County and Hampshire County, each with less than 20% of their population under 18.

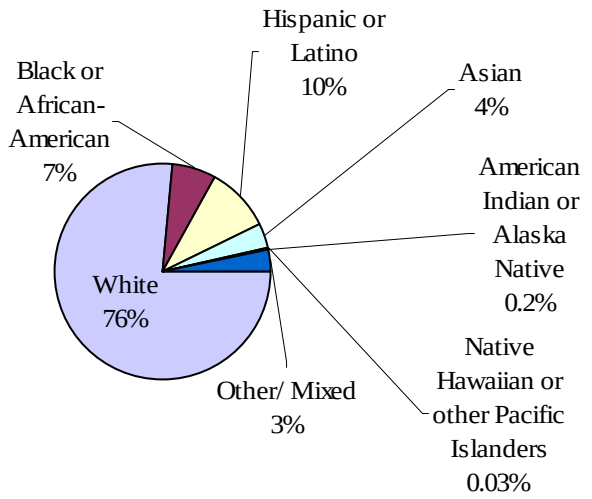
The cities and towns with the largest numbers of youth under 18 in descending order are Boston, Springfield, Worcester, Lowell, Brockton, Lynn, New Bedford, Lawrence, Fall River and Newton.

RACE/ETHNICITY

The 2000 Census revealed that approximately three-quarters of the Massachusetts youth population age 10-16 is white and one-quarter is minority. The racial composition of Massachusetts youth age 10-16 is 76% white, 10% Hispanic, 7% black, 4% Asian, less than 1% American Indian,[24] and less than 1% Pacific Islander. Another 3% of youth identified with some other race or with two or more races. (See Figure 1-2).

The youth population has a larger proportion of minorities than the adult population in Massachusetts. For example, while 25% of individuals under 18 are non-white, only 16% of individuals age 18 and older are non-white, and 7% of individuals age 65 and older are non-white.

Figure 1-2. Massachusetts Youth Population Age 10-16 by Race/Ethnicity, 2000



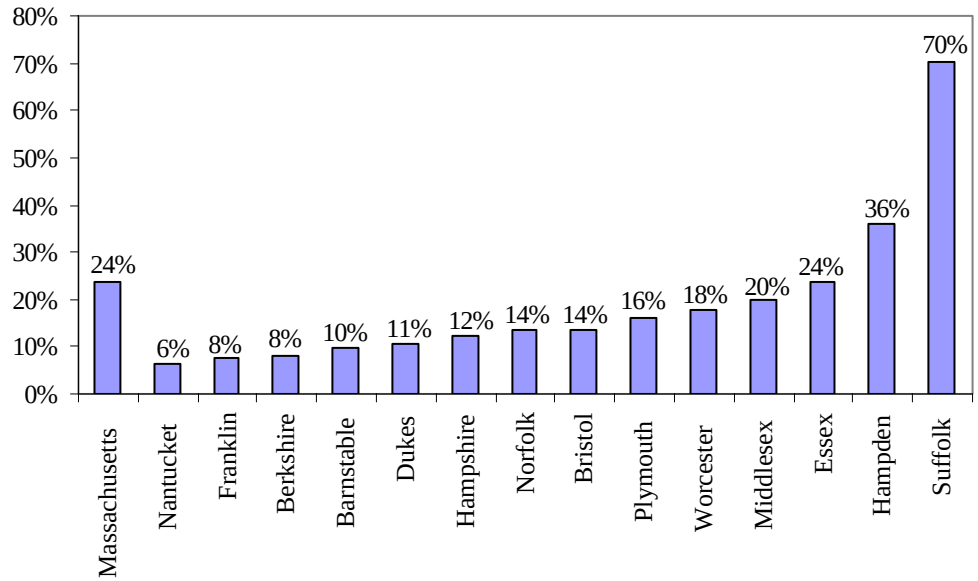
Source: U.S. Census 2000. Figure may not add to 100% due to rounding.

The percentage of youth under the age of 18 who are minority varies by county (see Figure 1-3). In Suffolk County, 70% of the youth are minority, the greatest percentage of minority youth in the state. In Hampden County, 36% of the youth are minority; in Essex County 24% of the

[24] Native American and Alaska Native.

youth are minority; in Middlesex County, Worcester County and Plymouth County between 15% and 20% of the youth are minority; in Bristol County, Norfolk County, Hampshire County and Dukes County between 10% and 15% of the youth are minority; and in Barnstable County, Berkshire County, Franklin County and Nantucket County less than 10% of the youth are minority.

Figure 1-3. Percent Minority Age 10-17 in Massachusetts by County, 2000



Source: U.S. Census 2000

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Section II: Child Well-Being in Massachusetts

Health and Well-Being

Why would a section on health and well-being be part of a book about juvenile justice? One reason is that many of the various factors that increase or decrease the likelihood that a juvenile will commit a crime are health related. Examples of health related risk factors associated with child and juvenile delinquency are poor cognitive development, high behavioral activation, low behavioral inhibition, brain damage, perinatal difficulties, minor physical abnormalities, attention deficit disorder, and hyperactivity (Wasserman et al., 1995). Also, when we think of "healthy youth" we often think of youth who do not engage in illegal behaviors. It is noteworthy that those that do engage in these behaviors and find themselves committed or detained as offenders become involved with the Department of Youth Services which is overseen in Massachusetts by the Executive Office of Health and Human Services as opposed to the Department of Correction.

Highlights:

- Massachusetts is ranked ninth in the country in terms of best child well-being, which includes educational, social, economic, and physical factors.
- Teen birth rates in Massachusetts have been steadily declining since 1990, with the largest decreases occurring with black and Hispanic teens.
- Massachusetts is ranked as the third best in the country for three child well-being indicators: 1) infant mortality rate, 2) rate of teen deaths by accident, homicide, and suicide and 3) child death rate.
- Massachusetts teen birth rates have been consistently lower than the national rate, yet there are some Massachusetts communities that have teen birth rates significantly higher than the national rate.

According to the Kids Count 2004 Data Book, Massachusetts is ranked as the ninth best state for child well-being in the United States. Well-being takes into account the educational, social, economic and physical well-being of children. The information to follow focuses primarily on health and covers mortality, sexual behavior, mental health, suicide, and diet and exercise.

In 2004, Kids Count ranked Massachusetts as the third best state for three health care indicators: 1) infant mortality rate, 2) rate of teen deaths by accident, homicide, and suicide and 3) child death rate (see Table 2a-1). Massachusetts also ranked better than the national averages in many other child health indicators. For example, in 2001, 6% of the children in Massachusetts were without health insurance compared to 12% nationally. In 2002, 90% of the 2-year-olds in Massachusetts were immunized compared to 79% nationally. In 2004, it was ranked fifth for its low teen birth rate.

From 1990 to 2001, Massachusetts improved its infant mortality rate and child death rate. During this time, the infant mortality rate decreased 29% and the child death rate decreased 25%.[25]

[25] In 1990, the infant mortality rate in Massachusetts was 7.0 per 1,000 live births and the child death rate was 20 per 100,000 children ages 1-14. In the United States, the infant mortality rate in 1990 was 9.2 per 1,000 live births and the child death rate was 31 per 1,000 live births. From 1990 to 2001, the national infant mortality rate decreased 26% and the national child death rate decreased 29% (Kids Count, 2004).

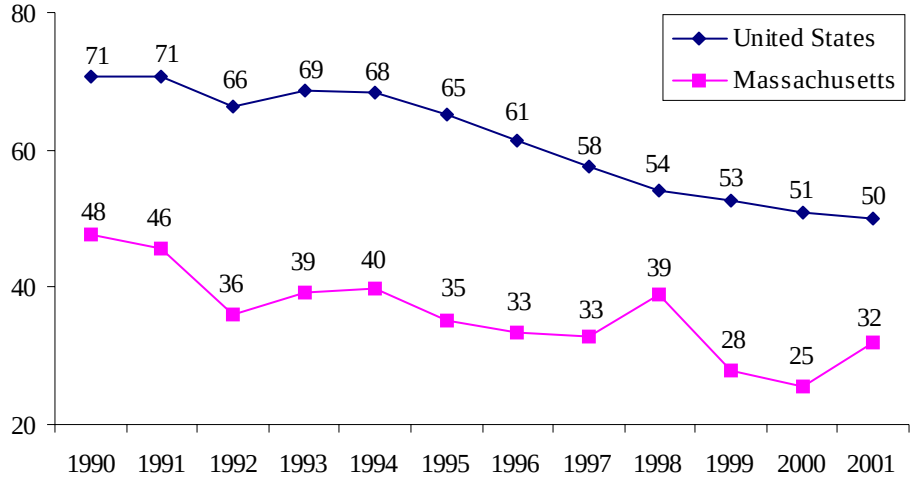
Table 2a-1. Child Well-Being Indicators

	Massachusetts Rank	Massachusetts Average	National Average
Infant mortality rate (deaths per 1,000 live births, 2001)	3	5.0	6.8
Rate of teen deaths by accident, homicide, and suicide (deaths per 100,000 teens ages 15-19, 2001)	3	32	50
Child death rate (deaths per 100,000 children ages 1-14, 2001)	3	15	22
Teen birth rate (births per 1,000 females ages 15-17, 2001)	5	14	25
Percent of Low Birth Weight Babies (2001)	19	7.2%	7.7%
Percent of Children without health insurance (2001)	n/a	6%	12%
Percent of 2-year-olds who were immunized (2002)	n/a	90%	79%

Source: Kids Count 2004 Data Book Online, 2004.

Teen death rates due to accidents, suicides and homicides have been below the national average in Massachusetts for the past twelve years (see Figure 2a-1). From 1990 to 2001, the rate of teen deaths due to accidents, suicides and homicides decreased 33% in Massachusetts and 30% nationally.

Figure 2a-1. Rate of Teen Deaths Due to Accident/Suicide/Homicide per 100,000, 1990-2001



Source: Kids Count 2004 Data Book Online, 2004

SEXUAL BEHAVIOR AND TEEN BIRTH RATE

Teen sexual behavior and birth rate contribute to overall health. Teen pregnancy rates are often examined in conjunction with juvenile delinquency. While there is no evidence that teenage parenting causes delinquency, the behaviors associated with delinquency and violence are associated with the risk-taking that can lead to teen pregnancy (Loper, 2000). In addition, research shows that the children who are born to teenage mothers may be at a disadvantage in life. The National Network for Child Care states that children of adolescent mothers are more likely than children of older mothers to have both health and cognitive disadvantages as well as to be neglected or abused. They further state that children of adolescents are more likely to be born prematurely, more likely to be low birth-weight babies, more likely to suffer from poor health, and more likely to run away from home between the ages of 12 and 16 (National Institute for Child Care, n.d.[26]). Another source maintains that because of the disadvantaged family background and post-birth family characteristics (such as absence of a spouse, divorce, and poverty) that many young mothers face, children of teen mothers typically engage in more troublesome behavior than children born to older mothers (Turley, 2003).

Results from the 2003 Massachusetts Youth Risk Behavior Survey (MYRBS), a self-reported instrument administered to students in public high schools, indicates that:

- 41% of Massachusetts high school students have had sexual intercourse, which represents a significant decrease from 49% in 1993.
- 10% have had four or more sexual partners in their lifetimes, a significant decrease from 15% in 1993.
- 6% had sexual intercourse before age 13, a significant decrease from 8% in 1995.
- 4% have been pregnant or gotten somebody else pregnant, a significant decrease from 7% in 1997.
- 6% have been diagnosed with a sexually transmitted disease or were HIV positive, a significant increase from 3% reported in 2001.
- 85% of the students who had recent sexual intercourse used some method of birth control the last time they had sex.
- 57% of students who had recent sexual intercourse used a condom during their last sexual intercourse, which continues a "slight, but steady, increase in the rate of condom use among sexually active students."
- Male students were significantly more likely than female students to report sexual intercourse before age 13 and substance use at last intercourse.
- Urban students were significantly more likely than non-urban students to report lifetime sexual intercourse, sexual intercourse before age 13, sexual intercourse with four or more partners in their lifetimes, and recent sexual intercourse.
- 92% of Massachusetts high school students have been taught about AIDS or HIV infection in school (Massachusetts Department of Education, 2004, pp. 55-65).

While most sexual activity does not automatically result in pregnancy and/or birth, it can. In 2002, 4,642 babies were born to young women in Massachusetts ages 15-19. During this year, teen mothers in Massachusetts were less likely to breastfeed, less likely to be married, less likely to receive adequate prenatal care, and more likely to smoke during pregnancy than older

[26] "n.d." stands for a work with no date available.

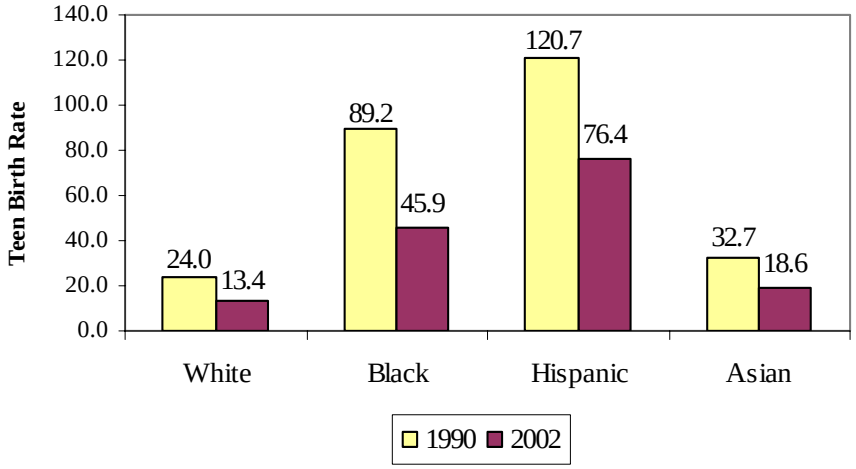
mothers. Teen mothers in Massachusetts also had higher rates of low birth weight and pre-term infants than older mothers (Massachusetts Department of Public Health, 2003).

The teen birth rate in Massachusetts has consistently fallen below the national average. In 2002, the Massachusetts teen birth rate was 22.6 per 1,000 women ages 15-19, which was 47% below the national teen birth rate of 42.9 per 1,000 women ages 15-19. The Massachusetts teen birth rate has decreased steadily from 35.4 births per 1,000 women ages 15-19 in 1990 to 22.6 in 2002 (Massachusetts Department of Public Health, 2003).

While the Massachusetts overall teenage childbirth rate is below the national average, the following twelve Massachusetts communities had teenage childbirth rates higher than the national average of 42.9: Holyoke (82.0), Chelsea (81.7), Lawrence (79.7), Springfield (70.1), New Bedford (58.8), Lowell (58.3), Fall River (54.2), Lynn (54.2), Wareham (51.6), Brockton (49.3), Pittsfield (44.8), and Fitchburg (44.1) (Massachusetts Department of Public Health, 2003).

Teen birth rates vary considerably by race/ethnicity, though rates dropped from 1990 to 2002 for all races/ethnicities. Hispanic teens have the highest birth rate followed by black teens. White teens have the lowest birth rate, and Asian teens have a birth rate slightly higher than white teens. From 1990 to 2002, the black teen birth rate decreased 49% (from 89.2 in 1990 to 45.9 in 2002); the white teen birth rate decreased 44% (from 24.0 in 1990 to 13.4 in 2002); the Asian teen birth rate decreased 43% (from 32.7 in 1990 to 18.6 in 2002); and the Hispanic birth rate decreased 37% (from 120.7 in 1990 to 76.4 in 2002) (Massachusetts Department of Public Health, 2003).

Figure 2a-2. Massachusetts Teen Birth Rates by Race/Ethnicity, 1990 and 2002



Teen birth rate is the number of births to women ages 15-19 per 1,000 women age 15-19.
Source: Massachusetts Department of Public Health, 2004.

Like other pregnancies, not all teenage pregnancies result in live births. In 2000, approximately 43% of teenage pregnancies in Massachusetts ended in birth, 43% ended in abortion and 13% ended in miscarriage. Nationally, 57% of teenage pregnancies ended in birth, 29% ended in abortion and 14% ended in miscarriage in 2000 (The Alan Guttmacher Institute, 2004).

MENTAL HEALTH

As youth who become involved with the juvenile justice system suffer disproportionately from emotional disturbances and mental illness, the mental health of juveniles merits careful consideration (Mendel, 2001). Mental disorders that go untreated can yield emotional impairment. Emotionally impaired youth are at risk for adverse reactions to confinement like poor adjustment. This can erode a juvenile offender's ability to participate in any programming that may be available to address mental health, emotional, physical, and academic needs. In the end, all of these factors may increase the risk for recidivism. (Wasserman, Ko & McReynolds, 2004).

While on a national level there has been limited research on the prevalence and types of mental health disorders nationally among youth in juvenile justice systems, most juvenile justice professionals agree on a few general themes. For example, in the year 2000, an article in the Office of Juvenile Justice and Delinquency Prevention (OJJDP) publication, *Juvenile Justice* (Cocozza & Skowyra, 2000), concluded:

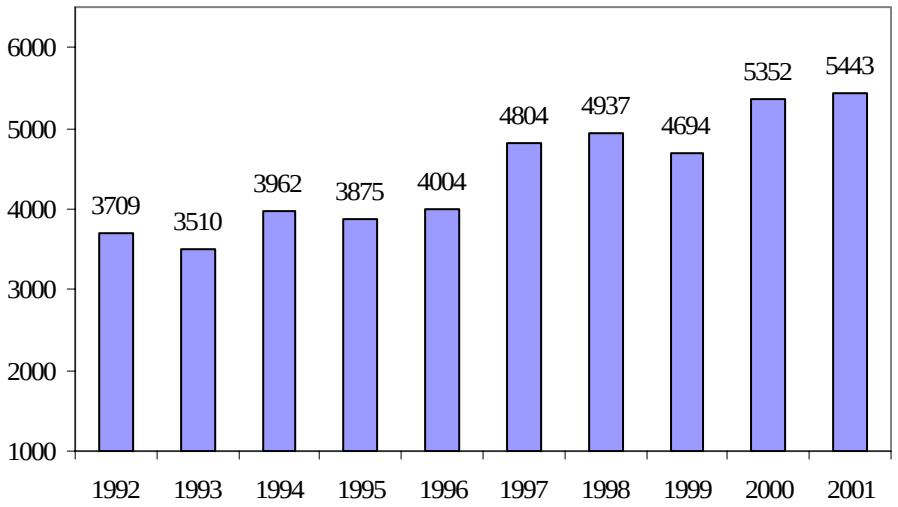
- Youth in juvenile justice systems experience substantially higher rates of mental health disorders than youth in the general population.
- A high percentage of youth in juvenile justice systems have a diagnosable mental health disorder.
- At least one out of every five youth in juvenile justice systems has a serious mental health problem.
- Many youth in juvenile justice systems with mental illness also have a co-occurring substance abuse disorder.

Most youth with mental health disorders are not hospitalized, and only the most serious cases are referred to hospitals. However, because general mental health data is scarce, "hospitalizations due to mental health disorders" can be a useful piece of data to examine mental health trends over time. In Massachusetts, from 1992 to 2001 the number of hospitalizations for mental disorders increased approximately 47% for youth age 0 to 19 according to Massachusetts Department of Public Health (see Figure 2a-3). Additionally, during the past ten years, mental illness hospitalization rates have increased for children ages 5-9, ages 10-14 and ages 15-19 (see Figure 2a-4).

The rates of children who are hospitalized for mental disorders vary considerably by age. While some of this expansion may be attributed to developmental attributes of children, there may be other contributing factors. Data from the past ten years indicate that as age increases, the rate of hospitalization also increases (see Figure 2a-4). In 2001, for every 100,000 children ages 0-4, there were 14 hospital discharges for mental disorders, for every 100,000 children ages 5-9 there were 122 hospital discharges for mental disorders, for every 100,000 children ages 10-14 there

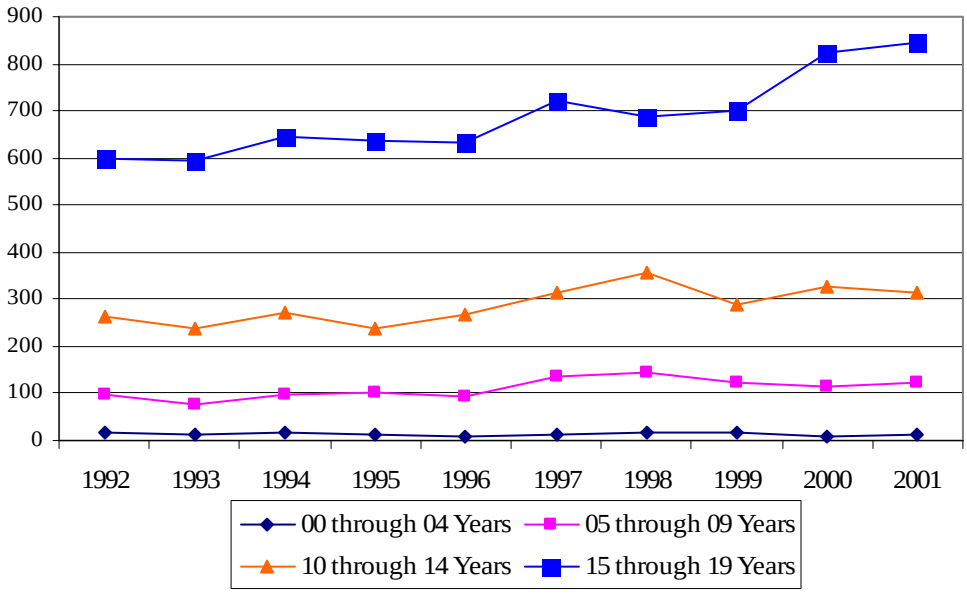
were 312 hospital discharges for mental disorders, and for every 100,000 youth ages 15-19 there were 846 hospital discharges for mental disorders.

Figure 2a-3. Number of Youth Hospitalizations for Mental Health Disorders, 1992-2003



Youth includes individuals age 0-19.
Source: Massachusetts Department of Public Health MassCHIP, 2004, Hospital Discharge data originally from the Uniform Hospital Discharge Data System (UHDDS).

Figure 2a-4. Rates of Youth Hospitalizations for Mental Disorders, 1992-2001 (Rate per 100,000)



Source: Massachusetts Department of Public Health MassCHIP, 2004, Hospital Discharge data originally from the Uniform Hospital Discharge Data System (UHDDS). 95% Confidence Intervals removed.

SUICIDAL THINKING AND BEHAVIORS

Data from the 2003 Massachusetts Youth Risk Behavior Survey (MYRBS) give us an inside look at the suicidal thinking and behaviors of Massachusetts high school students. According to the 2003 MYRBS, in the twelve months before the survey was taken:

- 28% of students had felt so sad or hopeless that they stopped their normal activities for at least two weeks.
- 16% had seriously considered suicide, a significant decrease from 20% in 2001.
- 13% made a plan about how they would attempt suicide, a significant decrease from 17% in 1999.
- 8% made an actual suicide attempt, and 3% made an attempt that resulted in an injury, poisoning or overdose serious enough to require medical attention.

MYRBS data from 2003 also show that:

- 36% of Hispanic students, 32% of Asian students, 31% of black students, 27% of students of other or multiple ethnicity, and 26% of white students reported feeling so sad or hopeless that they stopped their normal activities for at least two weeks.
- Youth who identify as gay, lesbian, or bisexual or reported any same-sex contact were significantly more likely to report a suicide attempt than their peers (32% vs. 7%).
- Students in urban districts were significantly more likely than students in rural and suburban districts to report a suicide attempt.
- Recent immigrants were significantly more likely than U.S. born students to report a suicide attempt.
- Students with physical disabilities were significantly more likely than students without disabilities to report a suicide attempt.
- Suicidal thinking and planning was more common among females than males.
- Students who were bullied in school and students who skipped school because they felt unsafe were significantly more likely to report a suicide attempt than students who were not bullied and who did not skip school because they felt unsafe.

DIET, WEIGHT CONTROL AND PHYSICAL ACTIVITY

Data from the Massachusetts 2003 Youth Risk Behavior Survey (MYRBS) show that 10% of high school students were overweight at the time of the survey, and that since 1999, "there has been a significant decrease in the percent of students who eat five or more servings of fruits or vegetables per day (14% to 11% in 2003) and in the percent of students who drink three or more glasses of milk per day (22% to 19% in 2003)." At the same time, most students (61%) participated in vigorous physical activity[27] three or more times in the week before the survey.

Further 2003 MYRBS data show that:

- 32% of students ate breakfast every day in the week before the survey.
- At the time of the survey, 10% of students were overweight, 14% were at risk of becoming overweight, 31% thought they were overweight and 46% were trying to lose weight.

[27] Vigorous physical activity was defined as participating in physical activities that make you sweat or breathe hard for at least twenty minutes. These activities can include basketball, soccer, running, swimming laps, fast bicycling, fast dancing, or other similar aerobic activities.

- In the week before the survey, 61% of students participated in vigorous physical activity three or more times, which include 68% of the females and 54% of the males.
- 58% of students attended a physical education class at least once in an average school week, a significant decrease from 73% in 1997.
- 54% of students had played on at least one sports team in the year before the survey.

Students who reported participating in regular vigorous or moderate physical activity were significantly less likely than other students to report unhealthy weight control practices, heavy television watching, current smoking[28], daily smoking, lifetime drug use, lifetime sexual intercourse, having been or gotten someone pregnant, feeling sad and hopeless, intentional self-injury, considering suicide, and attempting suicide. However, students who reported participating in regular vigorous or moderate physical activity were more likely than other students to report binge drinking.

Substance abuse and economic conditions are also a main part of health and well-being. Those subjects are addressed separately in their own chapters in this document.

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Economic Conditions

Highlights:
- Approximately one-third of all Massachusetts children are low income, which is below the national average.
- Black and Hispanic children in Massachusetts are *more likely* to be low income than black and Hispanic children nationally, while white children in Massachusetts are *less likely* to be low income than White children nationallv.

It is important to take economic conditions into consideration when looking at juvenile justice issues in Massachusetts because many studies link poverty levels with crime rates. This section looks at the income levels of children and families in Massachusetts.

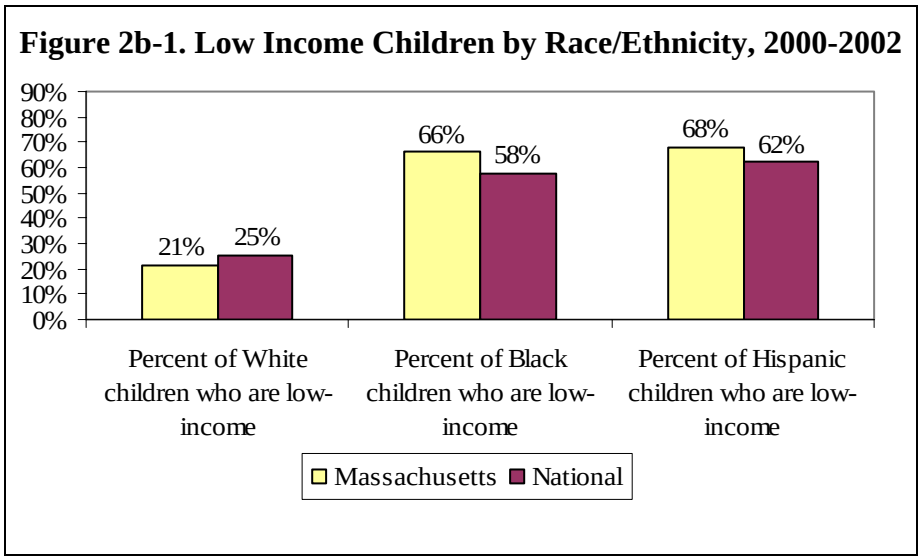
CHILDREN

Data compiled by the National Center of Children in Poverty (NCCP) in 2003 demonstrate that 31% of Massachusetts children who are age 6 or older are low income in Massachusetts, compared to 36% nationally. Thirty-one percent of the children under the age of 6 are low income, compared to 41% of children under the age of 6 nationally.[29]

NCCP's Massachusetts data further indicate that 66% of black children are low income, 68% of Hispanic children are low income, and 21% of white children are low income (see Figure 2b-1). These numbers translate into 76,366 low income black children, 113,230 low income Hispanic children, and 233,856 low income white children in Massachusetts. Nationally, 58% of black children are low income, 62% of Hispanic children are low income and 25% of white children are low income. Black and Hispanic children in Massachusetts are more likely to be low income than black and Hispanic children nationally, while white children in Massachusetts are less likely to be low income than white children nationally.

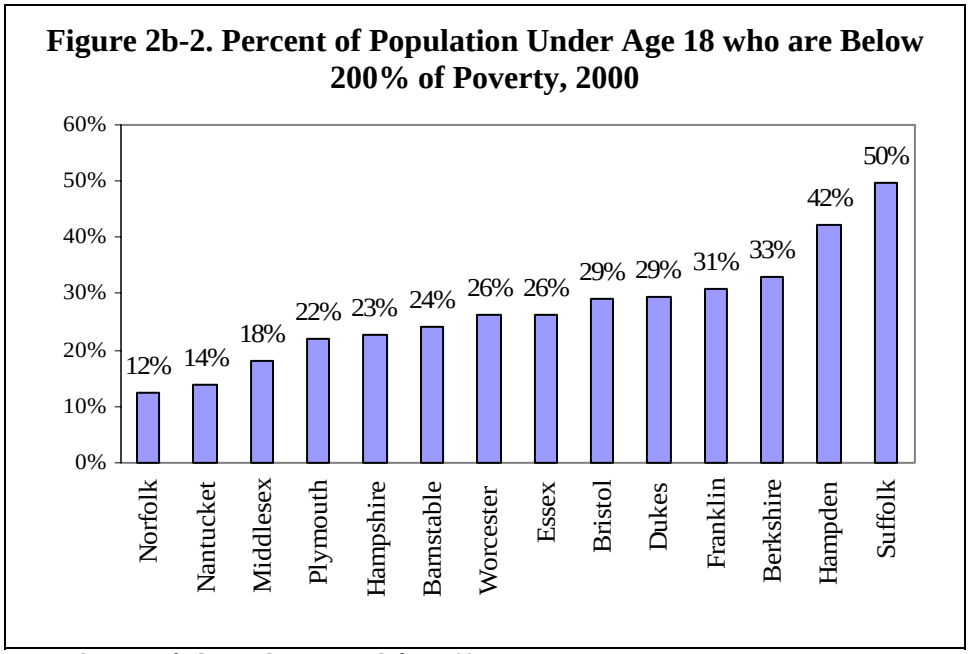
Poverty levels vary for children in Massachusetts depending on the county in which they reside (see Figure 2b-2). According to Kids Count data (2004), a greater percentage of children under age 18 live below 200% of the poverty level in Suffolk County (50%) and Hampden County (42%) than in any other Massachusetts county. Nantucket County and Norfolk County have the lowest percent of children under 18 living below poverty, at 14% and 12% respectively.

[29] Children are defined as above low income if the family income is at or above twice the federal poverty threshold. The federal poverty threshold for a family of four with two children was $18,244 in 2002, $17,960 in 2001, and $17,463 in 2000. State data were calculated from the Annual Demographic Supplement (the March supplement) of the Current Population Survey from 2001, 2002, and 2003, representing information from calendar years 2000, 2001, and 2002. NCCP averaged three years of data because of small sample sizes in less populated states. The national data were calculated from the 2003 data, representing information from calendar year 2002.



Source: National Center for Children in Poverty, 2004. Data were calculated from the Annual Demographic Supplement (the March supplement) of the Current Population Survey from 2001, 2002, and 2003, representing information from calendar years 2000, 2001, and 2002. NCCP averaged three years of data because of small sample sizes in less populated states. The national data were calculated from the 2003 data, representing information from calendar year 2002. Children are defined as low income if the family income is less than twice the federal poverty threshold. The poverty threshold for a family of four with two children was $18,244 in 2002, $17,960 in 2001, and $17,463 in 2000.

While many economic indicators in Massachusetts are above national averages, some are not. According to the Massachusetts Citizens for Children, in 2001, 25% of Massachusetts children lived in families where no parent had full-time, year-round employment, which was equal to the national average (Massachusetts Citizens for Children, 2004). In 2000, Massachusetts ranked 42nd in the nation in parental employment, when 29% of Massachusetts children lived in families where no parent had full-time, year-round employment, compared to the national average of 24% (Massachusetts Citizens for Children, 2003).



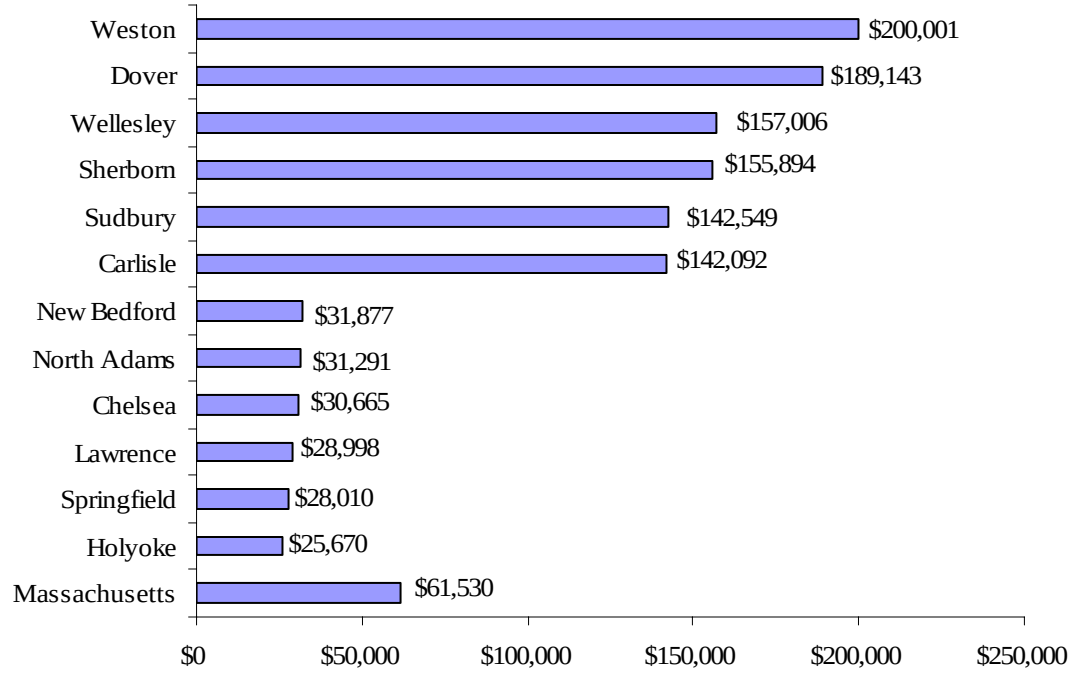
Source: Kids County Census Data Online, 2004.

FAMILIES

According to the 2000 US Census, 11.4% of Massachusetts families live below 150% of the federal poverty level or threshold. The cities and towns with the greatest percentage of families living below this threshold are Monroe, Lawrence, Gosnold, Chelsea, Holyoke, Springfield, New Bedford, Fall River, Boston, Worcester, Lynn, Lowell, Southbridge, Brockton and Fitchburg. The cities and towns with the lowest percentage of families living below 150% of the federal poverty level are New Ashford, Southborough, Boxford, Topsfield, North Reading, Boxborough, Medfield, Paxton, Harvard, Rowe, Bedford, Hopkinton, Westford, Cohasset and Sherborn (Massachusetts Department of Public Health, 2004).

Also, according to the 2000 US Census, the Massachusetts cities and towns with the lowest median income for families with children under 18-years-old[30] are Monroe, Gosnold, Holyoke, Provincetown, Springfield, Lawrence, Chelsea, North Adams, New Bedford, Fall River, Warren, Boston, Ware, Southbridge and Worcester. The cities and towns with the highest median income for families with children under 18-years-old are Weston, Dover, Wellesley, Sherborn, Sudbury, Carlisle, Boxford, Concord, Southborough, Wayland, Lexington, Needham, Harvard, Bolton and Newton (Massachusetts Department of Public Health, 2004).

Figure 2b-3. Median Family Income of Families with Children Under Age 18, Top 6 and Bottom 6 MA Cities &Towns, in 2000 Dollars



Source: 2000 United States Census, 2004, acquired through the Massachusetts Department of Public Health, MassCHIP data. Official title is "Median Family Income of Families with Own Children < 18." Chart includes cities and towns with over 1,000 children under 18-years-old. Provincetown, Gosnold and Monroe would be in the bottom six cities and towns but each of these towns has under 300 children under 18-years-old.

[30] Data acquired through MassCHIP. Indicator: Median Family Income for Families with own Children <18.

Furthermore, according to the Massachusetts Citizens for Children, "the cost of being poor in Massachusetts is high, and some supports are low."

- 66% (compared to 59% nationally) of low income families in Massachusetts have housing costs that exceed 30% of their income.
- And, 57% of households eligible for food stamps in Massachusetts do not receive them (compared to 41% nationally) (Massachusetts Citizens for Children, 2003).

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Public Education/Schooling

Highlights:

- The Massachusetts high school dropout rate has remained fairly stable over the last five years while the number of student expulsions has increased.
- A disproportionate share of minority students drop out of high school and are excluded from school compared to total high school enrollment in the state.
- In 2003, 5% of high school students reported skipping school at least once in the previous 30 days because "they felt they would be unsafe at school or on their way to or from school." This represents a significant decrease from 8% in 2001.
- In 2003, 32% of high school students reported being sold, offered, or given an illegal drug on school property during the past year. This represents a significant decrease from 42% in 1997.

A positive school experience can help build strong and resilient youth by enhancing important protective factors. A protective factor is defined as something that decreases the potential harmful effect of a risk factor (U.S. Department of Health and Human Services, 2001). School-based protective factors that may help prevent high-risk youths from engaging in delinquency and drug use include commitment to school, attachment to teachers, reading and math percentiles, and parents' expectations for their child to go to college (Mathias, 1996). Other protective factors include a positive school climate, a sense of belonging, and opportunities for success at school. At the same time, the school experience exposes some youth to risk factors. A risk factor can be defined as anything that increases the probability that a person will suffer harm (U.S. Department of Health and Human Services, 2001). School-related risk factors for delinquency and drug use include poor school performance and academic failure, low attachment to school, truancy, exclusion from school, bullying, poor attitude, and exposure to deviant peer groups (New Zealand Ministry of Justice, n.d. and Shader, 2003).

ENROLLMENT

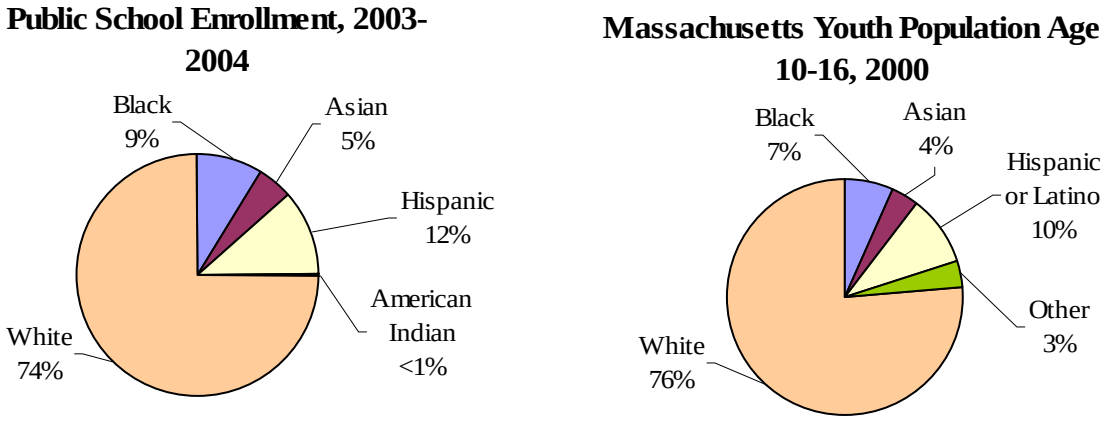
For the 2003-2004 school year, the total Massachusetts public school enrollment population was 980,818 students. Of the total public school population, 288,329 (or 26%) of students were enrolled in 9th grade and beyond.[31] Approximately 88% of high school students in Massachusetts were enrolled in public high schools, with approximately 12% enrolled in private high schools (Massachusetts Department of Education, 2004).

The racial distribution of all public school students during the 2003-2004 school year was: 74% white, 12% Hispanic, 9% black, 5% Asian, and less than 1% American Indian (see Figure 2c-1). Based on 2000 Census data, the racial distribution of Massachusetts youth ages 10-16 is similar to the racial distribution of students enrolled in public schools.

[31] Most of the students in 9th grade and beyond are high school students in grades 9-12. In addition, the Department of Education educated some students in the special education community up to age 22.

From 1994 to 2004, the percentage of public school students who are members of minority groups increased from 21% to 25%. Public school enrollment by gender has remained relatively constant during the past ten years, and in 2004 was 48.5% female and 51.5% male.

Figure 2c-1. Total Public School Enrollment by Race Compared to the Massachusetts Youth Population



Sources: U.S. Census 2000 & Massachusetts Department of Education 2004.

From 1994 to 2004, there has been an increase in the percentage of public school students who are low income (from 24.1% in 1994 to 27.2% in 2004) and whose first language is not English (from 12.0% in 1994 to 13.7% in 2004). During this time there has also been a decrease in the percentage of students who are in special education (from 16.9% in 1994 to 15.6% in 2004) (Massachusetts Department of Education, 2004).

Four percent of public high school students describe themselves as gay, lesbian, or bisexual[32] (Massachusetts Department of Education, 2004).

SCHOOL DROPOUTS[33]

According to the Coalition for Juvenile Justice, school dropouts are three and a half times more likely than high school graduates to be arrested (Coalition for Juvenile Justice, 2001). The annual dropout rate in Massachusetts' public schools has decreased from 3.6 percent in the 1998-99 school year to 3.3 percent in the 2002-2003 school year (Massachusetts Department of Education, April 2004) (see Table 2c-1).

[32] In addition, 5% of public high school students reported having had same-sex sexual contact in their lifetimes. In all 6% of students either identified as gay, lesbian, or bisexual or had any same-sex sexual contact in their lifetimes (Massachusetts Department of Education, July 2004)

[33] The Massachusetts Department of Education defines a dropout as "a student in grade nine through twelve who leaves school prior to graduation for reasons other than transfer to another school and does not re-enroll before the following October 1" (Massachusetts Department of Education , April 2004).

A number of risk factors have been identified as contributing to school dropout rates. These include a lack of commitment to school and to one's role as a student, the experience of academic failure, and aggressive or impulsive behavior in the early primary grades. One or more of these factors may enhance a student's likelihood of leaving school prior to graduation (Snyder & Sickmund, 1995).

Dropout rates have typically varied by gender, grade, income, school and by race/ethnicity. In the past 5 years, the male dropout rate has ranged from 3.5% to 4.1% and the female dropout rate has ranged between 2.6% and 3.1%. In the 2002-2003 school year, the male dropout rate was 3.9% and the female dropout rate was 2.8%.

Dropout rates by grade were fairly consistent in the 2002-2003 school year (see Table 2c-1). The dropout rate for grade nine was 3.2%, for grade ten it was 3.4%, for grade eleven it was 3.3%, and for grade twelve it was 3.5%. This is a change from the previous four years where the dropout rate was the highest for grade eleven (Massachusetts Department of Education, April 2004).

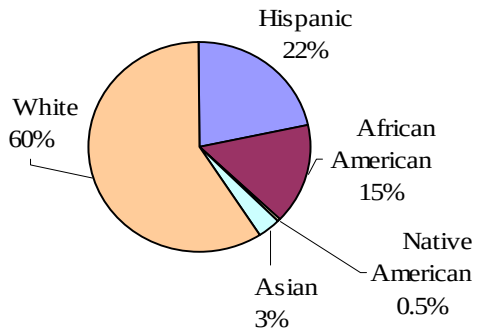
Table 2c-1. Massachusetts Public High School Dropout Rates, SY98-99 to SY02-03

	School Year				
	1998-99	**1999-2000**	**2000-01**	**2001-02**	**2002-03**
Number of Student Dropouts	9,188	9,199	9,380	8,422	9,389
Percentage of Total Students	3.6%	3.5%	3.5%	3.1%	3.3%
Racial/Ethnic Groups					
Black	6.7%	6.1%	6.1%	4.9%	5.7%
Asian	3.6%	4.0%	3.9%	2.3%	2.5%
Hispanic	9.8%	8.2%	8.0%	7.3%	7.4%
American Indian	4.0%	4.2%	3.2%	3.7%	4.8%
White	2.5%	2.6%	2.6%	2.4%	2.6%
Gender					
Male	4.0%	4.0%	4.1%	3.5%	3.9%
Female	3.1%	2.9%	2.8%	2.6%	2.8%
Grade					
Grade 9	3.1%	3.1%	3.3%	2.9%	3.2%
Grade 10	3.8%	3.7%	3.5%	3.1%	3.4%
Grade 11	4.3%	3.9%	4.0%	3.3%	3.3%
Grade 12	3.1%	3.1%	3.1%	2.9%	3.5%

Source: Massachusetts Department of Education, Dropout Rates in Massachusetts Public Schools: 2002-2003, April 2004.

During the 2002-2003 school year, approximately 60% of high school dropouts were white, approximately 22% were Hispanic, approximately 15% were black, approximately 3% were Asian, and less than 1% were American Indian (see Figure 2c-2). There is an overrepresentation of Hispanic and black students dropping out of school (see Figure 2c-3).

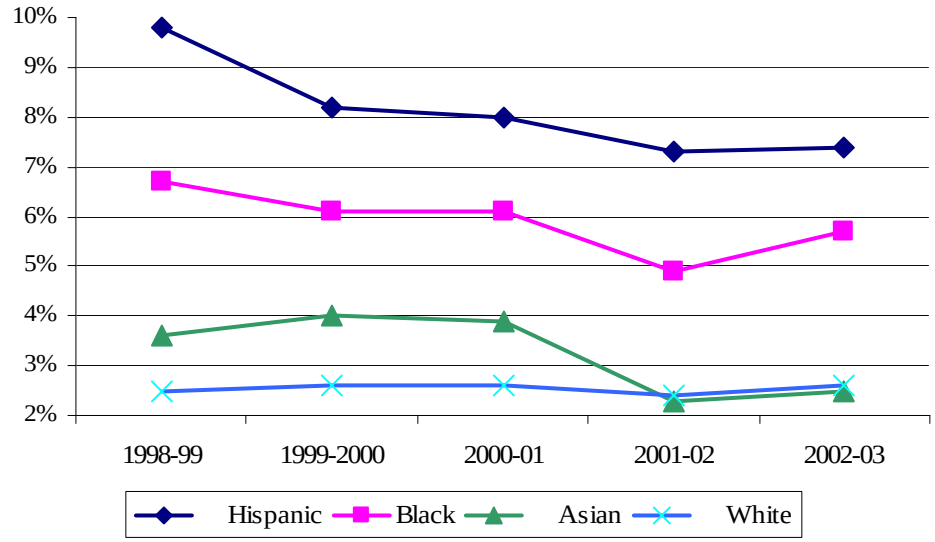
Figure 2c-2. High School Dropouts by Race/Ethnicity, 2002-03



Source: Massachusetts Department of Education, April 2004.

Dropout rates vary more by race and ethnicity than they do by gender or grade. In school year 2002-2003, the dropout rate for Hispanic students was 7.4%, for black students it was 5.7%, for American Indian students it was 4.8%, for Asian students it was 2.5%, and for white students it was 2.6%. Since the 1998-1999 school year, dropout rates have decreased for black students, Asian students and Hispanic students. The dropout rate for white students has been relatively constant. Dropout rate trends for American Indian students are difficult to interpret due to low enrollment (Massachusetts Department of Education, 2003).

Figure 2c-3. Massachusetts Annual Public High School Dropout Rates, 1998-99 to 2002-03



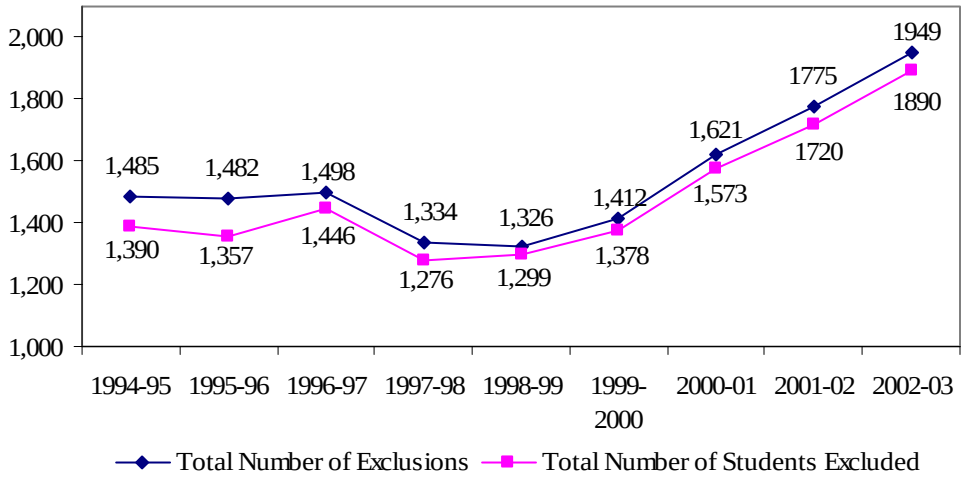
Source: Massachusetts Department of Education, 2003.

SCHOOL EXCLUSIONS[34]

"When children are suspended or expelled from school, their risk for delinquency increases. Exclusion from school makes it more difficult for a child to keep up with academic subjects. Furthermore, with extra time out of school, children are likely to have more time without supervision, and therefore be in a situation known to encourage crime" (National Research Council and Institute of Medicine, 2001, p. 87).

School exclusions have negative consequences for at-risk youth and are linked to delinquent behavior (Shader, 2003). In the 2002-03 school year there were 1,949 student exclusions from 376 school districts, charter schools and regional vocational schools. There were 1,890 students excluded, "of whom 58 were excluded two or more times during the school year" (Massachusetts Department of Education, June 2004). Student school exclusions have increased dramatically in the last five years. The number of exclusions that occurred during the 2002-2003 school year represented a 10% increase from the prior school year and a 46% increase from five years ago (Massachusetts Department of Education, June 2004).

Figure 2c-4. Total Number of Student Exclusions, 1995-2003



Source: Massachusetts Department of Education, 2002 and 2004.

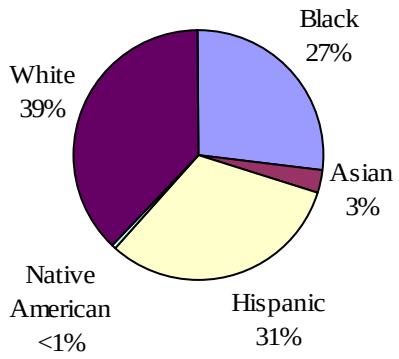
From 1996 to 2003, the percentage of excluded students who were male ranged between 77% and 83%, and the percentage of excluded students who were female ranged between 17% and 23%. In the 2002-03 school year, 77% of excluded students were male and 23% were female (Massachusetts Department of Education, 2004).

Less than 1% of all excluded students during the 2002-2003 school year were American Indian, 3% were Asian, 27% were black, 31% were Hispanic, and 39% were white (see Figure 2c-5). While minority students made up approximately 25% of the school population during the 2002-

[34] The Massachusetts Department of Education defines student exclusion as "the removal of a student from participation in regular school activities for disciplinary purposes for more than ten consecutive school days. The removal could also be permanent or indefinite."

2003 school year, they made up approximately 61% of student exclusions. During this time, the exclusion rate per 1,000 enrolled students was highest for black students, second highest for Hispanic students and lowest for white students. During the 2002-03 school year, the black student exclusion rate was approximately 6 times greater than the white exclusion rate, and the Hispanic exclusion rate was approximately 5.5 times greater than the white exclusion rate. The Asian student exclusion rate was slightly greater than the white rate. The rate for American Indian students is difficult to interpret due to low enrollment (Massachusetts Department of Education, 2004).

Figure 2c-5. School Exclusions by Race/Ethnicity, 2002-03

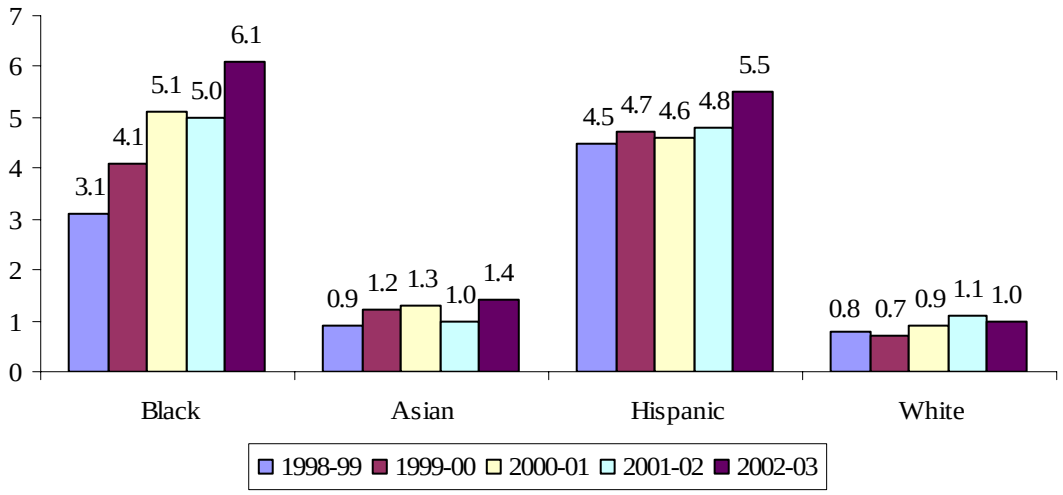


Source: Massachusetts Department of Education, 2004.

Over the past five years, student exclusion rates have increased for black, Asian, Hispanic and white students (see Figure 2c-6). The greatest increase has been for black students, whose exclusion rate have almost doubled from 3.1 student exclusions per 1,000 in the 1998-99 school year to 6.1 exclusions per 1,000 in the 2002-03 school year (Massachusetts Department of Education, 2002 & 2004).

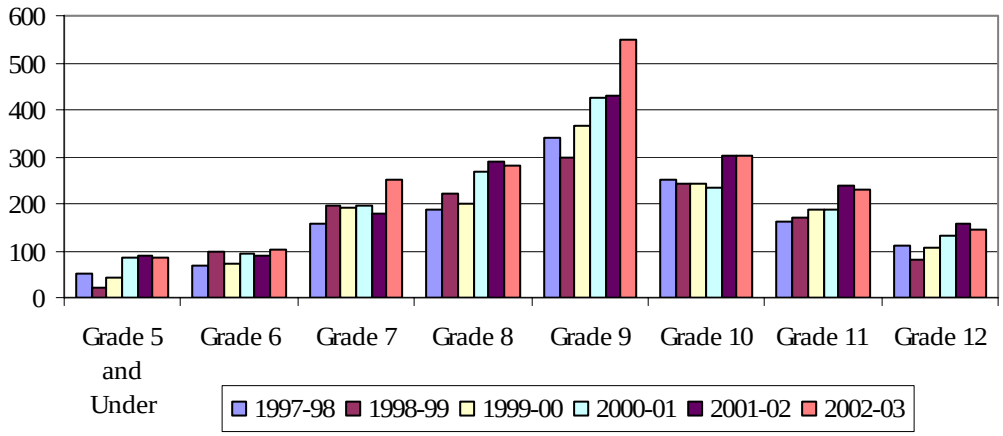
There were more student exclusions in grade 9 (550 total student exclusions) than in any other grade during the 2002-03 school year. Grade 9 also had the highest student exclusion rate - 6.7 exclusions for every 1,000 students. Grade 10 had both the second highest number of student exclusions and the second highest student exclusion rate, with a total of 301 student exclusions, and 4.2 student exclusions for every 1,000 students. Exclusion rates were over 3 per 1,000 enrolled students in grade 7, grade 8, grade 9, grade 10 and grade 11 (Massachusetts Department of Eductation, 2004).

Figure 2c-6. Public School Exclusion Rates by Race/Ethnicity, 1998/99 - 2002/03



Source: Massachusetts Department of Education, 2002 and 2004.
Exclusion rates represent instances of exclusion per 1,000 students enrolled as of October 1.

Figure 2c-7. Total Number of School Exclusions by Grade, 1997-98 to 2002-03

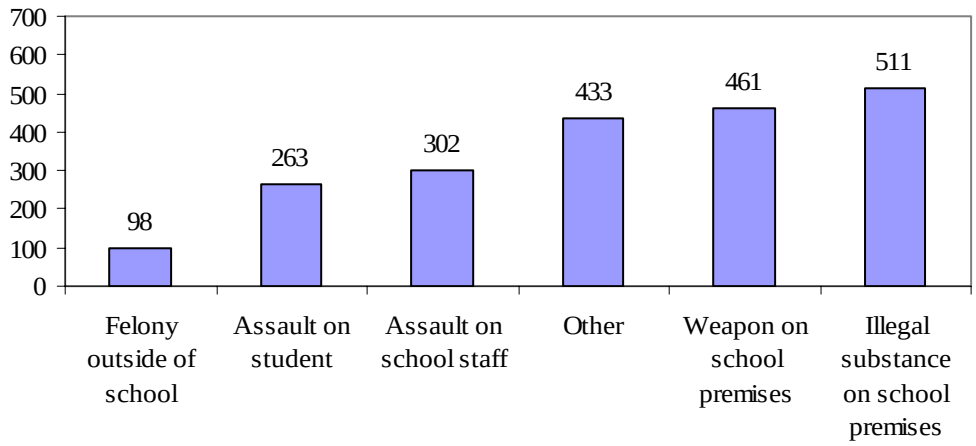


Source: Massachusetts Department of Education, 2002 and 2004.

During the 2003-04 school year, more students were expelled because of illegal substances on school premises than for any other reason (511 exclusions, 25% of all school exclusions) (see Figure 2c-8). The second most common offense was weapons violations (461 exclusions, 22% of all school exclusions). School exclusion offenses varied by race and ethnicity during the 2002-03 school year. Minority students accounted for 81% of the exclusions for assaults on school staff, 77% of the exclusions for assaults on students, 67% of the exclusions for weapons

violations, 37% of the exclusions for possession of illegal substances, and 50% of the exclusions for other offenses.

Figure 2c-8. Student Exclusions by Type of Offense, 2002-03



Source: Massachusetts Department of Education, 2004.

SCHOOL SAFETY

Violence-related behavior at school endangers the health and safety of all youth. The 2003 Massachusetts Youth Risk Behavior (MYRBS) survey provides the following information on violence-related behaviors and experiences in school.

In the 30 days before the survey was administered, 5% of high school students reported carrying a weapon on school property, which represented a significant decrease from 8% in 1997 (Massachusetts Department of Education, 2004). Students who carried a weapon on school property included:

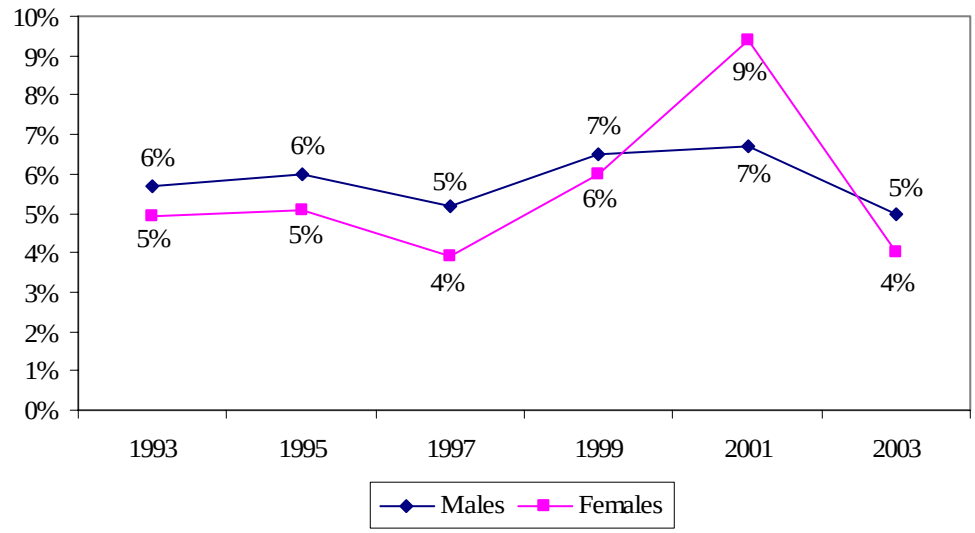
- 9% of males and 2% of females,
- 9% of black students, 8% of Asian students, 7% of Hispanic students, 4% of white students, and 12% of student of other or multiple ethnicity,
- 13% of students who either identified as gay, lesbian, or bisexual or reported any same-sex sexual contact, and 5% of other youth.

In the 30 days before the survey was administered, 5% of high school students reported skipping school at least once because "they felt they would be unsafe at school or on their way to or from school" (see Figure 2a-9). This represents a significant decrease from 8% in 2001 (Massachusetts Department of Education, 2004). Students who reported skipping school because they felt unsafe in 2003 included:

- 5% of males and 4% of females,
- 15% of students who either identified as gay, lesbian, or bisexual or reported any same-sex sexual contact, and 4% of other students,

- 9% of Hispanic students, 9% of black students, 6% of students of other or multiple ethnicity, 4% of Asian students and 3% of white students.

Figure 2c-9. Percent of Students Who Reported Skipping School Because They Felt Unsafe by Gender, 1993-2003

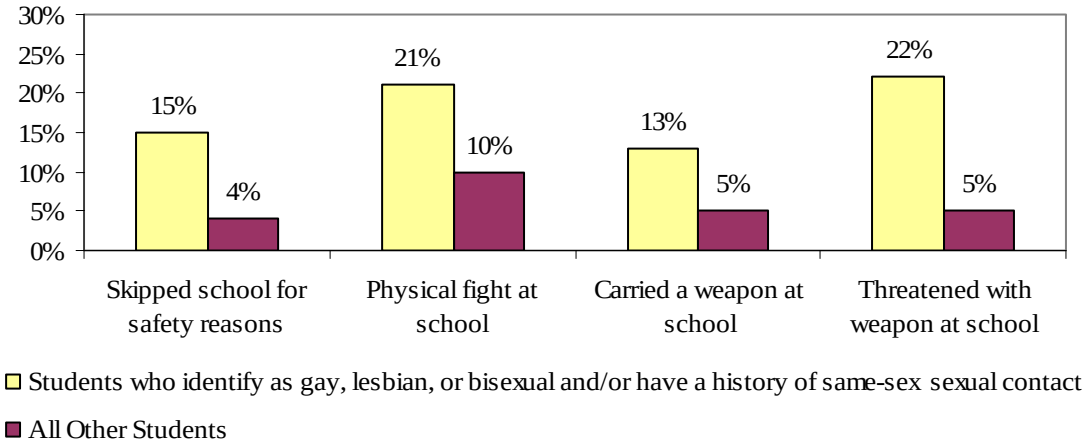


Source: Massachusetts Department of Education, 2002 & 2004.

In the 12 months before the survey was administered, just under 12% of high school students reported being in a physical fight on school property (Massachusetts Department of Education, 2004). This includes:

- 16% of boys and 7% of girls,
- 15% of ninth graders, 11% of tenth graders, 10% of eleventh graders and 9% of twelfth graders,
- 21% of students who either identified as gay, lesbian, or bisexual or reported any same-sex sexual contact and 10% of other students,
- 14% of black students, 13% of Asian students, 13% of Hispanic students, 11% of white students, and 18% of students of other or multiple ethnicity.

Figure 2c-10. Self-Reported School Violence-Related Behavior Among Massachusetts High School Students by Sexual Orientation, 2003



Source: Massachusetts Department of Education, 2004.

In the 12 months before the survey was administered, 6% of high school students reported being threatened with or injured with a weapon on school property (Massachusetts Department of Education, 2004). This included:

- 8% of males and 4% of females,
- 8% of ninth graders, 7% of tenth graders, 5% of eleventh graders, and 4% of twelfth graders,
- 14% of students of other or multiple ethnicity, 13% of black students, 9% of the Hispanic students, 6% of Asian students, 5% of white students, and 14% of students of other or multiple ethnicity.
- 22% of students who either identified as gay, lesbian, or bisexual or reported any same-sex sexual contact, and 5% of other students.

In the 12 months before the survey was administered, 32% of high school students reported being sold, offered, or given an illegal drug on school property. This represents a significant decrease from 42% in 1997.

In the 30 days before the survey was administered, approximately 5% of high school students reported consuming alcohol and 6% reported using marijuana on school property. The percent of students who reported using marijuana at school is significantly lower than in 1999 (9%) and continues a "slow downward trend" which started in 1995 when 11% used marijuana at school (Massachusetts Department of Education, 2004).

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Child Abuse and Neglect

"The link between experiencing maltreatment as a child and committing offenses as a juvenile is profound. A substantial body of research…has shown that:

- *Maltreated children are significantly more likely than nonmaltreated children to become involved in delinquent and criminal behavior.*
- *The prevalence of childhood abuse or neglect among delinquent and criminal populations is substantially greater than that in the general population.*
- *Delinquent youth with a history of abuse or neglect are at higher risk of continuing their delinquent behavior than delinquents without such a history"*(Wiebush, Freitag & Baird, 2001).

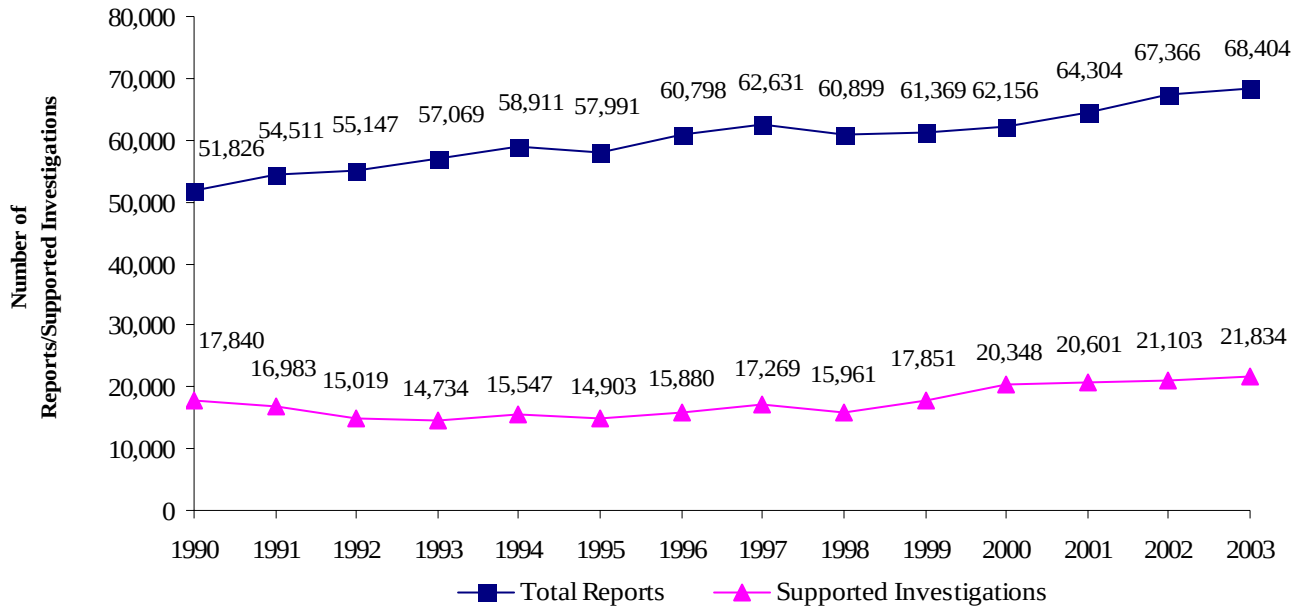
Child abuse, whether physical, sexual, emotional or neglectful, is a problem that can cause detrimental and life long problems or even death for its victims. The Massachusetts Department of Social Services (DSS) is the "state agency charged with the responsibility of protecting children from child abuse and neglect. DSS is committed to protecting children and strengthening families. When children are abused or neglected by the people responsible for caring for them, DSS will intervene to ensure the safety of the children" (Massachusetts Department of Social Services, 2002, p. 17). DSS is responsible for investigating reports of child maltreatment, and is the recipient of reports of child abuse from both mandated and non-mandated reporters throughout the state. Mandated reporters include "people who work or have contact with children in either a private or public setting. By law, they are required to call DSS if they have reasonable cause to believe abuse or neglect has occurred. Doctors, nurses, and other medical professionals as well as teachers, police officers, firefighters and priests, rabbis and other clergy members are mandated reporters" (DSS, 2002, p. 7). All other reporters are grouped under non-mandated. Non-mandated reporters include self-reporting victims and anyone else.

Highlights:

- From 1993 to 2003, the Commonwealth witnessed a significant increase both in the number of child abuse and neglect reports (20%) and in the number of supported investigations (48%).
- In 2003, the total number of case referrals to the District Attorneys represented a 22% increase from 2002.
- From 1994 to 2003, the number of children in foster care placements decreased and the number of children in residential placements increased.
- Black and Hispanic children were approximately 4 times more likely to be in a foster care placement in 2002 than White or Asian children.

DSS classifies the abuse of children into four categories: neglect, physical abuse, sexual abuse, and emotional abuse. After one or more reports dealing with a particular incident(s) are screened-in for a child, an investigation of the alleged maltreatment is conducted. A decision to "support" is reached if DSS finds reason to believe that a child was maltreated or was at high risk of maltreatment by a caretaker. After a determination to support, a protective case is opened for each family requiring services who was not in the DSS caseload at the time of the report. These newly opened cases include families unknown to DSS as well as families with previously closed cases.

Figure 2d-1. Reports and Supported Investigations of Child Abuse and Neglect in Massachusetts, 1990-2003

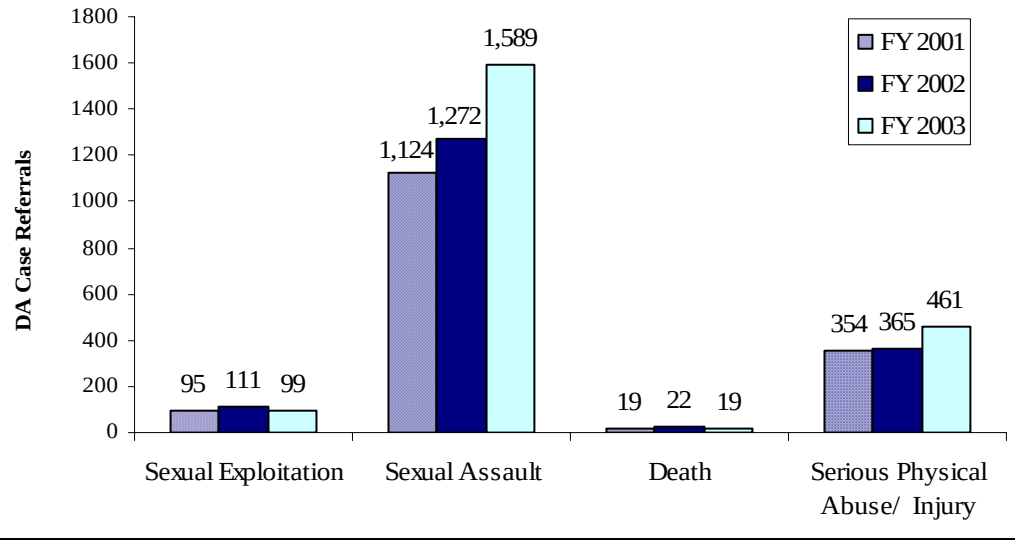


Source: Massachusetts Department of Social Services, 2004. Years are calendar years.

In 2003, there were 68,404 child abuse and neglect reports made to DSS (see Figure 2d-1). The number of supported investigations during that year was 21,834. From 2002 to 2003, the total number of child abuse and neglect reports to DSS increased 2% and the number of supported investigations increased 3%. From 1993 to 2003, the Commonwealth witnessed a significant increase both in the number of reports (20%) and supported investigations (48%) (Massachusetts Department of Social Services, 2004).

According to the DSS, mandatory case referrals to the District Attorneys (and local law enforcement authorities) "are made following a DSS investigation that results in a supported report of severe child maltreatment (sexual abuse, severe physical abuse, or death)." In fiscal year 2003, there were 1,589 referrals for sexual assault, 461 referrals for physical abuse, 99 referrals for sexual exploitation, and 19 referrals for death in Massachusetts (Massachusetts Department of Social Services, 2004) (see Figure 2d-2). In 2003, the total number of case referrals to the District Attorneys represented a 22% increase from 2002.

Figure 2d-2. Mandatory DA Case Referrals in Massachusetts, 2001-2003



Source: Massachusetts Department of Social Services, 2004.

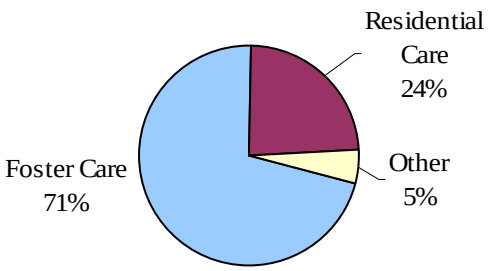
ALTERNATIVE PLACEMENTS

After neglect or abuse is reported, DSS becomes involved with the children and families if it finds "any concerns that caretakers, parents, step-parents, guardians or other persons responsible for caring for children may be abusing or neglecting these children." When these adults "are not able to make the necessary progress to ensure the safety of the children involved," DSS may take temporary custody of the children and place them in foster care, group care facilities and residential programs (Massachusetts Department of Social Services, 2002).

On December 31, 2003, there were 11,102 DSS consumers in out-of-home placements, which include children who are Children In Need of Services (CHINS). The most common out-of-home placements for children removed from their homes by DSS are foster care and residential care.[35] Approximately 95% of the children removed from their homes are placed in one of these two options (see Figure 2d-3). Foster care services are provided for children who are unable to live with their own families for any reason, such as neglect, abandonment or abuse, or because their families simply cannot take care of them for an indeterminate amount of time. For children who require a more structured setting than that provided by a foster care home, residential care is made available. Five percent of the children in placement on December 31, 2003 were in other placements such as hospitals, pediatric nursing homes, or other state agencies or were on the run from placement.

[35] Group care facilities and residential programs are subcategories of residential care.

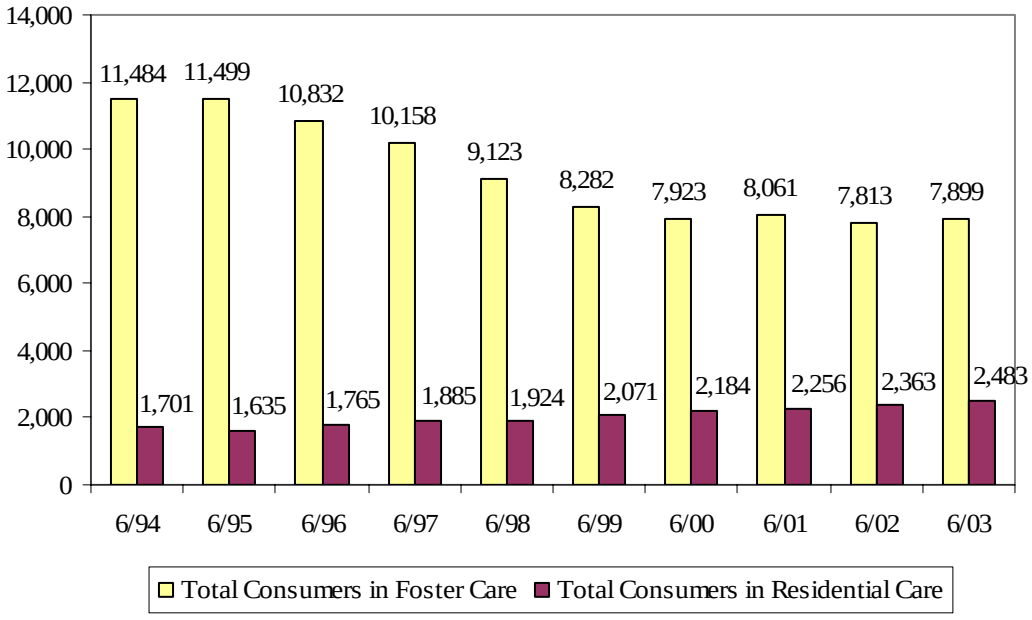
Figure 2d-3. DSS Consumers by Type of Placement, December 31, 2003



Source: Massachusetts Department of Social Services, 2004.

From 1994 to 2003, the number of children in foster care placements decreased and the number of children in residential placements increased (see Figure 2d-4). During this time the number of foster children decreased from 11,484 to 7,899, a 31% decrease, and the number of children in residential care increased from 1,701 to 2,483, a 46% increase.

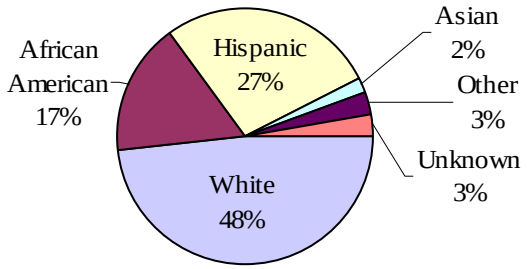
Figure 2d-4. Massachusetts Department of Social Services Out-of-Home Placements, 1992-2003



Source: Massachusetts Department of Social Services, 2004.

According to DSS, in June 2003, there were 7,304 children under age 18 and 595 children 18-years-old and older living in foster care in Massachusetts.[36] Of these children living in foster care, 48% were white, 17% were black, 27% were Hispanic, 2% were Asian and 6% were multi-racial or unspecified (see Figure 2d-5). In 2003, minority children made up approximately 52% of the children in foster care but only made up 25% of the total population under 18-years-old (see Table 2d-1). Hispanic children made up 27% of the children in foster care in 2003, but only 11% of all children under 18-years-old in Massachusetts. Black children made up 17% of the children in foster care in 2003 but only 7% of all the children under 18-years-old in Massachusetts. Black children and Hispanic children were approximately four times more likely to be in a foster care placement in 2003 than white or Asian children.

Figure 2d-5. Children in Foster Care by Race/Ethnicity, June 2003



Source: Massachusetts Department of Social Services, 2004

[36] The 595 children age 18 and older in foster care are being transitioned to the Department of Mental Health and Mental Retardation or are supported by DSS until graduation from a full-time school or vocational training program (through age 23 for a Bachelor Degree).

Table 2d-1. Children in Foster Care by Race/Ethnicity, 2002

Race/Ethnicity	Number of Children in Foster Care in 2003	Percent of total Foster Care Population in 2003	Percent of Total Youth Population under 18 years old in 2000	Number of Children under 18-years-old in 2000	Rate of Foster Care Placement per 1,000 children under 18-years-old
White	3,532	48%	75%	1,128,792	3.1
Black	1,220	17%	7%	97,671	12.5
Hispanic	1,998	27%	11%	157,726	12.7
Asian	142	2%	4%	58,957	2.4
Other	211	3%	4%	56,918	3.7
Unknown	201	3%	n/a	n/a	n/a

Source: Massachusetts Department of Social Services, 2004

JUVENILE AND DISTRICT COURT CARE AND PROTECTION CASES

Care and Protection cases in Massachusetts are heard in the Juvenile Court.[37] Five characteristics of Care & Protection proceedings are:

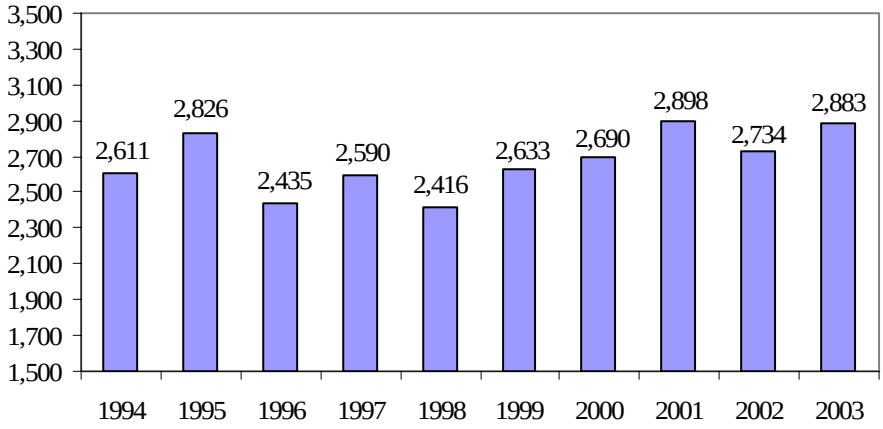
- The purpose of the care and protection proceedings is twofold: to protect children from abuse and neglect; and to rehabilitate unfit parents or parent substitutes (Cronin, 2000).
- Care and protection proceedings are complex cases involving multiple parties and substantial issues of family law, administrative law and constitutional law (Cronin, 2000).
- Increasingly, federal and state law stress an outcome-based approach to these cases by requiring that a child in foster care due to parental abuse or neglect be moved to a permanent home, either that of his or her rehabilitated parents, or, when reunification is not feasible, a new permanent home through adoption or guardianships, within specific time guidelines (Cronin, 2000).
- Permanency for the child is the single most important goal in care and protection proceedings (Cronin, 2000).
- When deemed appropriate, the court can terminate parental rights (Mass. Gen. Laws ch. 119, § 26).[38]

In 2003, there were 2,883 Care & Protection cases in Massachusetts courts[39], and from 1994 to 2003, the number of Care & Protection cases increased 10% (see Figure 2d-6).

[37] Data presented in this section is from District Court and Juvenile Court. The Court Reorganization Act of 1992 authorized the establishment of a statewide Juvenile Court in Massachusetts, and during its implementation, jurisdiction has been moving from District Court to Juvenile Court. Today, there are Juvenile Court divisions in all regions of Massachusetts except for the Town of Brookline and the City of Gloucester.

[38] In 1992, the Massachusetts legislature provided this authority to the Juvenile Court. Prior to that, authority rested with the Probate Court.

Figure 2d-6. Care & Protection Cases, 1994-2003



Data represents the sum of the number of petitions filed in Juvenile Court and the number of cases received in District Court.
Source: Massachusetts Supreme Judicial Court, 2004.

Today, all Care & Protection Cases are heard in the Juvenile Court sessions.[40] However, during the time period that this Table 2d-2 reflects, Care & Protection cases were heard at both the Juvenile Court and the District Court. The Court Reorganization Act of 1992 authorized the establishment of a statewide Juvenile Court in Massachusetts, and during its implementation, jurisdiction has been moving from District Court to Juvenile Court. This is one reason why the number of Care & Protection cases heard in Juvenile Court increased 120% from 1994 to 2003, and the number Care & Protection cases heard in District Court decreased 65% from 1994 to 2003.

Table 2d-2. Care and Protection Cases, 1994-2003

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	Change from 2002 to 2003	Change from 1998 to 2003	Change from 1994 to 2003
Children Represented in Juvenile Court[41]	1,896	2,113	1,798	2,019	2,252	3,475	4,044	4,284	3,943	4,116	4%	83%	117%
Petitions Filed in Juvenile Court	1,062	1,145	986	1,075	1,234	1,873	2,229	2,392	2,251	2,334	4%	90%	120%
Children Represented in District Court	*Data not available*												
Cases Received in District Court	1,549	1,681	1,449	1,515	1,182	760	461	506	483	549	14%	-54%	-65%

Source: Massachusetts Supreme Judicial Court, 2004.

[39] This number includes 2,334 Care and Protection petitions filed in Juvenile Court and 549 Care and Protection cases received in District Court.
[40] Except for the Town of Brookline and the City of Gloucester
[41] It is possible that one case can involve more than one child. For example, the 2,334 cases in Juvenile Court in 2003 involved 4,116 children.

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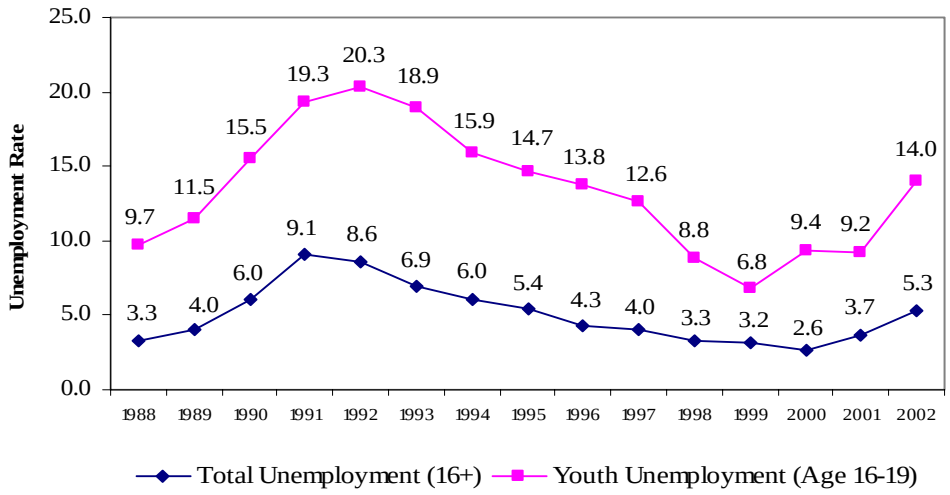
Juvenile Unemployment

Highlights:
- In 2002, the unemployment rate for youth age 16-19 in Massachusetts was 14%.
- Only 13 states had a smaller percentage point difference between their youth and general unemployment rates than Massachusetts in 2002.
- In 2001, 7% of Massachusetts teenagers ages 16 to 19 were not in school and not working. During the past 12 years, the percent of teenagers ages 16 to 19 who were not in school and not working in Massachusetts has been lower than the national average.

Research shows that the unemployment rate is an important factor contributing to both property and violent crime rates (Raphael & Winter-Ebmer, 2000). According to the United States Department of Labor, Bureau of Labor Statistics, in 2002 the unemployment rate in Massachusetts was 5.3%. During that year, 21 states had unemployment rates that were lower than Massachusetts, and 28 states had unemployment rates that were higher than Massachusetts. State unemployment rates ranged from a low of 3.1% in South Dakota to a high of 7.7% in Alaska.

Figure 2e-1. Total Unemployment and Youth Unemployment Rates in Massachusetts, 1988-2002



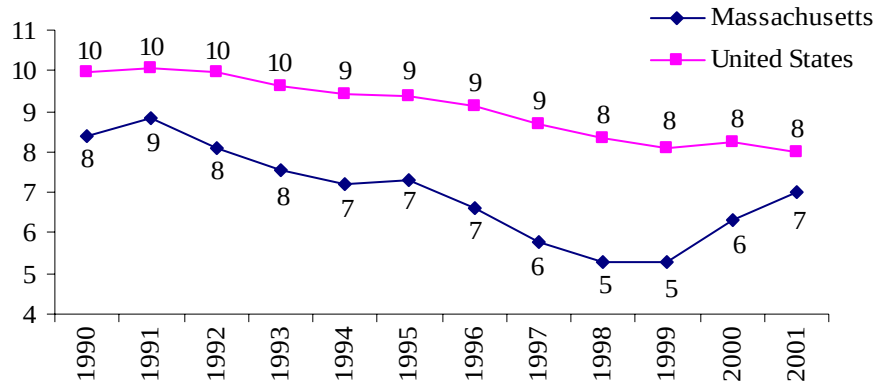
Source: United States Department of Labor, Bureau of Labor Statistics, 2004. Data is not seasonally adjusted.
1993 – 1999 Total Unemployment rate adjusted to incorporate revised intercensal population controls for the 1990s.
2000-2002 Total Unemployment rate is Benchmarked

In the United States unemployment rates for youth between the ages of 16 and 19 are typically higher than the unemployment rates for the general population. In 2002, the unemployment rates for youth between the ages of 16 and 19 ranged from 8.0% in South Dakota to almost 25% in Arizona and Mississippi. Massachusetts had the 16th lowest unemployment rate for youth in this age group at 14% (U.S. Bureau of Labor Statistics, 2002).

Differences between youth unemployment rates and general unemployment rates also differ by state. In Massachusetts in 2002, youth ages 16 to 19 had an unemployment rate that was 2.6 times greater than the general unemployment rate and 8.7 percentage points higher than the general rate. Massachusetts had one of the smallest gaps between youth and general unemployment rates. Only thirteen states had a smaller percentage point difference between their general unemployment rate and their youth unemployment rate than Massachusetts. Additionally, only seven states had youth unemployment rates that were less than 2.6 times greater than their general unemployment rates (U.S. Bureau of Labor Statistics, 2002).

The Kids Count Data Book is another good source of information about youth unemployment. Its data show that approximately 7% of Massachusetts teenagers ages 16 to 19 were not in school and not working in 2001, compared to 8% of teenagers nationally (see Figure 2e-2). These data differ from unemployment data because they include all youth ages 16 to 19, not just youth actively looking for work and youth who are in the labor force. From 1990 to 2001, the percent of teens not in school and not working in Massachusetts has been lower than the national averages.[42]

Figure 2e-2. Percent of Teens Ages 16-19 Not in School and Not Working, 1990-2001



Source: Kids Count 2004 Data Book Online, 2004.

[42] From 1990 to 2000, Massachusetts ranked in the top ten best states for this Kids Count indicator. In 2001, Massachusetts ranked 11.

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United States Department of Labor, Bureau of Labor Statistics. (February 2004). Table 12. States: Employment status of the civilian noninstitutional population by sex, age, race, and Hispanic origin, 2002 annual averages. *Geographic Profile of Employment and Unemployment, 2002* (Bulletin 2564). Retrieved August 16, 2004, from http://www.bls.gov/opub/gp/pdf/gp02_12.pdf.

Section III: Self-Reported Illegal Activity by Massachusetts Youth

Substance Abuse

"When young people engage in alcohol and other drug use, they, their families, and their communities usually suffer. In some cases, because of the strong association between substance abuse and delinquency, an increased burden is also placed on the juvenile justice system."(Dickenson and Crowe)

Highlights:

- In 2003, three-fourths of high school students in Massachusetts reported drinking alcohol at some point in their lives.
- Reported rates of lifetime alcohol use, current alcohol use and binge drinking decreased significantly for high school students from 2001 to 2003.
- Fewer than half of Massachusetts high school students have tried an illegal drug.
- From 1992 to 2003, the number of youth admissions to DPH funded substance abuse programs increased 72% but is down 25% since the high of 4,057 in 1998. The decline is due to a reduction in program capacity rather than a decrease in need.
- In 2001, youth rates of drug abuse and dependence were higher in Massachusetts than the national averages.

INFORMATION FROM THE 2003 MASSACHUSETTS YOUTH RISK BEHAVIOR SURVEY (YRBS)[43]

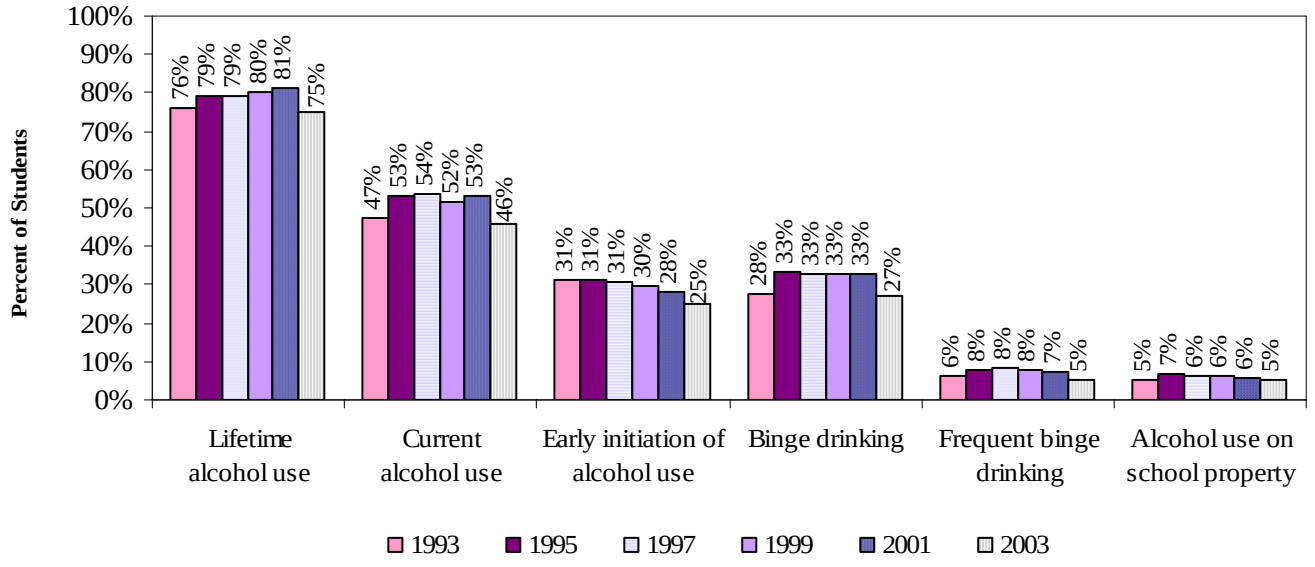
Tobacco Use: "Every measure of tobacco use among high school students in Massachusetts has decreased steadily since 1995. Cigarette smoking, which had risen in the early 90's, decreased significantly in the past six years. Smokeless tobacco use among adolescents has continued to drop steadily and significantly since 1993. Smoking cigarettes and using smokeless tobacco on school property have also declined" (Massachusetts Department of Education, 2004, p. 12).

Alcohol Use: "For the first time in the history of the Massachusetts YRBS, significant decreases were observed in lifetime alcohol use, early initiation of alcohol use, current drinking, and binge drinking. Still it remains that the vast majority of public high school students in Massachusetts have tried alcohol at some point in their lives. Slightly less than half drank alcohol in the 30 days before the survey and one-quarter engaged in at least one episode of binge drinking[44] during that time. Unlike previous years, male and female students were equally as likely to report binge drinking in 2003. The prevalence of alcohol use increased with grade in school, and was highest among white students, Hispanic students, and students of other or multiple ethnicity" (Massachusetts Department of Education, 2004, p. 20).

[43] See the Data Sources chapter at the end of the book for a more detailed description of the Massachusetts Youth Risk Behavior Survey (MYRBS).

[44] According to the 2003 MYRBS, "binge drinking is defined as consuming five or more drinks in a row within a couple of hours" (p. 17).

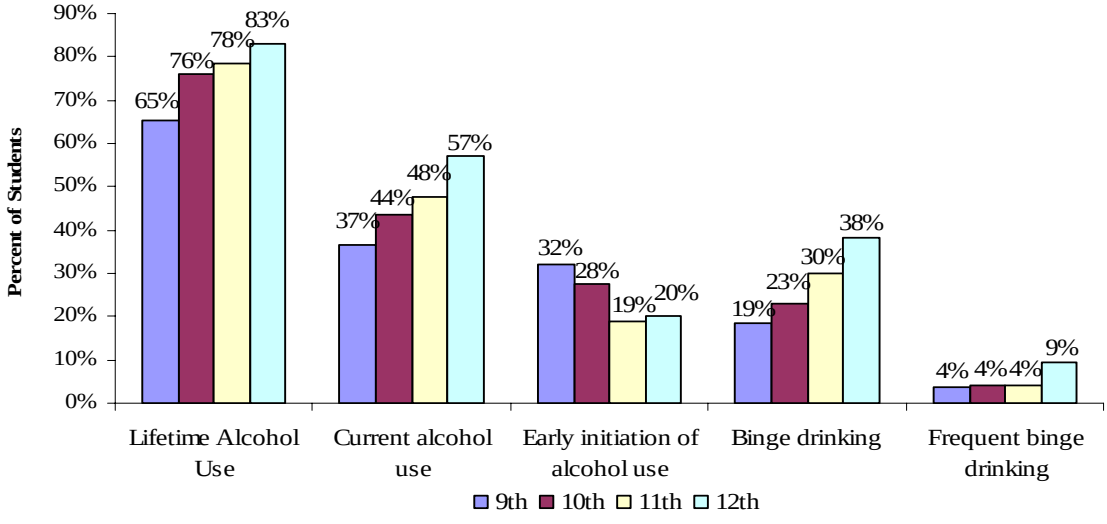
Figure 3a-1. Alcohol Use Among Massachusetts High School Students, 1993-2003



Source: Massachusetts Department of Education, 2004. Chart compiled by the Executive Office of Public Safety.

As grade increased, reported alcohol use also increased according to the 2003 MYRBS. Students in the 9th grade were significantly less likely than students in the 10th, 11th, and 12th grades to report lifetime alcohol use and current alcohol use. Students in the older grades were more likely than students in younger grades to report binge drinking and frequent binge drinking. Students in 11th and 12th grades were less likely than students in 9th and 10th grades to report early initiation of alcohol use (Massachusetts Department of Education, 2004).

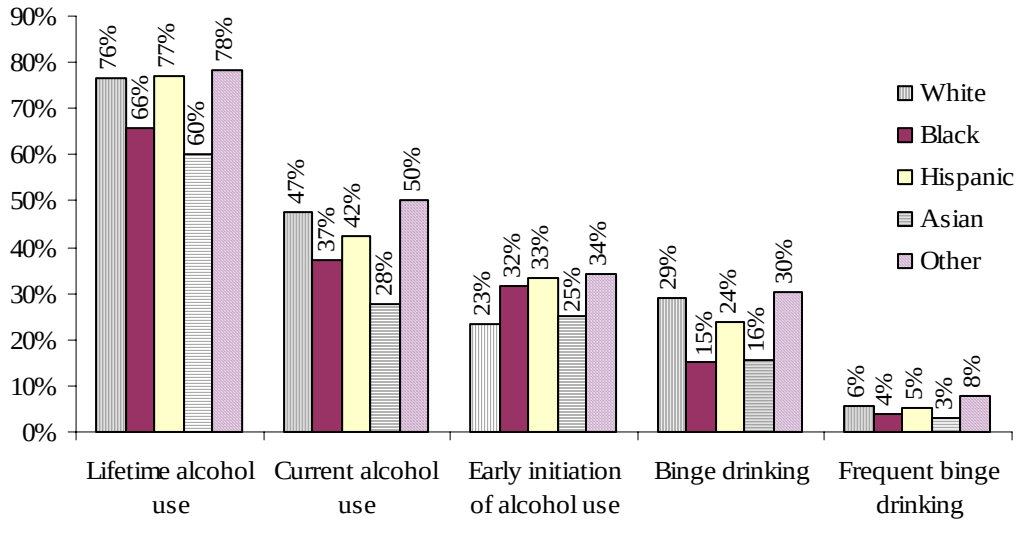
Figure 3a-2. Alcohol Use Among Massachusetts High School Students by Grade, 2003



Source: Massachusetts Department of Education, 2004. Chart compiled by the Executive Office of Public Safety.

There were significant racial/ethnic differences in reported lifetime alcohol use, current alcohol use, early initiation of alcohol use, and binge drinking (see Figure 3a-3). The highest rates of many reported alcohol use behaviors were among students of other or multiple ethnicity, white students and Hispanic students.

Figure 3a-3. Alcohol Use Among Massachusetts High School Students by Race/Ethnicity, 2003

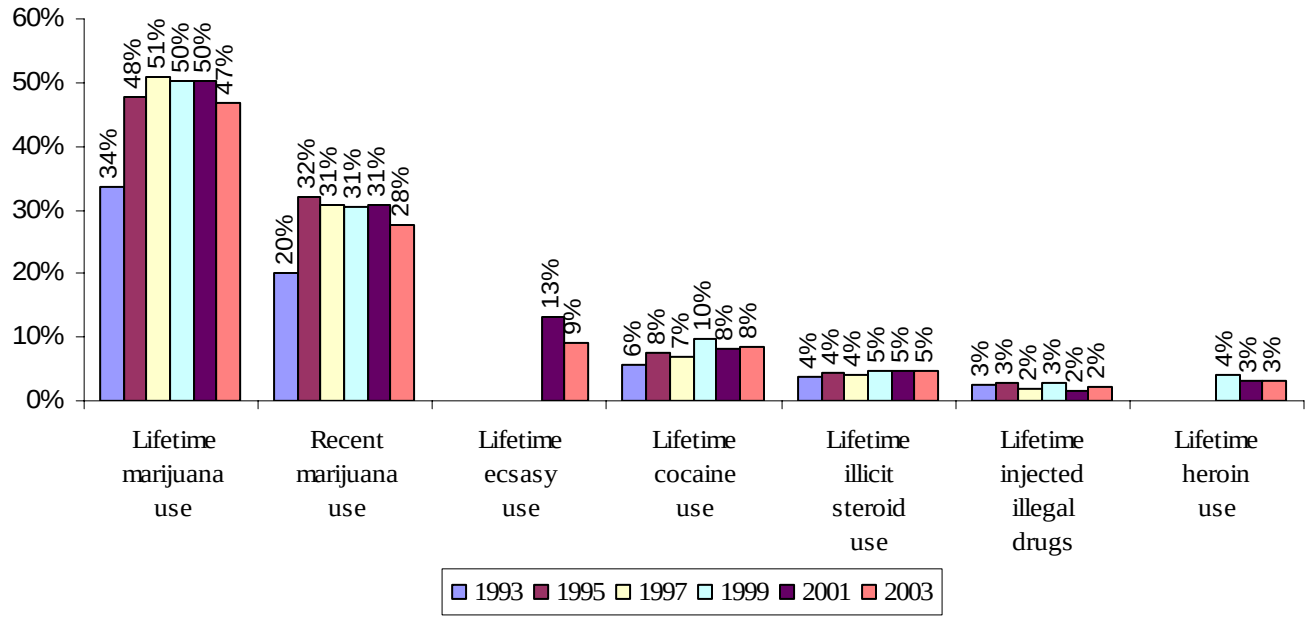


Source: Massachusetts Department of Education, 2004. Chart compiled by the Executive Office of Public Safety.

Illegal Drug Use: "The 2003 MYRBS results document significant decreases in the lifetime use of ecstasy and methamphetamines…Still, nearly half of all Massachusetts high school students have used an illegal drug in their lifetimes, and three in ten students can be considered current illegal drug users (having used an illegal drug in the 30 days before the survey). Lifetime and current rates of marijuana use have not shown any significant decline since 1995, and many current marijuana users in 2001 were using the drug as often as twice per week. Finally, male and female students were equally as likely to use most drugs, and lifetime use of all drugs was more common among students of other or multiple ethnicity than among students of other racial/ethnic groups" (Massachusetts Department of Education, 2004, p. 30-31).

MYRBS data shows that over half of all Massachusetts high school students (53%) have never used any illegal drug, and of those students reporting illegal drug use, 63% have never used any illegal drug other than marijuana. In 2003, 47% of students reported using marijuana at least once in their lifetimes, 9% of students reported using ecstasy at least in their lifetimes, 8% of student reported using cocaine at least once in their lifetimes, 6% of students reported using methamphetamines at least once in their lifetimes, 5% of students reported using steroids without a doctor's prescription at least once in their lifetimes, 3% of students reported using heroin in at least once in their lifetimes, 13% of students reported using other drugs such as inhalants, LSD, PCP, mushrooms, Ketamine, Rohypnol or GHB at least once in their lifetimes.

Figure 3a-4. Illegal Drug Use by Massachusetts High School Students, 1993-2003



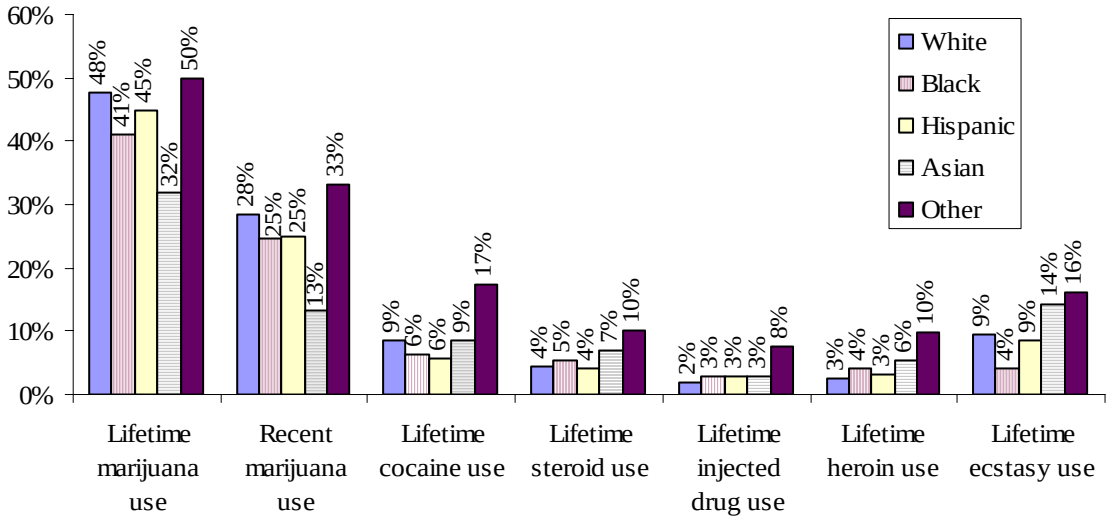
Source: Massachusetts Department of Education, 2004. Chart compiled by the Executive Office of Public Safety.

For the first time since 1995, the percent of students reporting lifetime marijuana use was below 50% (although the recent decrease is not statistically significant). There were two drugs whose reported use did decline significantly, which include lifetime ecstasy use (decreased from 13% to 9% from 2001 to 2003), and lifetime methamphetamine use (decreased from 8% to 6% from 1999 to 2003).

Of the students who reported any lifetime drug use, 61% used a drug in the 30 days before the survey. Of the total high school student population, approximately 30% reported that they used an illegal drug in the 30 days before the survey.

There were notable racial and ethnic differences in reported illegal drug use, with students of other or multiple ethnicity reporting the highest levels (see figure 3a-5).

Figure 3a-5. Illegal Drug Use Among Massachusetts High School Students by Race/Ethnicity, 2003



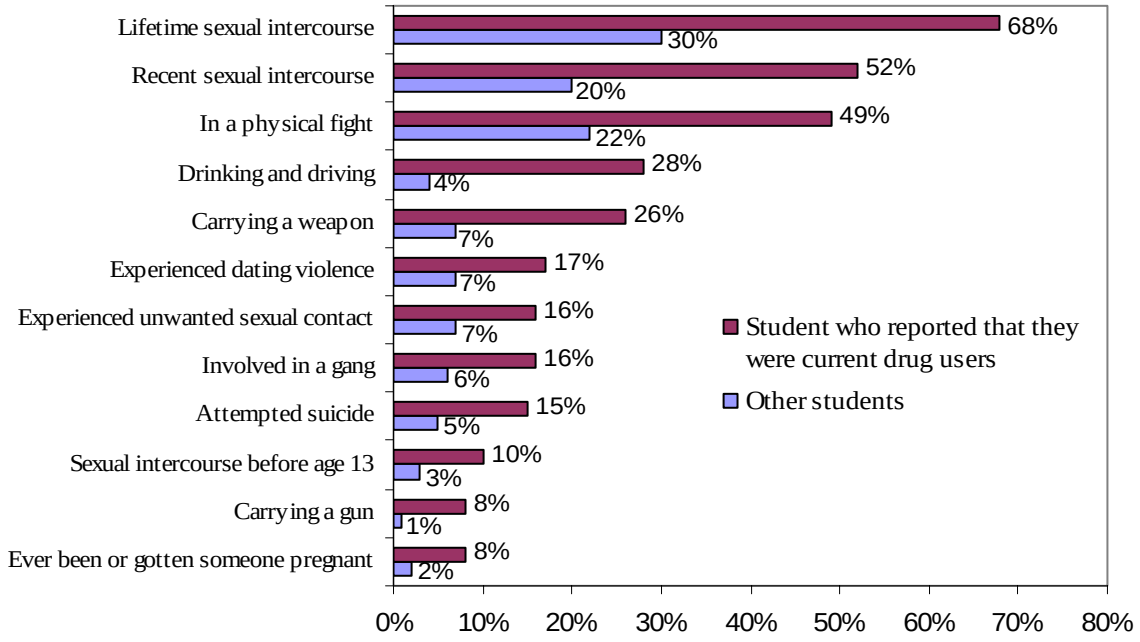
Source: Massachusetts Department of Education, 2004. Chart compiled by the Executive Office of Public Safety.

Students who reported illegal drug use in 2003, were significantly more likely than students who did not report illegal drug use to report other risk behaviors including drinking and driving (28% vs. 4%), lifetime sexual intercourse (68% vs. 30%), sexual intercourse before the age of 13 (10% vs. 3%), recent sexual intercourse (52% vs. 20%), having ever been or gotten someone pregnant (8% vs. 2%), having attempted suicide (15% vs. 5%), carrying a weapon (26% vs. 7%), carrying a gun (8% vs. 1%), being involved in a gang (16% vs. 6%), being in a physical fight (49% vs. 22%), having experienced unwanted sexual contact (16% vs. 7%) and having experienced dating violence (17% vs. 7%) (see figure 3a-6).

The 2003 MYRBS revealed certain protective factors to be related to illegal drug use. The following factors were significantly associated with lower rates of current drug use:

- Having an adult family member to talk to about important things.
- Belief that there was a teacher or other adult in school to talk to about a problem.
- Participation in volunteer work and community service.
- Participation in extracurricular activities.
- Participation in sports.

Figure 3a-6. Illegal Drug Use and Other Risk Behaviors, 2003



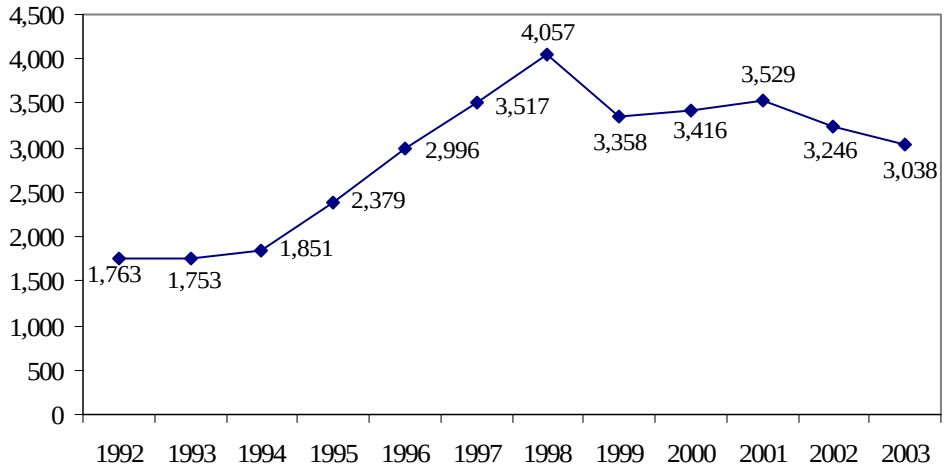
Source: Massachusetts Department of Education, 2004. Chart compiled by the Executive Office of Public Safety.

INFORMATION FROM THE MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH

In 2003, there were 3,038 youth admissions under the age of 18 to Department of Public Health (DPH) funded substance abuse programs, which made up made up 2.6% of the total admissions to DPH funded programs. Of these admissions, 80% were for outpatient services, 3% were for short-term residential services[45], and 17% were for long-term residential services[46]. Over the past 11 years, the percent of DPH funded substance abuse admissions for individuals under age 18 has ranged from 2.0% to 3.6%. From 1992 to 2003, the number of youth admissions to DPH funded substance abuse programs increased 72% but decreased 25% since the high of 4,057 in 1998. The decline in the number of admissions is due to a reduction in program capacity rather than a decrease in need (Massachusetts Department of Public Health, n.d. MassCHIP data; FY 2002 & FY 2003 Substance Abuse Fact Sheets).

[45] Fewer than 30 days.
[46] Greater than 30 days.

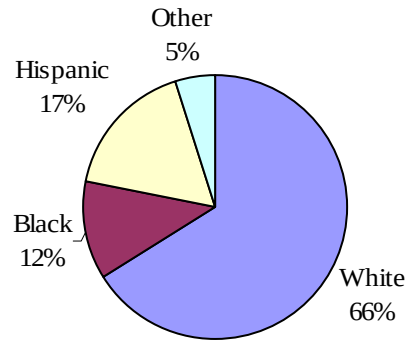
Figure 3a-7. Number of Youth (Under Age 18) Substance Abuse Admissions to DPH Funded Programs, 1992-2003



Source: Massachusetts Department of Public Health, MassCHIP0 Custom Report, 2004 and Massachusetts DPH FY 2003 Substance Abuse Fact Sheet: Adolescent Admissions. -
Data represents outpatient services and inpatient treatment admissions.

In both 2002 and in 2003, 72% of the youth admissions were male and 28% were female. In 2003, 66% of the individuals under age 18 that utilized DPH funded substance abuse programs were white, 12% were black, 17% were Hispanic, and 5% were of some other race/ethnicity (see Figure 3a-8).

Figure 3a-8. DPH Funded Substance Abuse Program Utilization (under age 18) by Race/Ethnicity, 2003

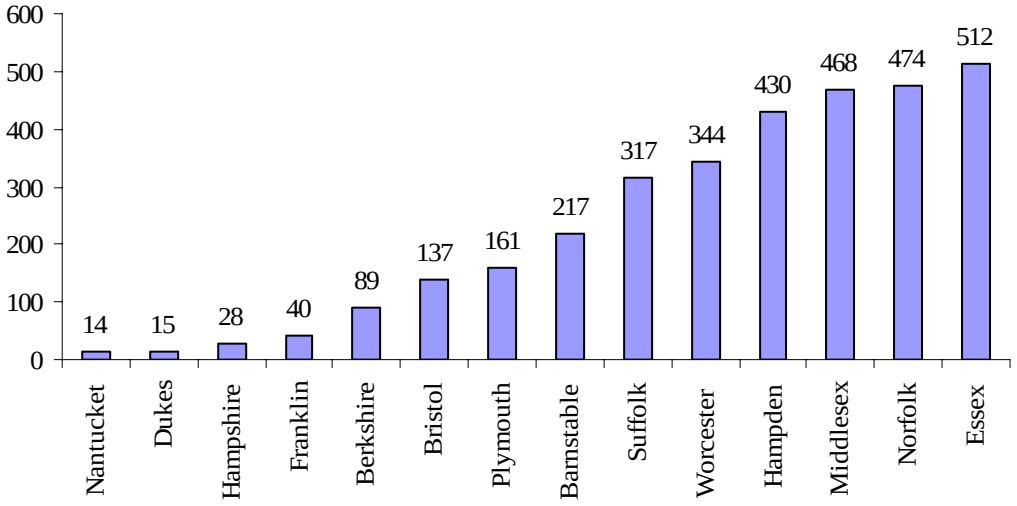


Source: Massachusetts Department of Public Health, Massachusetts Department of Public Health, Bureau of Substance Abuse Services, Office of Statistics and Evaluation. (n.d). *FY 2003 Substance Abuse Fact Sheet: Adolescent Admissions.*
Data represents outpatient services and inpatient treatment admissions.

In 2002, there were 512 youth admissions to DPH funded substance abuse programs from Essex County, 474 from Norfolk County, 468 from Middlesex County, 430 from Hampden County, 344 from Worcester County, 317 from Suffolk County, 217 from Barnstable County, 161 from

Plymouth County, 137 from Bristol County, 89 from Berkshire County, 40 from Franklin County, 28 from Hampshire County, 15 from Dukes County and 14 from Nantucket County (see Figure 3a-9). More than half of youth substance abuse admissions (58%) came from four counties: Essex, Norfolk, Middlesex and Hampden.

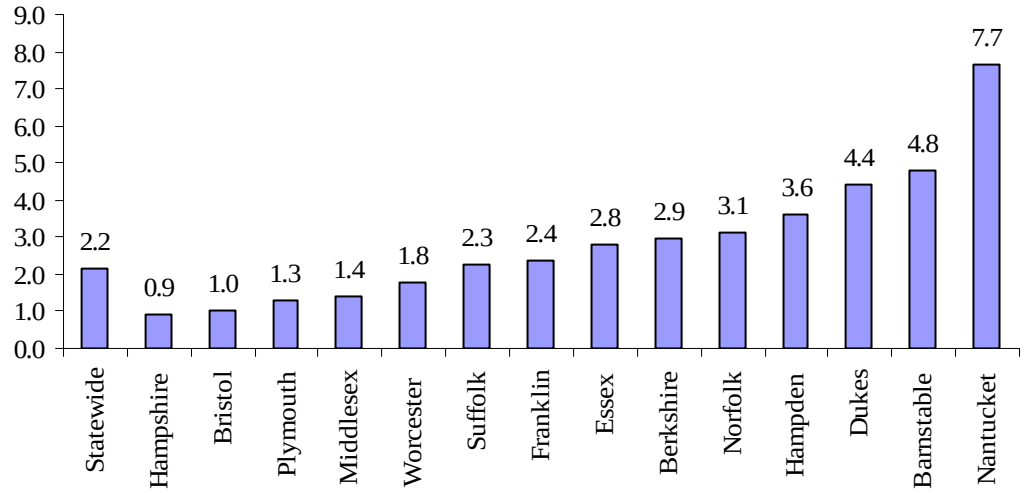
Figure 3a-9. Number of Youth Substance Abuse Admissions to DPH Funded Programs by County (under age 18), 2002



Source: Massachusetts Department of Public Health, Bureau of Substance Abuse, MassCHIP Custom Report, 2004.
Data represents outpatient services and inpatient treatment admissions.

In order to compare counties with different populations, admission rates were calculated. In 2002, there were 7.7 youth substance abuse admissions to DPH funded programs in Nantucket per 1,000 youth under 18, the highest rate of the Massachusetts counties (see Figure 3a-10). Dukes County and Barnstable County had rates between 4 and 5 admissions per 1,000 youth. Norfolk and Hampden had rates between 3 and 4 admissions per 1,000 youth. Suffolk, Franklin, Essex and Berkshire had rates between 2 and 3 admissions per 1,000 youth. Hampshire, Bristol, Plymouth, Middlesex and Worcester had rates below 2 admissions per 1,000 youth.

Figure 3a-10. Youth Substance Abuse Admissions to DPH Funded Programs by County - Rate per 1,000 Youth Under 18, 2002



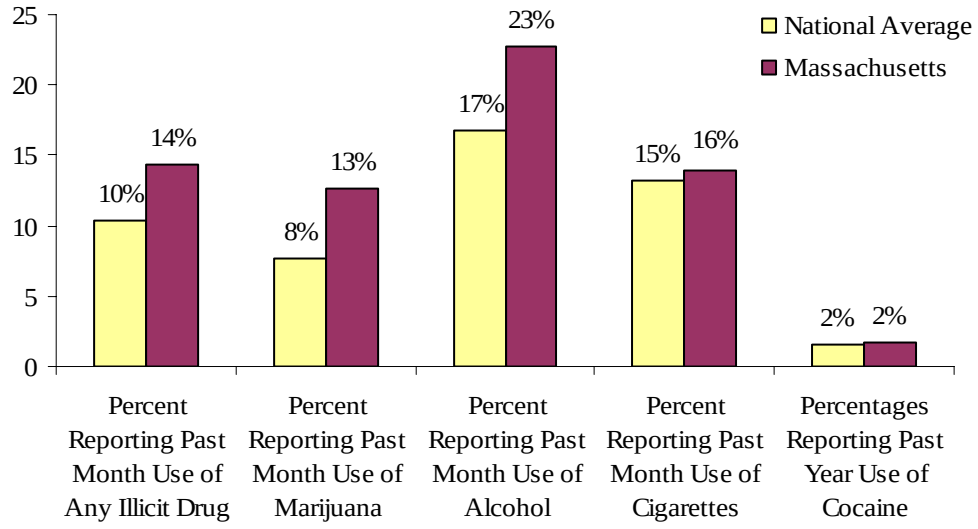
Sources: Massachusetts Department of Public Health, Bureau of Substance Abuse, MassCHIP Custom Report, 2004. 2000 U.S. Census. Data represents outpatient services and inpatient treatment admissions.

NATIONAL HOUSEHOLD SURVEY ON DRUG ABUSE

The National Household Survey on Drug Abuse is a good source of information for national and state-level drug use information. This section looks at youth drug use in Massachusetts compared to the national averages, youth drug dependence in Massachusetts compared to the national averages, and youth perceptions of the risk of drug use in Massachusetts compared to the national averages.

In 2001, a higher percentage of youth ages 12-17 in Massachusetts reported drug use than the national averages. Fourteen percent of youth ages 12-17 reported use of any illicit drug in the past month compared to 10% nationally; 13% of youth ages 12-17 reported use of marijuana in the past month compared to 8% nationally; and 23% of youth ages 12-17 reported use of alcohol in the past month compared to 17% nationally (see Figure 3a-11). The reported percentages for cigarette and cocaine use were similar. (Wright, 2003).

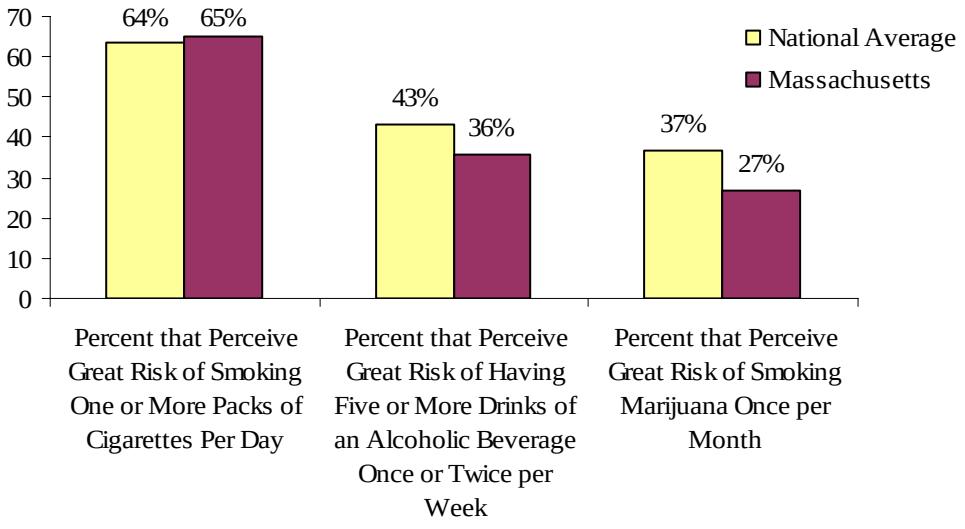
Figure 3a-11. Percent Age 12-17 Reporting Drug Use, Massachusetts and National Averages, 2001



Source: Substance Abuse and Mental Health Services Administration, Office of Applied Studies, 2003.
"Illicit Drug" includes marijuana/hashish, cocaine (including crack), heroin, hallucinogens, inhalants, or any prescription-type psychotherapeutic used nonmedically.

Individual perceptions of the risks of substance use have been shown to be related to actual substance use (Wright, 2003). For example, individuals who perceive a higher risk of marijuana use would be less likely to use marijuana. Individuals who perceive a lower risk of cigarette smoking would be more likely to smoke. In 2001, Massachusetts youth ages 12-17 were less likely than the national average to report perceiving great risk of having five or more alcoholic drinks once or twice per week (36% compared to 43% nationally) (see Figure 3a-12). Massachusetts youth were also less likely to report perceiving high risk of smoking marijuana once per month (27% compared to 37% of youth nationally). Massachusetts youth had similar reported perceptions of the risk of smoking one or more packs of cigarettes per day than the national average. These reported risk perceptions are similar to reported actual use when comparing Massachusetts to national averages. Massachusetts youth had both a higher reported use of marijuana and alcohol and a lower perceived risk of marijuana and alcohol than then national averages. Massachusetts youth had similar reported use and perceived risk of cigarettes as the national averages.

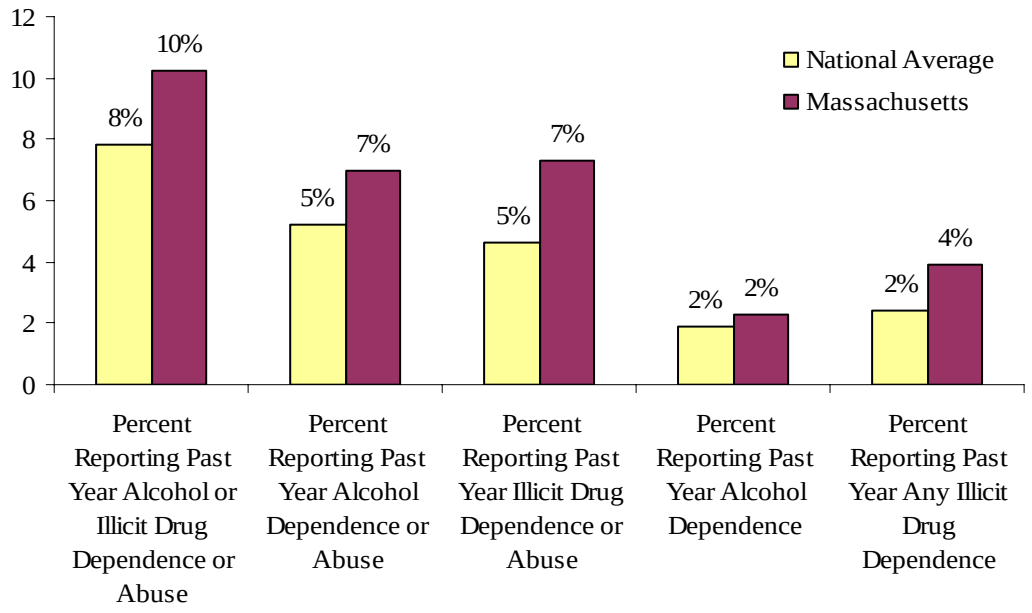
Figure 3a-12. Perceptions of Risk by Youth Age 12-17, Massachusetts & National Average, 2001



Source: Substance Abuse and Mental Health Services Administration, Office of Applied Studies, 2003.

Data from the National Household Survey on Drug Abuse also reveals that drug dependence and abuse is more prevalent in Massachusetts than the national averages. Four percent of youth ages 12-17 in Massachusetts reported illicit drug dependence compared to 2% nationally; 7% reported illicit drug dependence or abuse compared to 5% nationally; 7% reported alcohol dependence or abuse compared to 5% nationally; and 10% reported alcohol or illicit drug dependence or abuse compared to 8% nationally (see Figure 3a-13). Massachusetts youth reported similar percentages of alcohol dependence (2%) to the national average (Wright, 2003).

Figure 3a-13. Percent Ages 12-17 Reporting Drug Abuse/Dependence, Massachusetts and National Averages, 2001



Source: Substance Abuse and Mental Health Services Administration, Office of Applied Studies, 2003.
"Illicit Drug" includes marijuana/hashish, cocaine (including crack), heroin, hallucinogens, inhalants, or any prescription-type psychotherapeutic used nonmedically.

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Gang Involvement

*Gang membership is a strong predictor of individual violence in adolescence…Survey research has consistently demonstrated that youth are significantly more criminally active during periods of active gang membership, particularly in serious and violent offenses, and that prolonged periods of gang involvement have a way of increasing the "criminal embeddedness" of members (*Howell & Egley, n.d.).

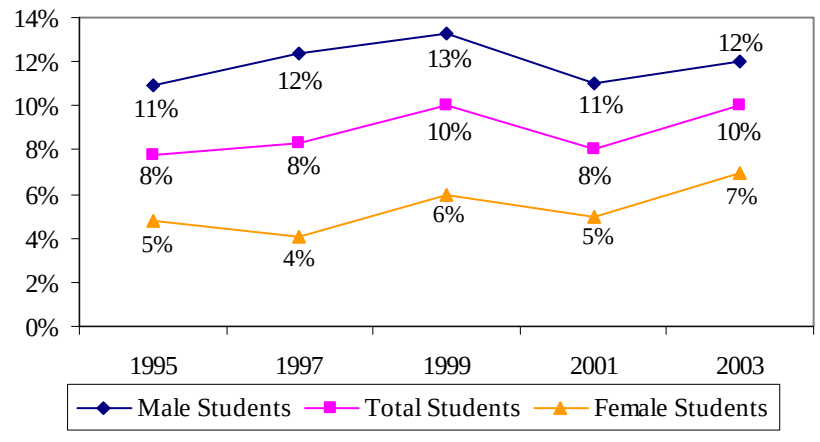
Highlights:

- 10% of high school students reported gang involvement in 2003. Between 1993 and 2003, the percent of students reporting gang involvement has ranged between 8% and 10%.
- Students identifying as Other of Multiple ethnicity were the most likely to report gang involvement.
- Students who either identified as gay, lesbian, or bisexual or reported any same-sex sexual contact were significantly more likely than other students to have reported gang involvement.

Ten percent of high school students reported gang involvement in the 2003 Massachusetts Youth Risk Behavior Survey (MYRBS). Male students were significantly more likely than female students to report gang membership (12% compared to 7%). There has been no significant change since 1995 in the percent of students reporting gang involvement (Massachusetts Department of Education, 2004).

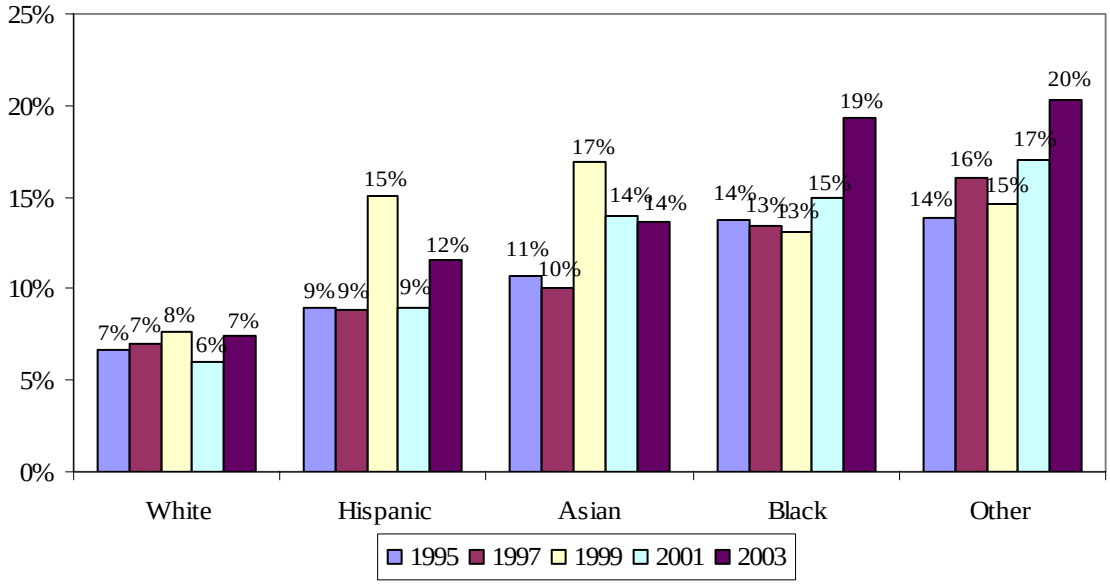
Gang involvement for Massachusetts public high school students varies by race/ethnicity according to MYRBS data (see Figure 3b-2). In 2003, students identifying as other or multiple ethnicity were the most likely to report gang involvement (20%). As in the past four surveys, minority students were more likely than white students to report involvement in a gang in 2003: 7% of white students reported gang involvement, 12% of Hispanic students reported gang involvement, 14% of Asian students reported gang involvement, and 19% of Black students reported gang involvement in 2003.

Figure 3b-1. Percent of Youth Reporting Being Involved in a Gang, 1995-2003



Data from the Massachusetts Department of Education, 2002 and 2004. Chart created by the Massachusetts Executive Office of Public Safety, 2004.

Figure 3b-2. Percent Reporting Gang Involvement by Race/Ethnicity, 1995-2003



Data from the Massachusetts Department of Education, 2002 and 2004. Chart created by the Massachusetts Executive Office of Public Safety, 2004.

Reported gang involvement also varies slightly by grade. The past five MYRBS surveys show that students in the lower grades were more likely to report gang involvement than students in the higher grades (see figure 3b-3).[47]

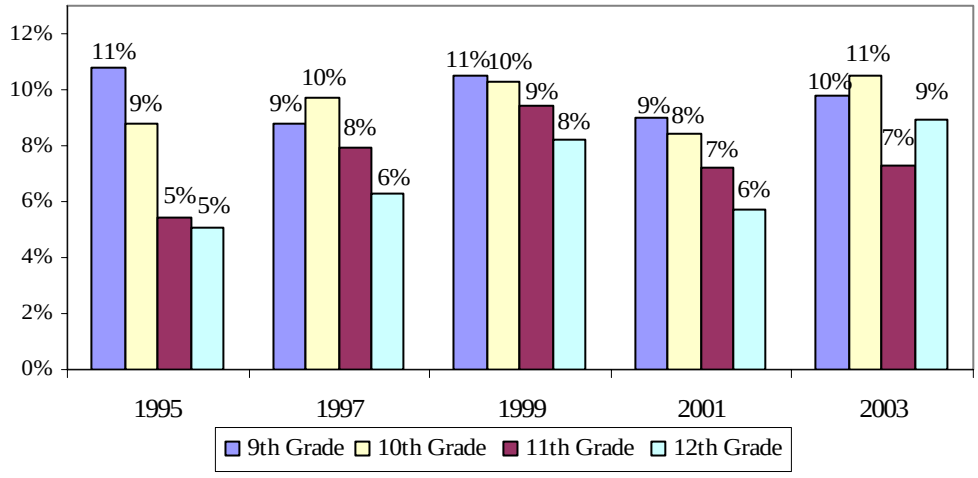
Reported gang involvement also varied by sexual orientation. Students who either identified as gay, lesbian, or bisexual or reported any same-sex sexual contact were significantly more likely than other students to have reported gang involvement (23% vs. 9%).

Students who reported being involved in gangs were more likely to report high rates of both violence-related behaviors and other risk behaviors. Students who reported gang involvement were (see Figure 3b-4):

- Over twice as likely to report having attempted suicide in the past year,
- Almost twice as likely to report considering suicide in the past year,
- Over three times more likely to report having been or having gotten someone pregnant,
- Approximately two times more likely to report having been in a physical fight in the past year,
- Over three times more likely to report carrying a weapon in the past 30 days,
- Over nine times more likely to report carrying a gun in the past 30 days, and
- More likely to report recent sexual intercourse and lifetime sexual intercourse.

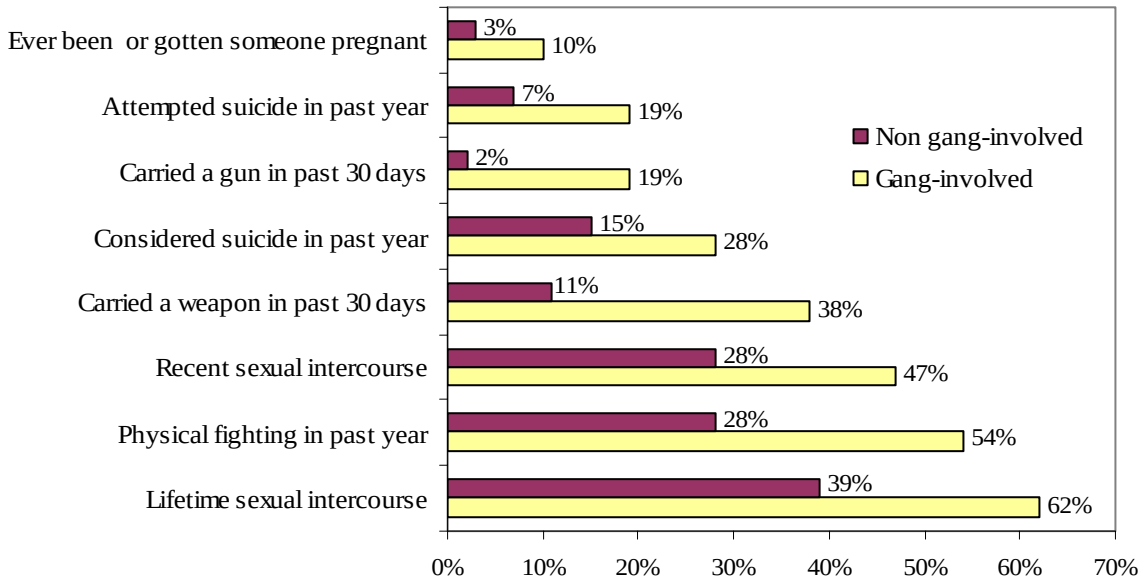
[47] However, in 2003, the differences between grades is not statistically significant.

Figure 3b-3. Percent of Youth Reporting Gang Involvement by Grade, 1995-2003



Data from the Massachusetts Department of Education, 2002 and 2004. Chart created by the Massachusetts Executive Office of Public Safety, 2004.

Figure 3b-4. Gang Involvement and Risk Behaviors Among Massachusetts High School Students, 2003



Data from the Massachusetts Department of Education, 2002 and 2004. Chart created by the Massachusetts Executive Office of Public Safety, 2004.

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Teen Dating Violence

"In 2001, eleven percent (11%) of all [public] high school students (16% of females and 6% of males) had experienced violence in a dating relationship" (Massachusetts Department of Education, 2002).

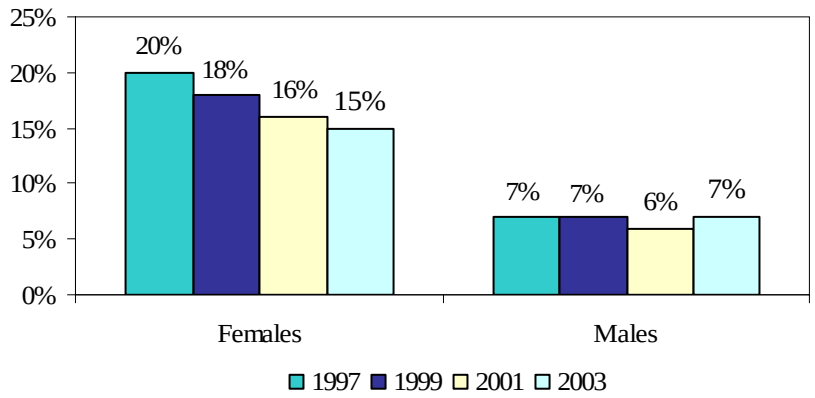
Dating violence is a serious problem not only during the teen years but also into adulthood. Research shows that patterns of dating violence behavior often start early and carry through into adult relationships (American Bar Association Steering Committee on the Unmet Legal Needs of Children, n.d.). When dating violence turns into family violence, the cycle of violence continues. The Children's Defense Fund states that children exposed to domestic violence are more likely to be violent themselves and are more likely to become delinquent youth. The Children's Defense Fund further states that males who witness violence are at an increased risk of becoming perpetrators (Children's Defense Funds, 2000).

Highlights:

- The percent of female high school students reporting dating violence has declined since 1997, but still remains two times higher than the percent of males reporting dating violence.
- Students who either identified as gay, lesbian, or bisexual or reported any same-sex sexual contact were significantly more likely to report dating violence and forced sexual contact.

According to the Massachusetts Youth Risk Behavior Survey (MYRBS), 15% of female high school students and 7% of male high school students reported having experienced dating violence in 2003. The percent of females reporting having experienced dating violence has decreased from 20% in 1997 to 15% in 2003, while the percent of male students reporting experiencing dating violence has remained relatively stable. Among students who identified as gay, lesbian, bisexual and/or have a history of same-sex sexual contact, 30% reported having experienced dating violence (see Figure 3c-2). (Massachusetts Department of Education, 2002).

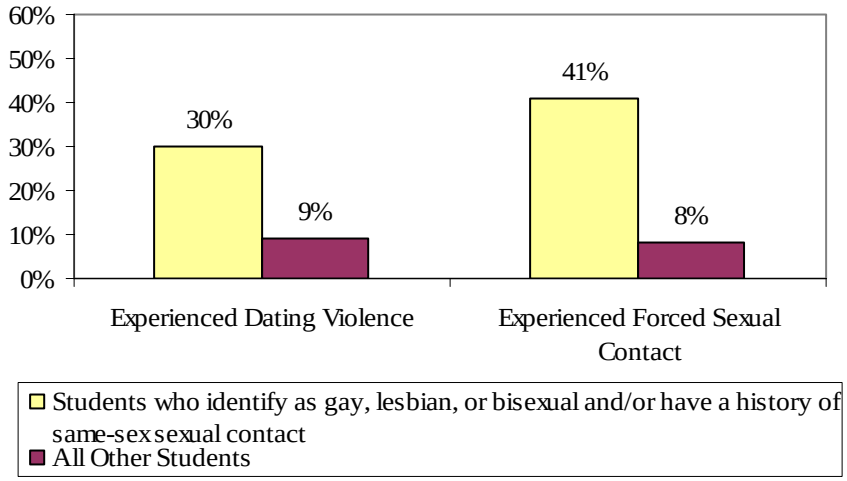
Figure 3c-1. Percentage of High School Students Reporting Having Experienced Dating Violence by Gender, 1997-2003



Source: Massachusetts Department of Education, 1998, 2000, 2002, 2004.

In 2003, 10% of students reported having experienced sexual contact against their will. This includes 14% of female students and 6% of male students. Among students who identify as gay, lesbian or bisexual and/or have a history of same-sex sexual contact, 41% reported having experienced forced sexual contact compared to 8% for other students (Massachusetts Department of Education, 2004).

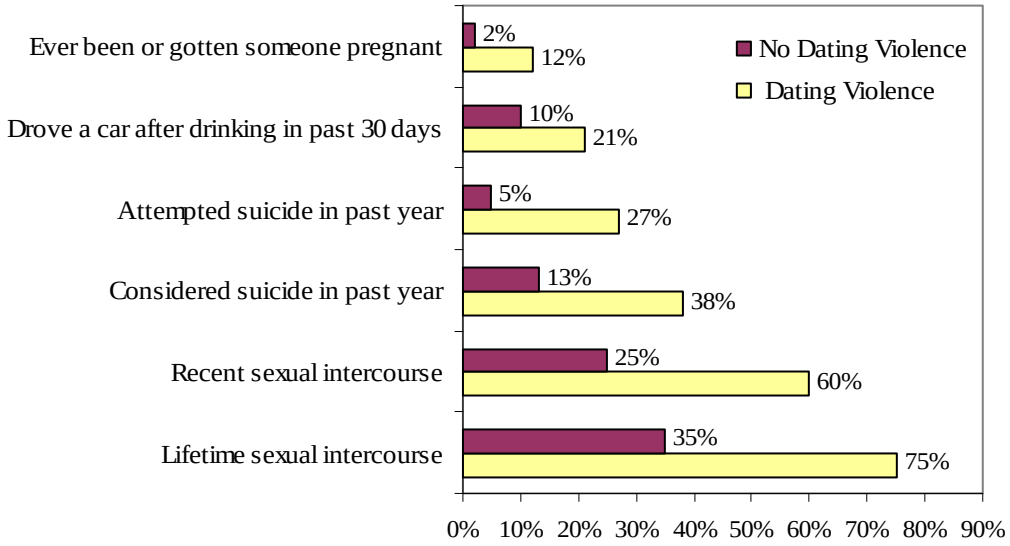
Figure 3c-2. Dating Violence Among Massachusetts High School Students by Sexual Orientation, 2003



Source: Massachusetts Department of Education, 2004.

Data show that physical and dating violence against girls is associated with increased risk of substance abuse, unhealthy weight control behaviors, sexual risk behaviors, pregnancy and suicidality (Silverman, et. al, 2001). The 2003 Massachusetts YRBS showed that dating violence was related to several adverse behaviors in the high school population including pregnancy, drinking and driving, suicidal tendencies, and sexual intercourse. When compared to the population reporting no previous dating violence, those having experienced dating violence reported higher incidences of the mentioned adverse health behaviors. For example, students who reported dating violence were over five times more likely to report having attempted suicide in the past year and more than twice as likely to report sexual intercourse than students who did not report dating violence (Massachusetts Department of Education, 2004).

Figure 3c-3. Percent of Massachusetts High School Students Reporting Adverse Health Behaviors in Relation to Dating Violence, 2003



Source: Massachusetts Department of Education, 2004.

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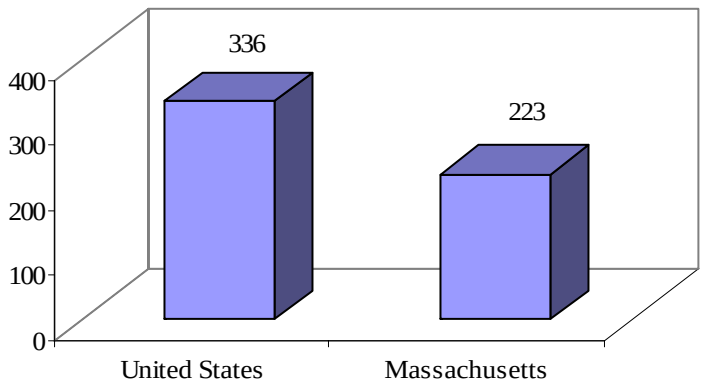
Section IV: Responses to Juvenile Crime in Massachusetts

Overview of the Massachusetts Juvenile Justice System

Massachusetts created the nation's first juvenile correctional system in 1846 when it opened the Massachusetts State Reform School in Westboro for 400 boys. This was followed by the opening of the Lyman School for Boys in Westboro during the 1860's. The philosophy behind these institutions was that juveniles were more likely to be rehabilitated than adults were and therefore, should not be treated within adult institutions (Massachusetts Department of Youth Services, n.d.).

The justice system in Massachusetts has a rich history, which includes being the birthplace of probation in the United States and being the state with the first juvenile correctional system (Office of the Commissioner of Probation). Today, Massachusetts has one of the lowest rates of juveniles in residential placement for breaking the law. In 2001, only 11 states had rates lower than Massachusetts.

Figure 4a-1. Rate of Juveniles in Residential Placement per 100,000 Juveniles in 2001



Data from OJJDP Census of Juveniles in Residential Placement, 2004. Compiled by the Massachusetts Executive Office of Public Safety, 2004.

The juvenile justice system in Massachusetts is an interdependent set of systems that work together to provide for the safety and security of our youth and our communities. Local agencies include the city and town police departments and nonprofit organizations. State agencies include the Juvenile Court (including the Department of Probation), the Department of Youth Services, the Department of Social Services, District Attorney's offices, and the Committee for Public Counsel Services. The juvenile justice system also consists of various decision points, which frequently start with the decision of a police officer about whether to approach a juvenile to investigate his/her activities for potential violation(s) of the law. After approaching a juvenile, the officer has many options including letting the juvenile stay where he is, taking the juvenile home to a parent or guardian, taking the juvenile to the police station for protective custody, taking the juvenile to the police station for investigative detention, issuing a summons to appear

in court, or making an arrest.[48] As shown in figure 4a-2, this is the beginning of many decision points in the juvenile justice system.

In the United States, delinquency services are delivered through three different systems: centralized, decentralized and combination. In Massachusetts, delinquency services are implemented by a combination state system, which means that the state operates most delinquency services for youth, and responsibility is divided between the executive and judicial branches (National Center for Juvenile Justice, 2004).[49] The Juvenile Court administers intake, predisposition investigations, probation supervision, and some aftercare. The Department of Youth Services (DYS) administers secure detention, residential commitment facilities, and a range of community corrections programs. DYS is also the primary administrator of aftercare services for youth returning to the community from placement (National Center for Juvenile Justice, 2004).

While Massachusetts is known for its "firsts" in the areas of juvenile and criminal justice, the Commonwealth has also been recognized for high-quality programming and strategies today. For example, the community-based juvenile justice programs spearheaded by the Middlesex County District Attorney's Office and the Suffolk County District Attorney's Office have received national recognition for replication by the American Prosecutors Research Institute in its January 2004 publication *Juvenile Delinquency and Community Prosecution, New Strategies for Old Problems.*

Also in 2004, the National Center for Juvenile Justice (NCJJ) listed the following components as highlights of the Massachusetts juvenile justice system:

- **Juvenile Court Clinics:** The Juvenile Court Department and the Massachusetts Department of Mental Health have implemented a statewide system of court-based mental health clinics. Juvenile Court Clinics employ a range of mental health professionals (including psychologists, psychiatrists, and social workers) and provide training opportunities in these fields. Mental health professionals are specifically trained and certified to work in the Massachusetts Juvenile Court Clinics. Juvenile Court Clinicians provide court-ordered evaluations, referral services, and limited treatment services for youth and families involved in delinquency, status offense, child abuse and neglect, and termination of parental rights proceedings (2004).
- **Community Corrections Centers:** In partnership with various sheriffs departments, the probation department operates 22 community corrections centers across the state, including two for juvenile offenders.[50] These community corrections centers provide a full range of treatment, education, drug testing, electronic monitoring, and community service programs for offenders (2004).
- **Improving Educational Services within the Massachusetts Department of Youth Services:** The Massachusetts Department of Youth Services (DYS), with assistance from

[48] After probable cause to believe that a juvenile has committed a criminal offense exists, the decision to proceed with prosecution rests with the District Attorney.

[49] In other states, combination systems could mean that the organization of basic delinquency services features a mix of state-controlled and locally operated delinquency services (National Center for Juvenile Justice, n.d.).

[50] The two community corrections centers for juveniles in Massachusetts are the Suffolk Juvenile Resource Center in Boston and the Bristol Juvenile Resource Center in New Bedford (The Commonwealth of Massachusetts Trail Court Office of Community Corrections, 2003).

the Department of Education (DOE), is in the process of improving its educational services across DYS in areas such as community supervision, detention, and residential placement programs. Two important goals of this initiative are: 1) to align its education services with the academic standards in Massachusetts and with certain DOE mandates and regulations and 2) to provide smoother educational transitions between DYS placements and public schools (2004).

In 2003, NCJJ listed the following components as highlights:

- **Model Programs:** "The Department of Youth Services (DYS) of the Executive Office of Health and Human Services has attracted national attention for its innovative approaches to juvenile crime, including Operation Night Light, community service, warrant apprehension, fatherhood and mother's programs, anger management program, and volunteer programs. The Clinton administration awarded DYS a $1 million national demonstration grant to fund community partnership, prevention efforts, and collaborative enforcement strategies in Western Massachusetts. The U. S. Department of Justice adopted these programs as a model for other states. DYS works in collaboration with local police, health centers, District Attorneys, schools, and community organizations to develop new crime prevention and community partnership strategies" (2003).
- **Dialectic Behavior Therapy for Females:** The Department of Youth Services adopted the Dialectic Behavior Therapy (DBT) treatment approach for female juvenile offenders who are committed to residential programs. DBT is a comprehensive cognitive-behavioral treatment for individuals with difficult-to-treat and complex mental disorders, which has helped young women obtain new skills and control self-destructive impulses (2003).

Massachusetts also provides some excellent prevention programs aimed at preventing youth from involvement in the juvenile justice system or from preventing youth who are already involved in the system from future involvement. There are effective prevention programs at work in communities all across Massachusetts. Their locations include schools, homes, youth centers, places of worship, and the streets. They are run by cities and towns, nonprofit organizations, state agencies, police departments, and health organizations. Many of these programs and interventions involve collaborations of various stakeholders. The interventions range from community-based, innovative programs to scientifically evaluated national models. Massachusetts is also home to community-based initiatives that have become national models.

Figure 4a-2: Key Juvenile Justice Decision Points and Options

- A police officer sees a juvenile
  - Approach to investigate potential violation(s) of the law
  - Don't approach
- A police officer approaches a juvenile
  - Take the juvenile home to parents or guardians
  - Let the juvenile stay where he/she is
  - Informal questioning
  - Formal field investigation
  - Take the juvenile into the police station for protective custody
  - Take the juvenile into the police station for investigative detention
  - Issue a summons to appear in court
  - Arrest
- A juvenile is arrested
  - Juvenile is sent directly to court for complaint filing and arraignment
  - Juvenile is sent home while awaiting complaint filing and arraignment
  - Juvenile is sent to Alternative Lockup program while awaiting complaint filing and arraignment
  - Juvenile placed in cell for up to six hours while awaiting complaint filing and arraignment
    - Juvenile then sent to directly to court
    - Juvenile is then sent to alternative lockup program while awaiting complaint filing and arraignment
- An application for complaint is filed with clerk
  - Probable cause determined – complaint issued, sent to arraignment
  - Probable cause determined – no complaint issued, diverted from system with agreement of prosecutor, informal resolution
  - No probable cause – no complaint issued
- Arraignment in court
  - Charges dismissed
  - Released on personal recognizance to guardian while awaiting trial
  - Bail set
    - Bail paid, juvenile home while awaiting trial
    - Bail set, bail not paid, juvenile held in detention while awaiting trail
  - 58A Dangerousness Hearing
    - Dangerous – held for trial
    - Not dangerous – bail hearing
- Sometime prior to trial
  - Indicted as youthful offender
  - Not indicted as a youthful offender
- Disposition, Plea Bargain or Admission to Sufficient Facts
  - Not delinquent or Not a youthful offender
  - Pre-trial probation
  - Admits to sufficient facts and given a "continuance without a finding," placed on probation with date to appear in court
  - Adjudicated delinquent
    - Probation
    - Suspended DYS commitment
    - DYS commitment
      - Secure or Non-secure confinement
      - Place in community with conditions
  - Adjudicated youthful offender
    - Adult sentence
    - Combination sentence (commit to DYS until age 21 & concurrent adult suspended sentence)
    - DYS commitment until age 21
      - Secure or Non-secure confinement
      - Place in community with conditions

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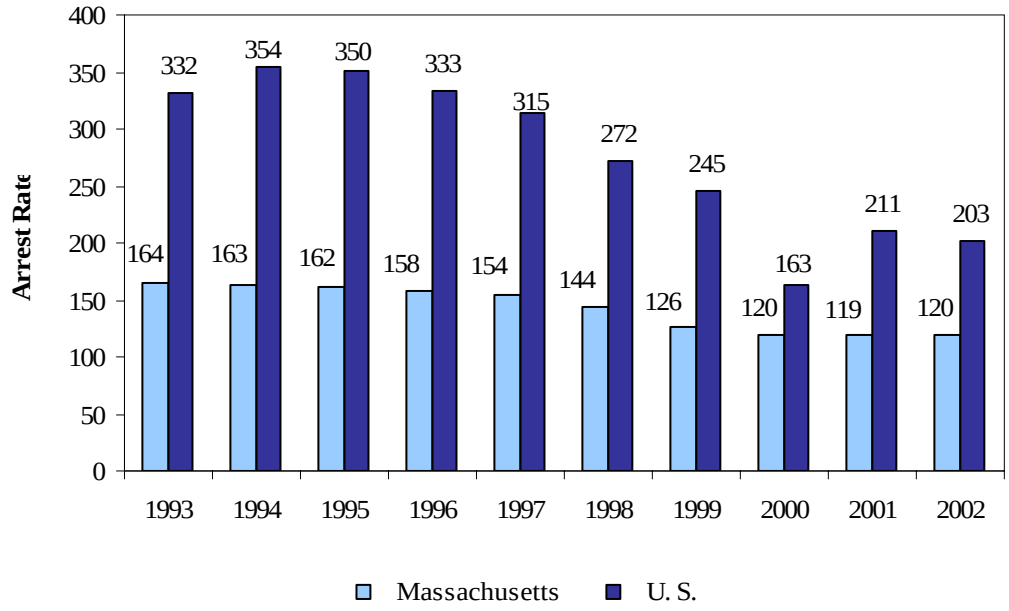
Juvenile Arrests[51]

Highlights:

- The juvenile *overall Part I crimes* arrest rate in Massachusetts has been declining and has been well below the national average since 1993.
- The juvenile *property crimes* arrest rate in Massachusetts has been significantly lower than (less than half) the national average since 1993.
- The juvenile *violent crimes* arrest rate in Massachusetts has been higher than the national average since 1997.

After a police officer engages a juvenile, the officer has to decide what is the best course of action. Police officers exercise discretion in making this decision, and their options include: 1) sending the juvenile on his/her way, 2) taking the juvenile to the home of a parent or guardian, 3) bringing the juvenile into the police station for protective custody, 4) bringing the juvenile into the police station for investigative detention, and finally 5) arrest. When a juvenile is arrested he/she is booked and charged and brought into the police station.[52]

Figure 4b-1. Massachusetts and United States Part I Juvenile Arrest Rates, per 100,000 Persons*, 1993-2002



Source: FBI Uniform Crime Reports. For this arrest data, juveniles are under age 18.
*Rate is based on total Massachusetts population (adult and juvenile).

[51] Juvenile arrests include arrests of individuals under the age of 18. The juvenile arrest rates in this section are based on the total population (adult and juvenile) and not just the juvenile population.

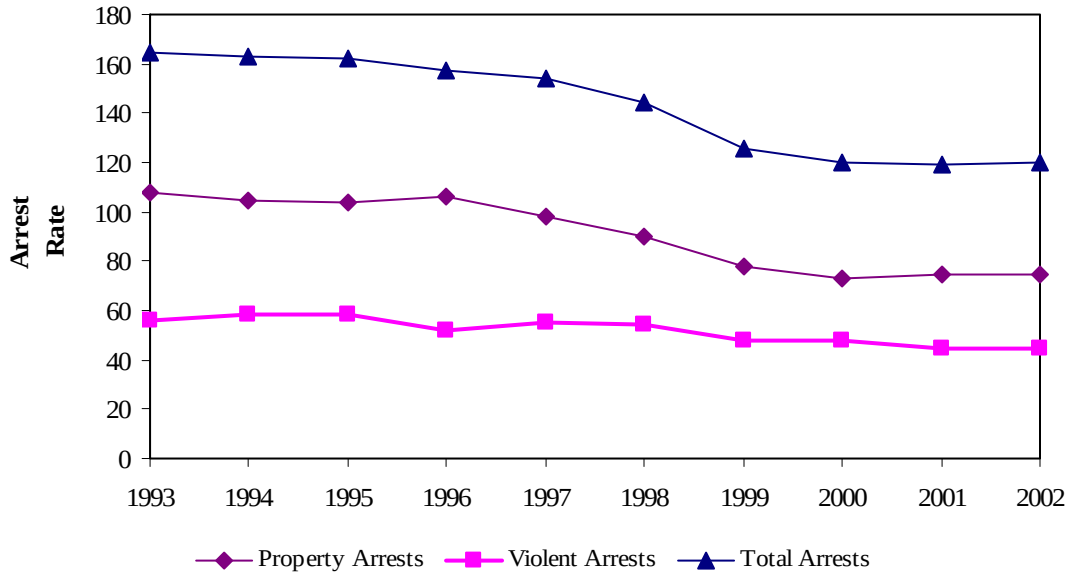
[52] After probable cause to believe that a juvenile has committed a criminal offense exists, the decision to proceed with prosecution rests with the District Attorney.

JUVENILES ARRESTED FOR PART I CRIMES

Part I crimes, also referred to as index crimes, include criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, arson, and motor vehicle theft (Siegel, 1995). The Massachusetts juvenile arrest rate[53] for Part I crimes has consistently remained considerably below the nationwide rate, and has declined 27% from a decade ago (see Figure 4b-1). In 2002, there were 120 juvenile Part I arrests for every 100,000 individuals in the general Massachusetts population.

Juveniles make up a significant percentage of arrests made in Massachusetts. One of every five persons (20%) arrested for a Part I crime in Massachusetts during 2002 was a juvenile. The juvenile arrest rate for all Part I crimes, which had continued to decline from 1993 through 2001, increased a mere 0.6% in 2002. In 2002, there was no significant change in the juvenile arrest rates for property offenses, while the violent crime arrest rate rose 1.8% from the previous year (Federal Bureau of Investigation, 2003).

Figure 4b-2. Massachusetts Part I Juvenile Arrest Rates 1993 - 2002, Per 100,000 Persons



Source: FBI Uniform Crime Reports. For this arrest data, juveniles are under age 18. Rate is based on total Massachusetts population (adult and juvenile).

Violent Crime Arrests

Massachusetts juvenile arrests for a violent crime represented 37% of all juvenile Part I crime arrests in 2002. Consistent with trends over the past decade, aggravated assault arrests comprised 79% of total juvenile violent crime arrests.

[53] Juvenile arrest rate is the number of individuals under the age of 18 who were arrested and is based on the total Massachusetts population (both adult and juvenile).

Since 1997, the Massachusetts juvenile violent crime arrest rate has remained considerably higher than the national rate. This is attributed to Massachusetts' juvenile aggravated assault rate, which has remained significantly higher than the U.S. rate.

Table 4b-1. Massachusetts and U.S. Juvenile Arrest Rates for Violent Crimes, 1993 to 2002

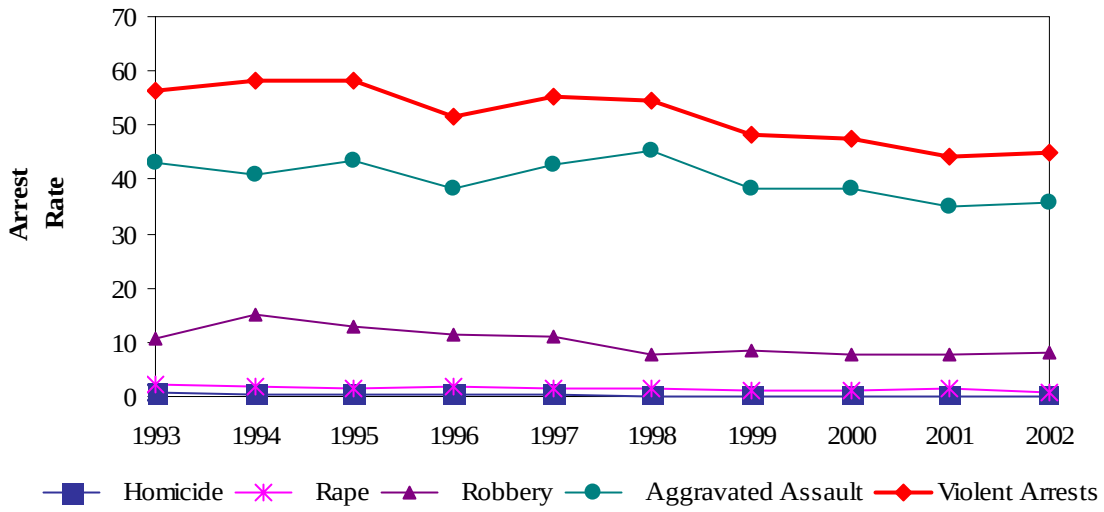
Offense	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	% Change 01-02	% Change 93-02
MA Violent Crime Arrest Rate	**56.2**	**58.2**	**58.1**	**51.6**	**55.4**	**54.7**	**48.1**	**47.5**	**44.2**	**45**	**1.8%**	**-19.9%**
US Violent Crime Arrest Rate	**55.9**	**60.2**	**60.2**	**53.8**	**47.2**	**43**	**39.5**	**29.6**	**34.8**	**32.4**	**-6.9%**	**-42.0%**
MA Homicide Arrest Rate	0.58	0.39	0.31	0.3	0.2	0.12	0.1	0.1	0.1	0.1	0.0%	-82.8%
US Homicide Arrest Rate	1.5	1.5	1.4	1.1	0.9	0.8	0.5	0.4	0.5	0.5	0.0%	-66.7%
MA Rape Arrest Rate	2.1	1.7	1.5	1.7	1.4	1.4	1.1	1	1.3	0.9	-30.8%	-57.1%
US Rape Arrest Rate	2.3	2.3	2.2	2.2	2.1	2	1.9	1.6	1.6	1.6	0.0%	-30.4%
MA Robbery Arrest Rate	10.5	15.2	12.8	11.3	11.1	7.6	8.3	7.9	7.9	8.3	5.1%	-21.0%
US Robbery Arrest Rate	20.2	23	24	21	15	12.6	11	9	9	8.7	-7.4%	-56.9%
MA Aggravated Assault Arrest Rate	43	41	44	38	43	45.5	38.5	38.5	35	36	2.9%	-16.3%
US Aggravated Assault Arrest Rate	31.6	33.7	33	30	28.9	27.6	26.2	18.5	23.3	22	-5.6%	-30.4%

Source: FBI Uniform Crime Reports. For this arrest data, juveniles are under age 18. Rate is based on total Massachusetts population (adult and juvenile) per 100,000.

Homicide and Rape. The number of juveniles arrested for homicide during 2002 remained the same from the previous year (n=4), and was the lowest since 1990, representing 0.2% of juvenile arrests for violent crimes. Between 1993 and 2002, the rate of juvenile arrests for homicide declined 83%. In 2002, the most notable change in violent crime arrests was for rape, which constituted 2% of all juvenile violent crime arrests. Arrests for the crime of rape in 2002 declined 37% from the prior year, resulting in a 31% drop in the rape arrest rate (Federal Bureau of Investigation, 2003).

Robbery and Aggravated Assault. In 2002, robbery arrests represented 18% of violent juvenile arrests. While juvenile arrests for robbery declined by 5% in 2002, the juvenile robbery arrest rate increased by 5%. In 2002, the juvenile arrest rate for aggravated assault increased 2% from the prior year.

Figure 4b-3. Massachusetts Juvenile Violent Offense Arrest Rates Per 100,000 Persons, 1993 - 2002



Source: FBI Uniform Crime Reports. For this arrest data, juveniles are under age 18. Rate is based on total Massachusetts population (adult and juvenile).

Property Crime Arrests

Consistent with the trends over the past decade, Massachusetts' property crime arrest rates have remained substantially below the nationwide rate (see Table 4b-2). Property crimes constituted 62% of all juvenile Part I arrests made during 2002. The juvenile property crime arrest rate declined 9% in 2002 over 2001. The *number* of arrests for each individual property crime also fell, with the largest percent decline being for arson arrests (33%) (Federal Bureau of Investigation, 2003).

Burglary and Larceny. One in five property crime arrests made in 2002 was for burglary (21%). The arrest rate for burglary reflects a 1% increase over 2001. Larceny represented the majority of all juvenile arrests (42%), continuing to surpass aggravated assault as the offense for which juveniles are most frequently arrested. Although the larceny arrest rate in 2002 increased 1.3%, it represents a significant decline of 23% from 1996, the peak over the past decade.

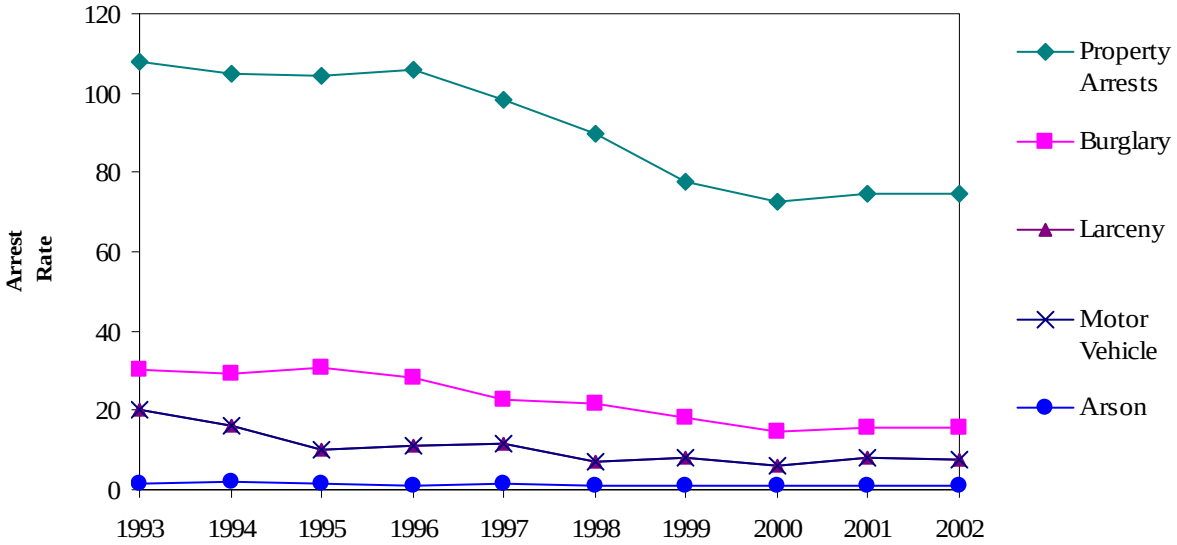
Motor Vehicle Theft and Arson. In 2002, motor vehicle theft arrests represented 10% of all property crime arrests and 6% of total arrests. The motor vehicle theft arrest rate declined 8% over 2001. The arson arrest rate fell 26% from 2000 to 2001, and represents 1% of juvenile property crime arrests in 2001.

Table 4b-2. Massachusetts and U.S. Juvenile Arrests and Arrest Rates for Property Crimes, 1993 - 2002

Offense	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	% Change 01-02	% Change 93-02
MA Property Crime Arrest Rate	**108**	**104.9**	**104.2**	**106**	**98.3**	**89.7**	**77.8**	**72.6**	**74.7**	**74.6**	**-0.1%**	**-30.9%**
US Property Crime Arrest Rate	**276.2**	**294.1**	**290.1**	**279.3**	**267.6**	**229.4**	**205.2**	**132.8**	**176.6**	**170.2**	**-3.6%**	**-38.4%**
MA Burglary Arrest Rate	30.1	29.1	30.8	28.1	22.7	21.4	18.1	14.6	15.6	15.8	1.3%	-47.5%
US Burglary Arrest Rate	54.2	55.7	53	51.5	49.4	44	37.5	30.4	32	30.1	-5.9%	-44.5%
MA Larceny Arrest Rate	56.4	57.9	61.4	65.6	62.9	60.1	50.2	50.6	49.8	50.5	1.4%	-10.5%
US Larceny Arrest Rate	183.1	198.6	200.6	195.1	189.2	161.3	145	84.2	123.9	121.3	-2.1%	-33.8%
MA Motor Vehicle Theft Arrest Rate	20	16	10.3	11.3	11.4	7.1	8.1	6.3	8.1	7.4	-8.6%	-63.0%
US Motor Vehicle Theft Arrest Rate	35.2	35.3	32.4	28.9	25.3	20.6	19.4	15.5	17.4	15.9	-8.6%	-54.8%
MA Arson Arrest Rate	1.5	1.9	1.7	1	1.4	1.1	1.2	1.1	1.2	0.9	-25.0%	-40.0%
US Arson Arrest Rate	3.7	4.5	4.4	3.8	3.8	3.4	3.4	3.1	3.3	2.9	-12.1%	-21.6%

Source: FBI Uniform Crime Reports. For this arrest data, juveniles are under age 18. Rate is based on total Massachusetts population (adult and juvenile).per 100,000.

Figure 4b-4. Massachusetts Juvenile Property Crime Arrest Rates, per 100,000 Persons, 1993- 2002



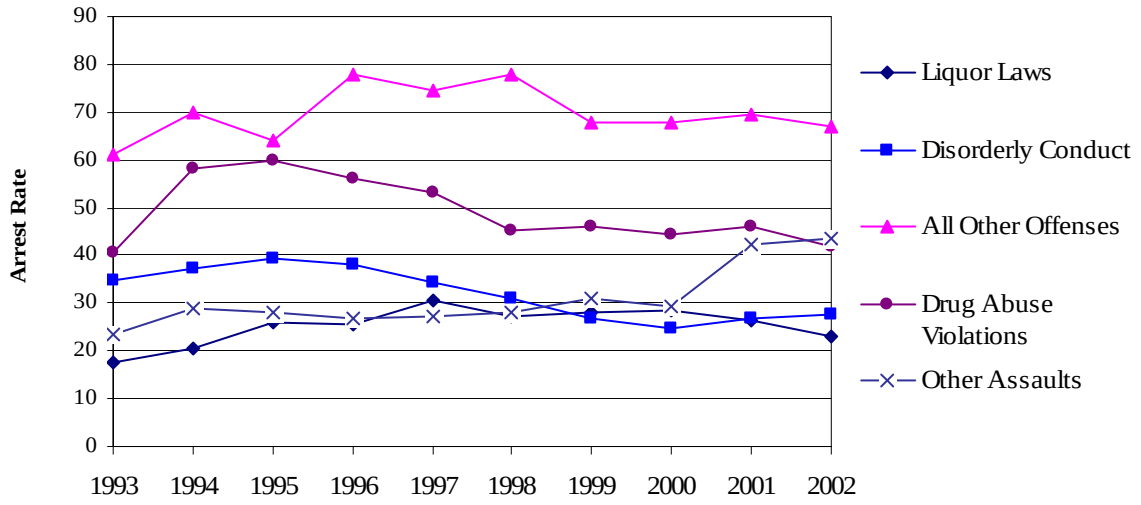
Source: FBI Uniform Crime Reports. For this arrest data, juveniles are under age 18. Rate is based on total Massachusetts population (adult and juvenile).

JUVENILE ARRESTS FOR PART II CRIMES

Part II crimes include other assaults, forgery and counterfeiting, fraud, embezzlement, buying/possessing stolen property, vandalism, weapons carrying/possessing, prostitution, sex offenses, drug abuse violations, gambling, offenses against family/children, driving under influence, liquor law violations, drunkenness, disorderly conduct, vagrancy, and all other offenses. They also include suspicion, curfew/loitering law violations, and runaways, which are status offenses. In 2002, there were 254 Part II juvenile arrests per 100,000 individuals in the general Massachusetts population.

Two-thirds of Part II type offenses showed decreases in juvenile arrests in Massachusetts. The most frequent Part II offenses for which juveniles were arrested included: other assaults[54], drug abuse violations[55], liquor laws, disorderly conduct, and all other offenses (see Figure 4b-5)[56]. Liquor laws, representing 9% of all Part II arrests, reflected the most significant decline in the rate of juveniles arrested among the five mentioned crimes. All other offenses, which comprised the majority of juvenile Part II arrests (26%), also reflected a decrease (4%) from the previous year. Drug abuse violations by juveniles, which constituted 17% of Part II arrests, fell by 8% in 2002. Juveniles arrested for disorderly conduct, which represented 11% of Part II arrests, increased by 3%. Other assaults, which accounted for 17% of Part II arrests, also increased by 3% in 2002 (Federal Bureau of Investigation, 2003).

Figure 4b-5. Most Common Juvenile Part II Crime Arrest Rates, per 100,000, 1993-2002



Source: FBI Uniform Crime Reports. For this arrest data, juveniles are under age 18. Rate is based on total Massachusetts population (adult and juvenile).

[54] "Other assaults" are defined as assaults and attempted assaults where no weapon is used and which do not result in serious or aggravated injury to the victim.
[55] "Drug abuse violations" are defined as any state and/or local offenses relating to the unlawful possession, sale, use, growing, and manufacturing of narcotic drugs.
[56] "All other offenses" are defined as all violations of state and/or local laws except those listed among the Part II crimes and traffic offenses.

In 2001, the total drug arrest rate saw a slight increase of 1% compared to 2000. Eight in ten (81%) juvenile drug arrests made in Massachusetts during 2001 were for possession, representing an 8% increase from the previous year (Federal Bureau of Investigation, 2002).

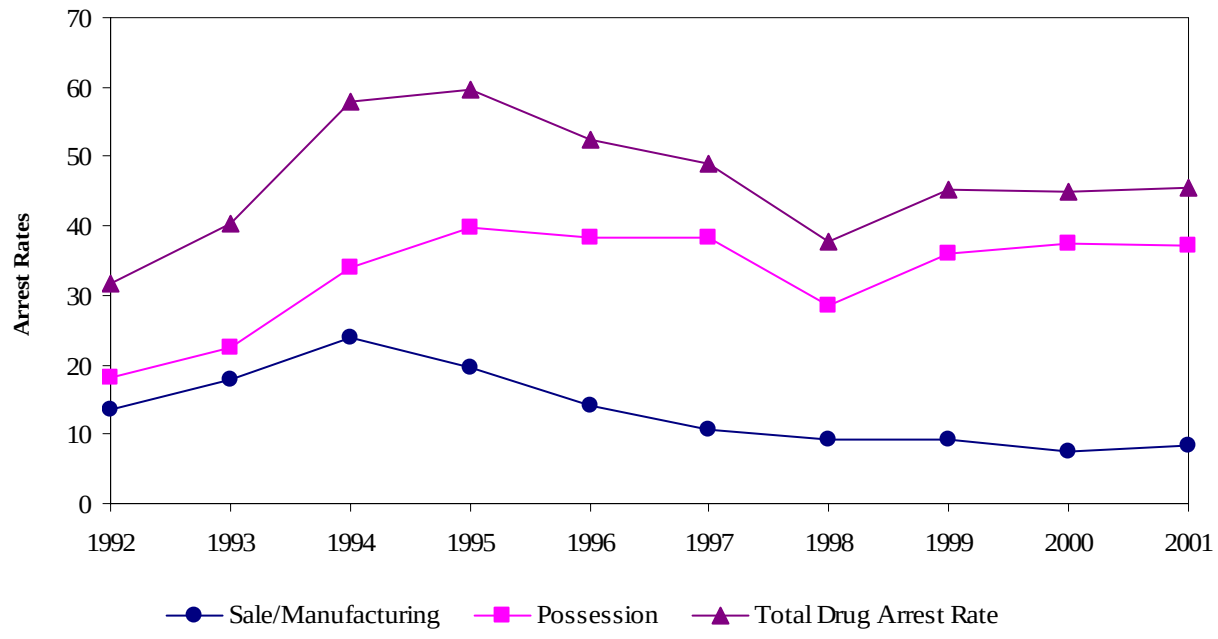
Opium, Cocaine and Derivatives (includes morphine, heroin, and codeine). In Massachusetts, juvenile arrests for the sale and manufacturing of opium, cocaine, and derivatives represented 40% of all sale and manufacturing arrests and 7% of possession arrests during 2001.

Marijuana. In 2001, 71% of all juveniles arrested for a drug offense in Massachusetts were arrested specifically for the possession of marijuana, representing 87% of all juvenile possession arrests in 2001. The sale and manufacturing of marijuana represented 55% of all sale and manufacturing arrests.

Synthetic Narcotics (includes Demerol and Methadone). Juveniles arrested in Massachusetts for the possession of synthetic narcotics represented 1.9% of possession arrests and 1.6% of all drug arrests in 2001. Arrests for the sale and manufacturing of synthetic narcotics represented 3% of all sale and manufacturing arrests, but a mere 0.6% of all drug violations.

Other (Barbiturates, Benzedrine). Other drugs represented 3.3% of total drug arrests and 4% of possession arrests. Sale and manufacturing arrests for these drugs constituted 2.4% of all sale and manufacturing arrests.

Figure 4b-6. Massachusetts Juvenile Drug Arrests Rates, 1992-2001, per 100,000 Persons



Source: FBI Uniform Crime Reports, 2002. For this arrest data, juveniles are under age 18. Rate is based on total Massachusetts population (adult and juvenile).

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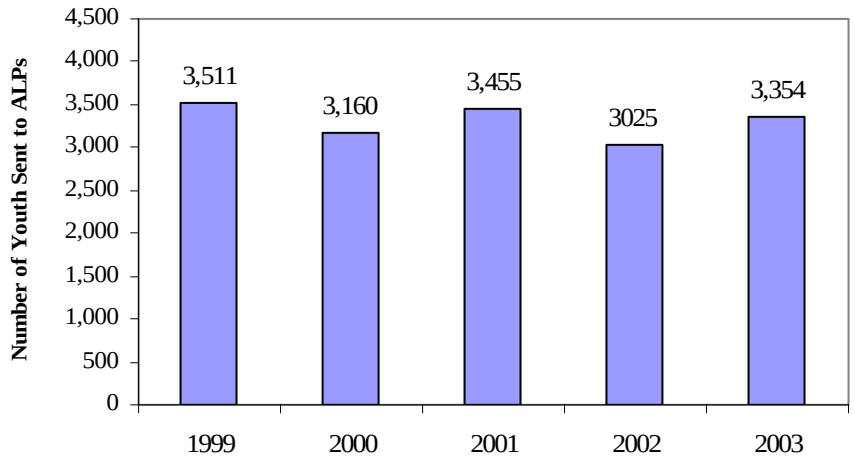
Alternative Lockup Programs

Highlights:
- In 2003, more than one-third of youth utilizing ALPs (35%) came from Suffolk County, yet only 9% of the youth population in the state (ages 10-17) came from Suffolk County.

If a juvenile is arrested and taken to the police station, a decision must be made about where he or she will wait for court arraignment if the arraignment cannot be done right away. Options for juveniles awaiting arraignment after arrest include: 1) sending them home with a parent or guardian, 2) sending them to the Department of Youth Services if they are already committed to DYS, or, 3) sending them to an alternative lockup program (ALP). The police officer and the probation officer together decide where to send the juvenile, taking into consideration many variables including prior offenses, seriousness of offense, whether or not a responsible adult can pick the juvenile up, etc. (see Figure 4c-5).

Alternative lockup programs were created for youth who could not be sent home with a parent or guardian and who could not be sent to DYS while awaiting arraignment. ALPs utilize both foster homes and residential facilities, and secure and non-secure placements (see Figure 4c-6 for more information about secure and non-secure placement).

Figure 4c-1. Secure Alternative Lockup Program Utilization, 1999-2003



Data from Executive Office of Pubic Safety, Programs Division, 2004 and Boston Overnight Lockup, 2004.
Chart created by the Executive Office of Public Safety. Youth could be counted twice if sent to ALP more than once.

ALPs help the police comply with both federal and state requirements, which include:
- No status offender may be securely detained for any length of time (Juvenile Justice and Delinquency Prevention Act, 2002).

- Juveniles charged with a delinquent offense may be securely detained for no longer than 6 hours (Juvenile Justice and Delinquency Prevention Act, 2002).
- Juveniles must be sight and sound separated from adults (Juvenile Justice and Delinquency Prevention Act, 2002).
- No juvenile under the age of 14 may be held in a police lockup (Mass. Gen. Laws ch. 119, § 67).

The Executive Office of Public Safety Programs Division oversees six secure alternative lockup programs across Massachusetts for detaining pre-arraigned serious and violent delinquents. These programs are primarily federally funded and have been set up to accommodate police and to enable the state to comply with the federal lockup removal core requirement under the Juvenile Justice and Delinquency Prevention Act (JJDP). Boston runs its own alternative lockup program without the use of federal funds through the Executive Office of Public Safety.

In 2003, there were 3,354 referrals[57] to secure alternative lockup programs (see figure 4c-1). From 1999 to 2003, the number of referrals has ranged between 3,025 and 3,511. The remainder of this section focuses primarily on secure alternative lockup programs.

GEOGRAPHY

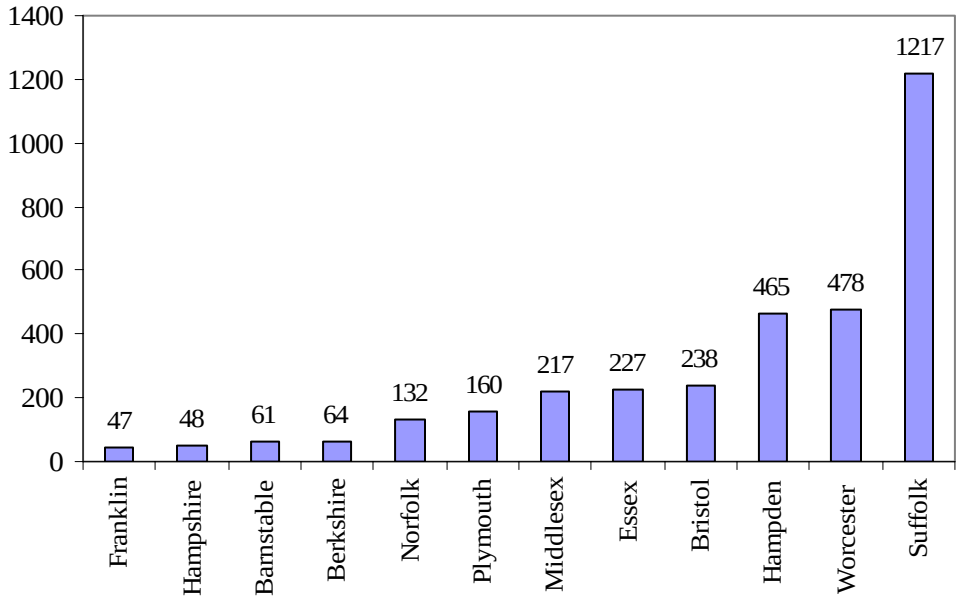
Secure alternative lockup program utilization varies significantly by county (see Figure 4c-2). Suffolk County has the highest number of youth utilizing alternative lockup programs (1,217), and over 35% of the youth who utilized ALPs in 2003 in Massachusetts came from Suffolk County.[58] This share is especially notable given that Suffolk County only comprises 9% of the youth population age 10-16. The counties with the second and third highest number of youth utilizing ALPs in 2003 were Worcester County (478) and Hampden County (465). Dukes County and Nantucket County do not use Alternative lockup programs.

When looking at secure ALP utilization rates (number of youths using ALPs per 1,000 youth age 10-16), Suffolk County continues to be at the top, followed again by Hampden County and Worcester County (see Figure 4c-3). Norfolk County and Middlesex County have the lowest ALP utilization rates.

[57] Referrals mean youth sent to ALPs or placements. One youth could be counted twice if he or she was sent to an ALP more than once.

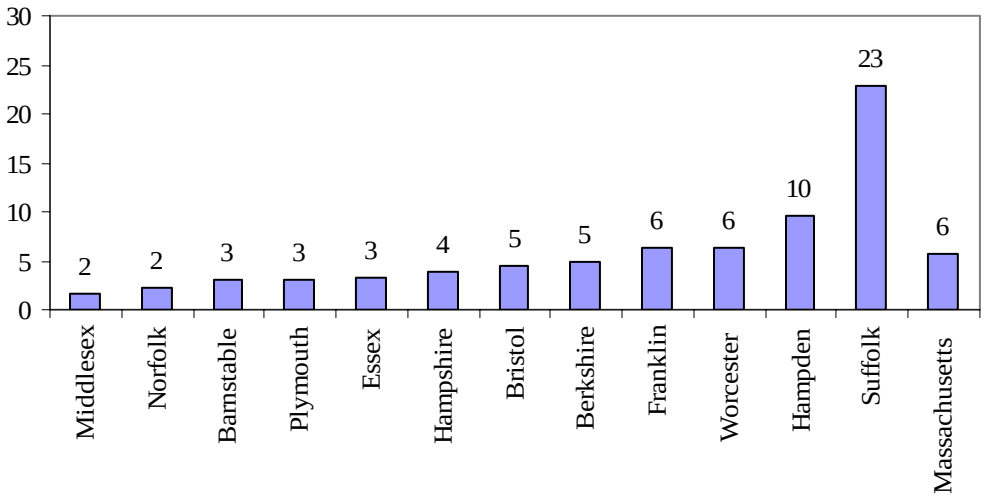
[58] Suffolk County data was collected primarily from the Boston Overnight Lockup whereas all other ALP data was collected from the Massachusetts Executive Office of Public Safety.

Figure 4c-2. Secure Alternative Lockup Program Utilization: Number of Juveniles Sent to Secure ALPs by County, 2003



Source: Executive Office of Pubic Safety, Programs Division, 2004 and Boston Overnight Lockup, 2004.

Figure 4c-3. Secure Alternative Lockup Program Utilization Rate 2000 (Number of youth using ALPs per 1,000 youth age 10-16)

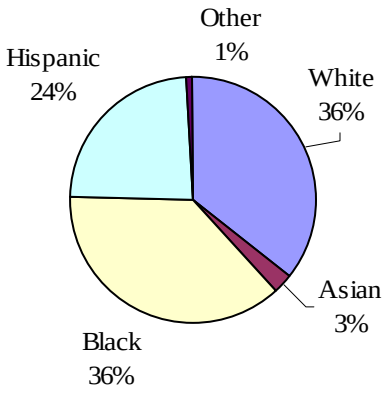


Source: Executive Office of Pubic Safety, Programs Division, 2004 and Boston Overnight Lockup, 2004.

RACE/ETHNICITY

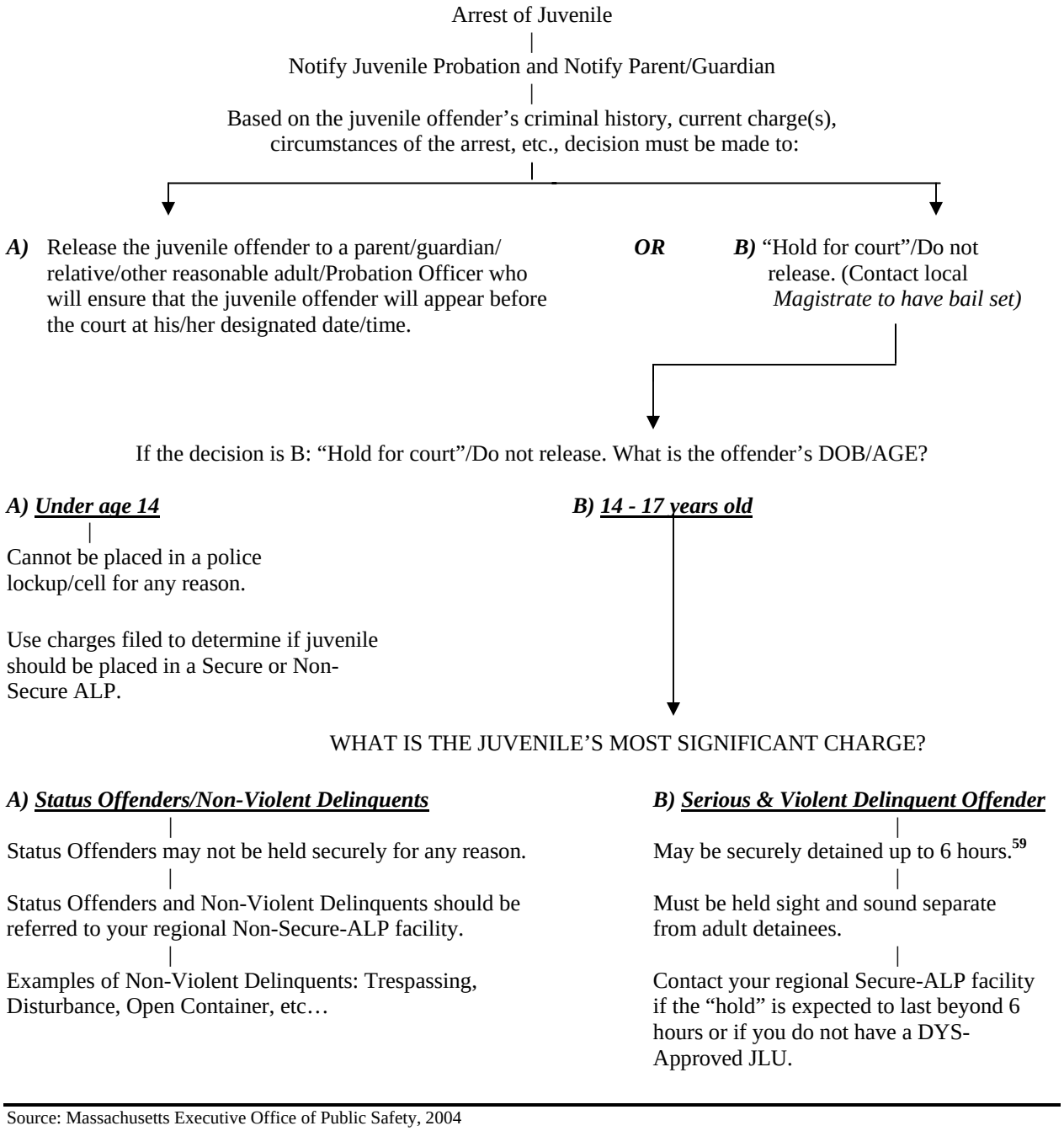
In 2003 there were 1,195 white juveniles (36%), 1,240 black juveniles (36%), 795 Hispanic juveniles (24%), 93 Asian juveniles (3%), and 31 juveniles of another race/ethnicity (1%) sent to secure alternative lockup programs statewide.

Figure 4c-4. Secure Alternative Lockup Program Utilization by Race/Ethnicity, 2003



Source: Executive Office of Pubic Safety, Programs Division, 2004 and Boston Overnight Lockup, 2004.

Figure 4c-5. Juvenile Lockup Flow Chart



Source: Massachusetts Executive Office of Public Safety, 2004

[59] Only for purposes related to identification, processing, releasing the offender to his/her parent(s)/guardian(s) or arranging transportation for the accused offender to court or an appropriate ALP facility.

Figure 4c-6. Alternative Lockup Program Charge Sheet (Revised January 2004) Massachusetts Executive Office of Public Safety

SECURE ALTERNATIVE LOCKUP PROGRAM

Aggravated Assault
Armed Robbery
Arson (any fire / burning related crime)
Assault & Battery
Assault & Battery on a Police Officer
Assault & Battery on a Public Official
Assault & Battery with a Dangerous Weapon
Attempted Murder
Auto Theft
Battery
Breaking and Entering (Day or Night)
Burglary
Civil Rights / Hate Crimes
Conspiring to Violate Drug Laws
Carjacking
Domestic Assault & Battery
Home Invasion
Inciting a Riot
Indecent Assault
Indecent Assault & Battery
Kidnapping
Larceny of a Motor Vehicle
Lewd & Lascivious Conduct
Manslaughter
Multiple Default Warrants (regardless of charges)
Murder (under age 14 only)
Pos. of Controlled Substance (any class) w/ Intent to Distribute
Possession of a Deadly Weapon (firearms, knives, explosive devices)
Prostitution / Solicitation of Prostitution
Rape
Resisting Arrest
Robbery (unarmed)
Sexual Assault
Stalking

NON-SECURE ALTERNATIVE LOCKUP PROGRAM

STATUS OFFENDERS: any and all status offenders (CHINS Warrants, Runaways, Stubborn Child, Truants, Youth Curfew Violators, or any other age related offense)

Assault
Breaking and Entering a Motor Vehicle
Destruction of Property
Disorderly Conduct
Disturbing the Peace
Domestic Assault
Failure to Stop for a Police Officer
Forgery / Counterfeiting
Graffiti / Defacing Property
Harassment
Intimidation of a Witness
Larceny (Over & Under $250)
Malicious Destruction of Property
Minor in Possession of Alcohol
Open Container / Public Consumption of Alcohol
Operating a Motor Vehicle w/o License
Possession of Ammunition
Possession of Burglary Tools
Possession of Controlled Substance (All Classes)
Possession of Dangerous Weapon (air rifles & other weapons)
Protective Custody
Receiving Stolen Property
Receiving Stolen Motor Vehicle
Runaway
Shoplifting
Trespassing
Unauthorized Use of Motor Vehicle

* In the event that the arresting agency finds itself needing to refer a juvenile to an ALP and feels strongly that the ALP designated by this charge sheet is not in the best interest of the juvenile and/or the ALP, the referring agency has the authority to supersede this charge sheet and refer the youth to the ALP (Secure/Non-Secure) that they deem is most appropriate.
* Unable to locate the charge? - use the charge on the sheet that most closely resembles the charge against the juvenile to determine placement.
* "Attempted" / "Conspiracy" / "Threats" charges - to refer a juvenile charged with attempting or conspiring to commit a crime, use the crime that was attempted or conspired to determine placement of the juvenile.
* Warrants - to place a juvenile arrested on a warrant, use the original charge in the warrant to determine placement.
* Violation of Probation - use original charge to determine placement of juvenile.

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Massachusetts Executive Office of Public Safety. (2004). Juvenile Lockup Flow Chart.

Mass. Gen. Laws ch. 119, § 67.

DYS Detention

After juveniles in Massachusetts are arraigned, a judge decides whether they should be detained and held on bail or released on personal recognizance. [60] Only juveniles who have been charged as delinquents or youthful offenders can be sent to detention:

> In deciding between personal recognizance or bail, the judge will consider the seriousness of the crime charged; whether the child has a prior criminal record, any family members in town, community or school ties; the likelihood that the child will not return to court on the next date; and any history of the child appearing at prior court proceedings (Mass. Gen. Laws ch. 276, § 58).

In some other states, detention decisions are guided by a uniform risk-scaling tool. However, in Massachusetts, the "statute guidelines are applied and the Juvenile Court determines whether secure detention is warranted at a detention hearing" (National Center for Juvenile Justice, 2004). When juveniles are held on bail, they are placed in a detention center until someone posts bail or until the case is resolved (National Center for Juvenile Justice, 2004). It is important to note that "detention cannot be ordered as a disposition nor as a sanction for violation of probation" (National Center for Juvenile Justice, 2004).

Highlights:
- The number of DYS detentions has been increasing over the last 10 years.
- Four out of 10 DYS detention admissions are from Worcester and Suffolk counties.
- The rate of detention admissions in Suffolk County was more than two times the state average.
- Minority youth are overrepresented in detention admissions compared to the general population.

The Massachusetts Department of Youth Services (DYS) administers 23 secure and staff secure detention facilities, which are either operated by DYS or by non-profit service providers. Secure facilities have locked perimeter doors, locked bedroom doors, locked screened windows, and restricted client movement. Staff secure facilities have no locked doors and emphasize security through client to staff ratios. Secure detention is used primarily for holding youth pre-adjudication, but may be used for youth who are committed by the Juvenile Court to DYS and are awaiting placement in a long-term residential facility. There are many services offered to juveniles while in secure detention, such as education, behavior management, health services and recreation. A violence prevention curriculum and substance abuse treatment services are also available (National Center for Juvenile Justice, 2004).

Approximately 27%-30% of Massachusetts juveniles arraigned in court on criminal charges are held on bail at DYS detention facilities while they await the outcome of their trial (Massachusetts Department of Youth Services, 2004). Juveniles sent to detention spend an average of approximately 18 days there.[61]

[60] Alternative lockup programs (APL) are one kind of "detention" in Massachusetts, but in this section, detention is defined as non-ALP detention utilized after arraignment.
[61] Massachusetts Department of Youth Services, 2004.

Between 1993 and 2003 the number of pre-trial detention admissions to DYS increased. There are many ways to look at the pre-trial detention population over time, including: 1) new admissions, 2) total number of admissions,[62] 3) bed nights and 4) one day counts of the total number of juveniles in detention. This chapter looks at new admissions and total number of admissions. In 2003, there were 6,408 total admissions to pre-trial detention, 5,562 of which were new admissions. In 2002, there were 6,824 total admissions to pre-trial detention, 5,262 of which were new admissions. In 2001, there were 5,706 total admissions to pre-trial detention, 5,283 of which were new admissions (Massachusetts Department of Youth Services, 2004).

According to Figure 4d-1, the number of new detention admissions to DYS (i.e. not previously committed to DYS custody) increased by 61% between 1993 and 2003 (3,446 to 5,562). The majority of total detention admissions are new admissions (87% in 2003).

Figure 4d-1. Number of New Detention Admissions to DYS, 1993-2003*

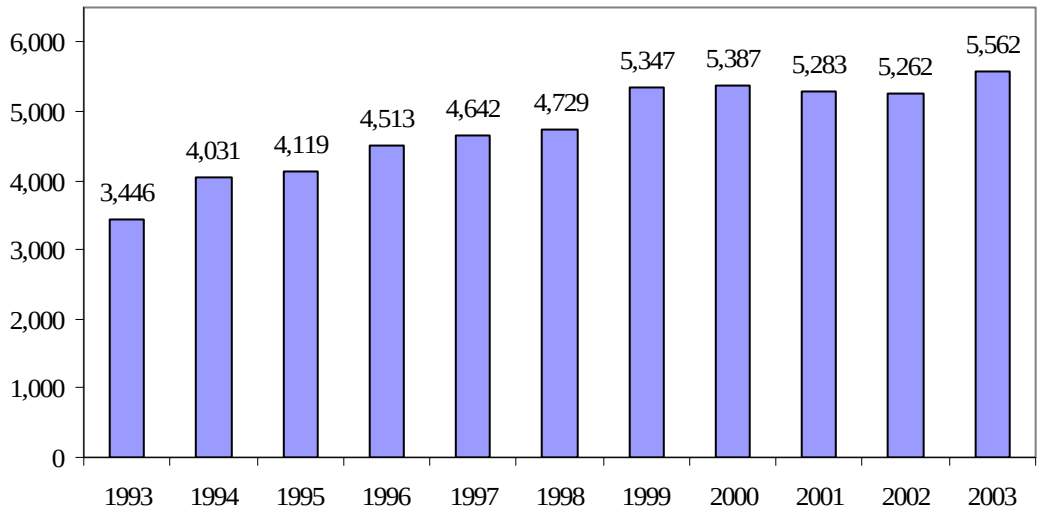


*Chart does not includes juvenile previously committed to DYS custody. Source: Massachusetts Department of Youth Services, 2004.

Table 4d-1. DYS Detention Admissions 2001-2003

Year	Total Number of Admissions (includes youth who were detained while committed to DYS)	Total Number of New Admissions	Percent of Admissions New to DYS
2001	5,706	5,283	93%
2002	6,824	5,262	77%
2003	6,408	5,562	87%

Source: Massachusetts Department of Youth Services, 2004.

[62] Total admissions include youth previously uninvolved with DYS and youth who were detained while already committed to DYS.

DETENTION ADMISSIONS BY AGE

In 2003, DYS Detention admissions varied by age. Over half of the DYS' detention admissions were youth age 15 and older (55%) and 45% were age 14 or younger (Department of Youth Services, 2004).

Table 4d-2. Total Detention Admissions by Age, 2003

Age	Total	Percent of Total
Age 9-11	68	1%
Age 12	337	5%
Age 13	907	14%
Age 14	1,546	24%
Age 15	1,725	27%
Age 16	1,477	23%
Age 17+	344	5%

Data from the Massachusetts Department of Youth Services, 2004.
Chart created by the Massachusetts Executive Office of Public Safety, 2004.
Figures may not add to 100% due to rounding.
Total may not add up to 6,408 because some cases do not have complete information.

GENDER

In 2003, approximately 79% of total detention admissions were male and 21% were female.

There is a slight difference in the race/ethnicity composition of the males and the females who are placed in detention (see Table 4d-3). Minority girls make up 54% of the female detention population, while minority boys make up 60% of the male detention population. The largest differences appear between white and Hispanic juveniles in detention. White girls make up 46% of the female detention population while white boys make up 40% of the male detention population. Conversely, Hispanic girls make up 16% of the female detention population while Hispanic boys make up 23% of the male detention population.

Table 4d-3. Detention Admissions by Race/Ethnicity and Gender, 2003

	Female		Male	
	Number	Percent	Number	Percent
White	612	**46%**	2,013	**40%**
Black	348	**26%**	1,296	**26%**
Hispanic	214	**16%**	1,142	**23%**
Asian	42	**3%**	171	**3%**
Other	119	**9%**	415	**8%**
Total	1,335	**100%**	5,037	**100%**

Source: Massachusetts Department of Youth Services, 2004. Table created by the Massachusetts Executive Office of Public Safety, 2004. Total may not add up to 6,408 because some cases do not have complete information.

GEOGRAPHY

In 2003, the largest share of detention admissions came from Suffolk County (20%) and Worcester County (19%). The fewest number of detention admissions in Massachusetts came from Franklin County, Hampshire County, Nantucket County and Dukes County.

In order to compare counties, we estimated DYS detention placement rates per 1,000 youth age 10-17 by county in 2003. Overall, there were approximately 10 DYS detention admissions per 1,000 youth age 10-17 in 2003. Suffolk County has the highest rate (21) followed by Hampden County (15), Berkshire County (15) and Worcester County (14). Norfolk County (4), Nantucket County (4) and Dukes County (4) had the lowest DYS detention placements rates (Department of Youth Services, 2004).

Table 4d-4. Detention Admissions by County, 2003

	Total Detention Admissions in 2003	Total population 10-17 according to 2000 US Census	Rate per 1,000
Suffolk	1,251	60,596	21
Hampden	851	55,329	15
Berkshire	222	14,845	15
Worcester	1,233	86,414	14
Franklin	81	8,541	10
Essex	718	80,984	9
Barnstable	187	22,030	9
Bristol	402	59,532	7
Plymouth	349	57,310	6
Hampshire	75	14,579	5
Middlesex	696	142,486	5
Norfolk	264	66,805	4
Nantucket	3	792	4
Dukes	6	1,692	4
Massachusetts	**6,408**	**671,935**	**9.5**

Source: Massachusetts Department of Youth Services, 2004 and the U.S. Census, 2000. Table created by the Massachusetts Executive Office of Public Safety, 2004. Total in counties does not add up to 6,408 because of out-of-state youth and cases with incomplete information.

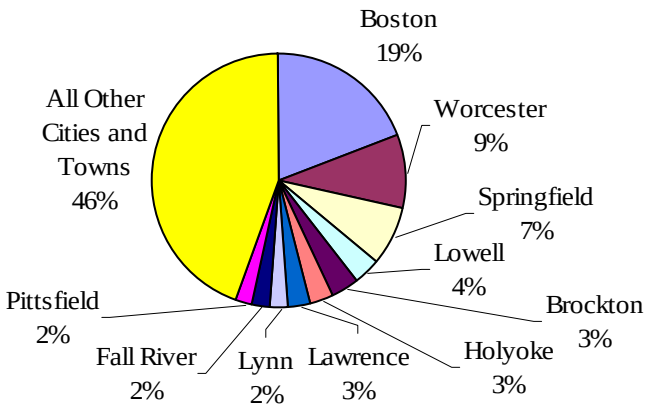
DYS detention admissions also vary significantly by city/town. Over half of the DYS admissions come from just 10 of the 351 cities and towns in Massachusetts (Department of Youth Services, 2004). Boston, Worcester, Springfield, Lowell, Brockton, Holyoke, Lawrence, Lynn, Fall River and Pittsfield made up 55% of the total DYS admissions in 2003 but only 23% of the total youth population under 18 (US Census, 2000).

Rates were again estimated in order to compare cities and towns with different populations. Rates were created per 1,000 youth under the age of eighteen.[63] The cities and towns with the highest rates of DYS detention placement per 1,000 youth under the age of 18 in 2003 were Holyoke,

[63] We used "under the age of 18" to create these rates because the information compiled by the Massachusetts Institute for Social and Economic Research, *Population 18 Years and Over and Percent Under 18 Years (on April 1, 2000): Massachusetts Cities, Towns, Counties and Congressional Districts*, had the most complete data for Massachusetts cities and towns. The citation is at the end of the chapter.

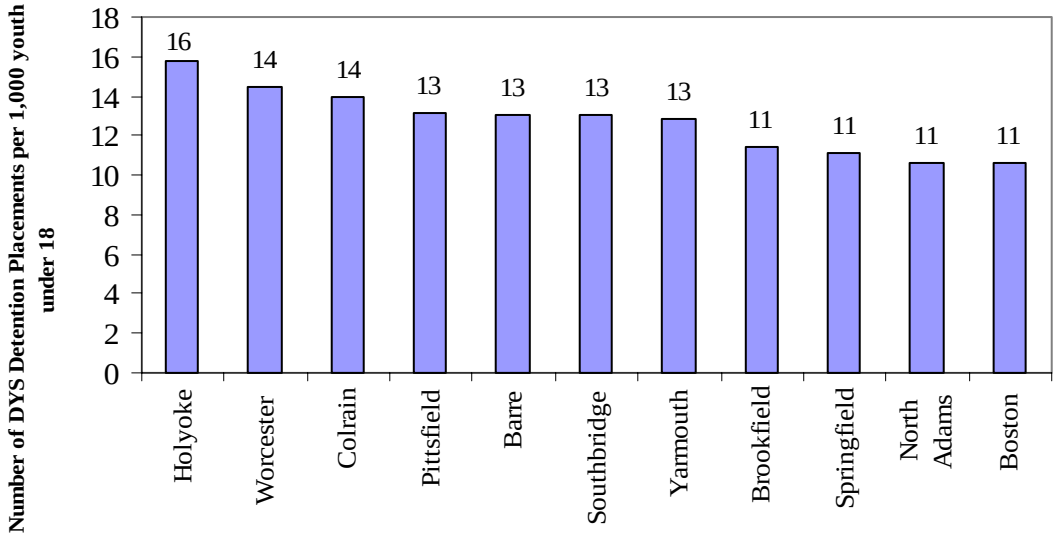
Worcester, Colrain, Pittsfield, Barre, Southbridge, Yarmouth, Brookfield, Springfield, North Adams and Boston (see Figure 4d-3).[64]

Figure 4d-2. Total DYS Detention Admissions by City/Town, 2003



Source: Massachusetts Department of Youth Services, 2004.

Figure 4d-3. Detention Placements Rates, 2003 (Top 11 Cities/Towns)



Source: Data from Massachusetts Department of Youth Services, 2004 and the 2000 U.S. Census. Complied by the Executive Office of Public Safety. Cities and Towns with under 5 total DYS detentions were excluded.

[64] Colrain and Brookfield have small populations, so their rates may be misleading. Colrain has 503 youth under the age of 18 and had 7 DYS detention admissions in 2003. Brookfield has 791 youth under the age of 18 and had 9 DYS detention admissions in 2003.

RACE/ETHNICITY

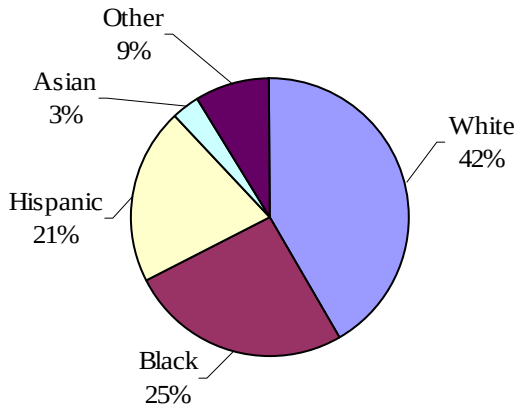
Black youth account for 25% of the total detention admissions in 2003, yet account for 7% of all youth ages 10-17. Hispanic youth account for 21% of the total detention admissions in 2003, but account for 10% of the total youth population ages 10-17.

Table 4d-5. Detention Admissions by Race/Ethnicity Compared to Race/Ethnicity of Total Youth Population Age 10-16, 2003

Race/Ethnicity	Percent of Total Detention Admissions in 2003	Percent of Total Youth Population Age 10-17
Black	25%	7%
Asian	3%	4%
Hispanic	21%	10%
White	42%	76%
Other	9%	4%
	100%	101%*

Source: Massachusetts Department of Youth Services, 2004 and 2000 US Census.
*Percents may not add up to 100% due to rounding.

Figure 4d-4. Race/Ethnicity of Secure Detention Admissions, 2003

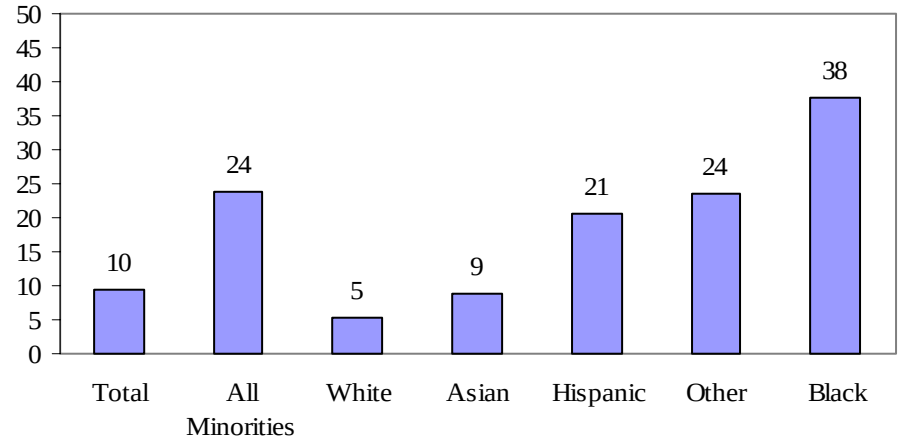


Data from the Massachusetts Department of Youth Services, 2004. Compiled by The Executive Office of Public Safety, 2004.

The rates of total DYS admissions per 1,000 youth also show disproportionate minority contact (DMC) with the juvenile justice system. In 2003, for every 1,000 white juveniles ages 10 to 17 living in Massachusetts, there were 5 secure detention placements. For every 1,000 minority juveniles ages 10 to 17 living in Massachusetts, there were 24 secure detention placements. Asian juveniles had a rate of 9 secure detention placements per 1,000; Hispanic juveniles had a rate of 21 secure detention placements per 1,000; Juveniles identifying as another race/ethnicity had a rate of 24 secure detention placements per 1,000; and black juveniles had a rate of 38 secure detention placements per 1,000 (see Figure 4d-5). It should be noted that while these rates show overrepresentation of minority youth being sent to detention when compared to the general population, overrepresentation is a result of decisions that can be compounded as a juvenile goes through the system. It would be incorrect to assume that overrepresentation of minority youth being

sent to detention originates in the Juvenile Court. An analysis of the impact of the decision points leading up to the detention decision (including arrest) would need to be carried out separately to discover at which point(s) the overrepresentation occurs. This analysis would need to be carried out separately.[65]

Figure 4d-5. Detention Rates by Race/Ethnicity, 2003 (# of juveniles placed in secure detention per 1,000 youth age 10-17 in the general population)

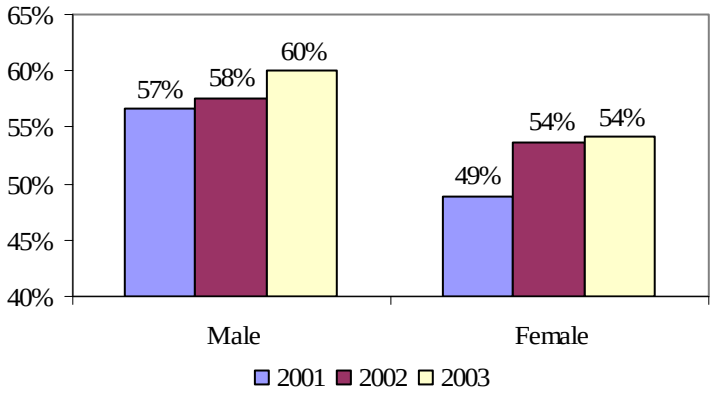


Source: Data from Massachusetts Department of Youth Services, 2004 and the 2000 U.S. Census. Data complied by the Executive Office of Public Safety.

DYS data show that the percent of total detention admissions that are made up of minority youth has increased over the past three years for both males and females. In 2001, minority youth made up 57% of the male detention admissions; in 2002, they made up 58% of the male detention admissions; and in 2003, they made up 60% of the male detention admissions. In 2001, minority youth made up 49% of the female detention admissions; and in 2002 and 2003, minority youth made up 54% of the female detention admissions (Department of Youth Services, 2004).

[65] At the moment, the Massachusetts arrest data is insufficient to do this analysis. Please see the About the Data chapter for more information.

Figure 4d-6. Percent of Total Detention Admissions that are Minority by Gender, 2001-2003



Source: Massachusetts Department of Youth Services, 2004.

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Juvenile Cases Processed In Juvenile and District Courts

The Court Reorganization Act of 1992 authorized the establishment of a statewide Juvenile Court in Massachusetts, and today, there are Juvenile Court divisions in all regions of Massachusetts[66] (Administrative Office of the Trial Court, n.d). The Massachusetts Juvenile Court has jurisdiction over the following:

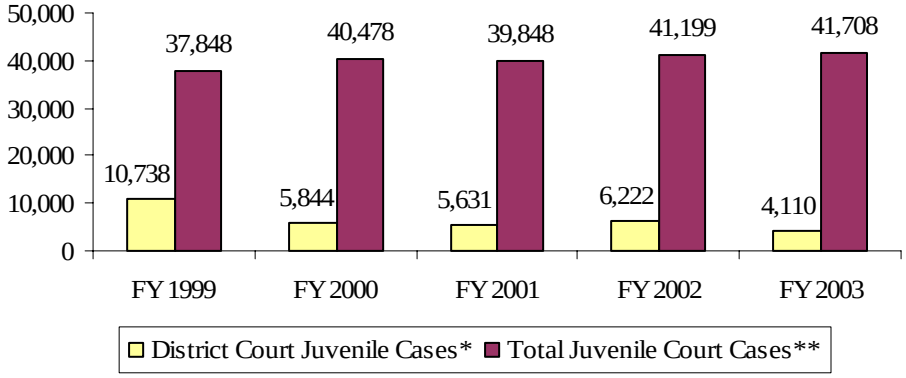
- Adoption (Mass. Gen. Laws ch. 210, § 1) (ancillary).
- Adult Contributing to a Delinquency of a Minor cases (Mass. Gen. Laws ch. 119, § 63).
- Care and Protection petitions (Mass. Gen. Laws ch. 119, § 26).
- Children In Need of Services (CHINS) (Mass. Gen. Laws ch. 119, § 39E).
- Delinquency (Mass. Gen. Laws ch. 119, § 58).
- Guardianship (Mass. Gen. Laws ch. 201, § 1) (ancillary).
- Mental Health commitments (Mass. Gen. Laws ch. 123).
- Termination of Parental Rights proceedings Mass. Gen. Laws ch. 119, § 26).
- Youthful Offender cases (Mass. Gen. Laws ch. 119, § 58).

Highlights:

- In 2003, males accounted for 73% of Juvenile Court delinquencies, 95% of youthful offenders and 48% of Juvenile Court CHINS petitions.
- In 2003Suffolk County had the highest numbers of delinquency complaints and youthful offender indictments in the state.

Before the implementation was completed, District Courts had jurisdiction over juvenile matters in the regions of the state without a Juvenile Court. From 1999 to 2003, as the statewide Juvenile Court was being expanded to hear all juvenile cases in the Commonwealth, the number of juvenile cases heard by District Court decreased and the number of juvenile cases heard by Juvenile Court increased reflecting this shift in jurisdiction (see Figure 4e-1).

Figure 4e-1. Summary of Cases Entered, 1999-2003



Source: Administrative Office of the Trial Court, 2004. *District Court Juvenile Cases include Delinquency, CHINS and Care and Protection cases. **Juvenile Court Cases include Delinquency, Youthful Offenders, Adults, CHINS Petitions, and Care & Protection.

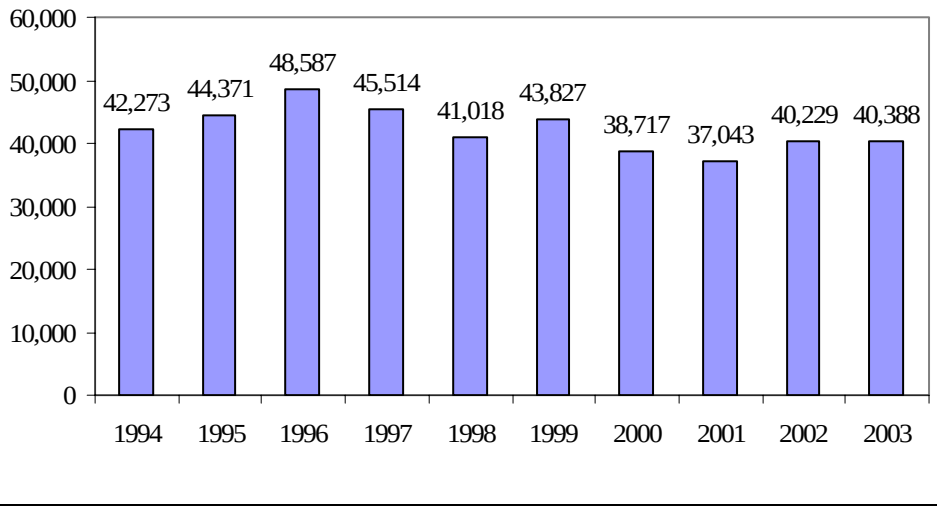
This chapter looks primarily at delinquency, youthful offender, and CHINS cases.

[66] Except for the Town of Brookline and the City of Gloucester.

DELINQUENCY

In Massachusetts, juvenile delinquents are defined as individuals who are adjudicated delinquent as a result of violating a state law, a city ordinance, or town by-law while they were at least age 7 but not yet age 17 (Mass. Gen. Laws ch. 119, § 52). The oldest age for original juvenile court jurisdiction for a delinquency complaint/charge in Massachusetts is 16. Nine other states also have 16 as their oldest age for original juvenile court jurisdiction. Three states have 15 as their oldest age for original juvenile court jurisdiction, and the remaining states have 17 as their oldest age for original juvenile court jurisdiction (Office of Juvenile Justice and Delinquency Prevention, 1999).

Figure 4e-2. Delinquency Complaints/Charges, 1994 - 2003



Data from the Administrative Office of the Trial Court, 2004. Data presented includes delinquency complaints from the Juvenile Court and charges entered in District Court. Chart created by the Executive Office of Public Safety, 2004.

When a delinquency complaint is issued, the District Attorney's office has the responsibility of prosecuting the matter. The prosecutor represents the interests of the Commonwealth in attempting to ensure a just resolution of the case that includes holding the juvenile accountable for any violations of the law. The prosecutor's discretion covers matters such as what charges to prosecute the defendant for – assuming that probable cause exists – and what case disposition to recommend to the court. On the other side of the adversarial system, the defense attorney has the duty to be a zealous advocate in protecting the juvenile's statutory and constitutional rights as an individual accused with a crime. The juvenile makes the ultimate decision of whether to plead guilty to the charge or request a trial. Delinquency proceedings are not open to the public, and juvenile court records are not subject to inspection without a court order.

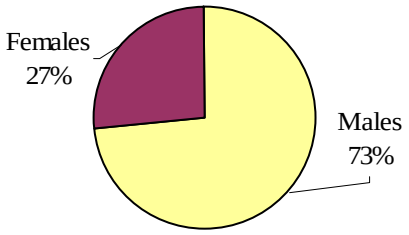
In 2003, there were 40,388 delinquency complaints issued by the Juvenile and District Court (see Figure 4e-2).[67] The number of delinquency complaints decreased 4% from 1994 to 2003. During

[67] According to the Administrative Office of the Juvenile Court, "delinquency complaints" in Juvenile Court represent the same data point as "juvenile charge" in District Court. In this case "delinquency complaints" represents both delinquency complaints in the Juvenile Court and juvenile charges in the District Court. In 2003 there were 32,775 delinquency complaints issued by the Juvenile Court. Also in 2003, there were 7,613 total juvenile charges entered in District Court. The 2003 Juvenile Court complaints involved 13,200 juveniles, and the 2003 District Court charges involved 4,110 juveniles. However, these data cannot be combined because the District Court double counts youth if

this time, the number of delinquency complaints has ranged from a low of 37,043 in 2001 to a high of 48,587 in 1996.

In 2003, 27% of the individuals with delinquency cases in Juvenile Court were female and 73% were male (see Figure 4e-3).

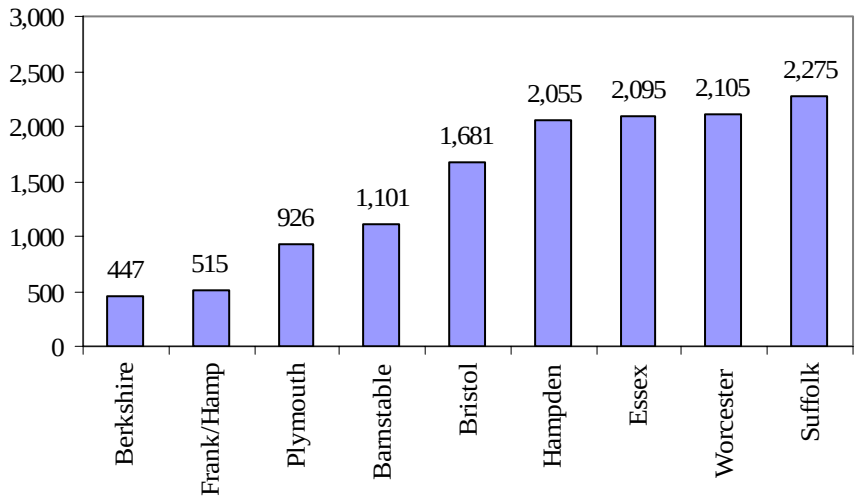
Figure 4e-3. Massachusetts Juvenile Court Delinquencies by Gender, 2003



Data from the Administrative Office of the Trial Court, 2004.
Chart created by the Executive Office of Public Safety, 2004.

In 2003, there were more individuals with delinquency complaints in Juvenile Court in Suffolk County than in any other Massachusetts county (see Figure 4e-4). Suffolk County, Worcester County, Essex County and Hampden County each had over 2,000 individuals with delinquency complaints in Juvenile Court in 2003.[68]

Figure 4e-4. Number of Juveniles with Delinquency Complaints in Juvenile Court by County, 2003



Data from the Administrative Office of the Trial Court, 2004. Chart created by the Executive Office of Public Safety, 2004.
Does not include any figures from Middlesex and Norfolk Counties, which were still under District Court jurisdiction.

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they have two cases in one year while the Juvenile Court does not (Administrative Office of the Trial Court, n.d., District Court Department – Juvenile Filings).

[68] Dukes County, Nantucket County, Middlesex County and Norfolk County are not in this data set.

A judge has four sentencing options if a juvenile is adjudicated delinquent on a complaint. The options are:

- Place the case on file ("delinquent filed"),
- Place the child on probation ("delinquent probation"),
- Commit the juvenile to the custody of DYS ("DYS committed"), or
- Suspend the sentence to DYS ("DYS suspended").

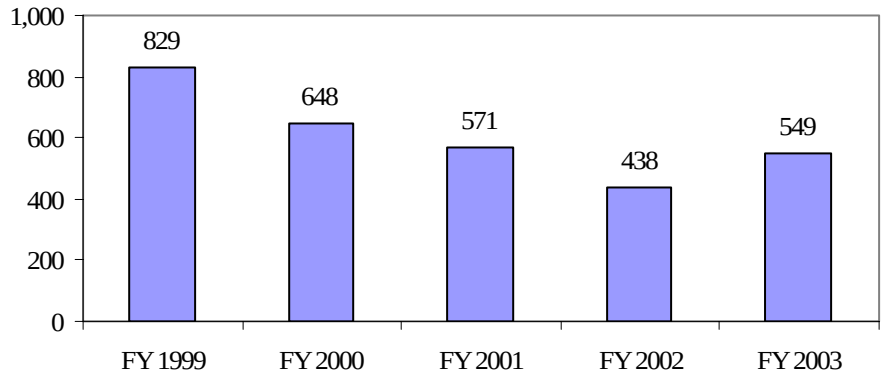
The probationary period is imposed until age 18, or until age 19 if the case was disposed after the juvenile turned 18 (Mass. Gen. Laws ch. 119, § 58). Another option for judges is a continuance without a finding (CWOF), which a child may receive after a trial or an admission to sufficient facts (Mass. Gen. Laws ch. 119, § 58). A CWOF is a form of probation that is generally reserved for first time offenders or less serious cases.

YOUTHFUL OFFENDERS

A youthful offender is a person who is subject to an adult or juvenile sentence for having committed, while between the ages of 14 and 17[69], an offense, which, if he/she were an adult, would be punishable by imprisonment in the state prison [i.e., a felony] and

- Has previously been committed to the Department of Youth Services (DYS), or
- Has committed an offense which involves the infliction or threat of serious bodily harm in violation of law, or
- Has committed a violation of [G.L. c. 269, § 10(a)(c), (d), G.L.c.269, § 10E (firearm offenses)] (Mass. Gen. Laws ch. 119, § 58).

Figure 4e-5. Juvenile Court Youthful Offender Cases Entered (Indictments), 1999-2003



Data from the Administrative Office of the Trial Court, 2004. Chart created by the Executive Office of Public Safety, 2004.

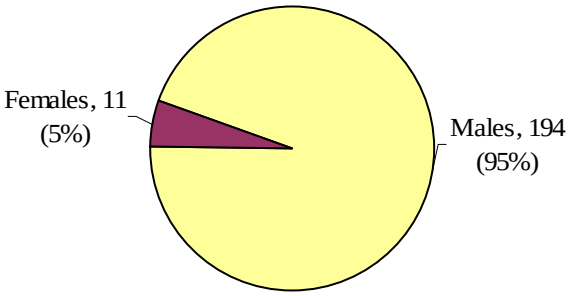
The District Attorney has discretion on whether to indict the juvenile as a youthful offender if the above requirements are met. An indictment is different from a complaint in that it is a grand jury that determines if probable cause exists. In most youthful offender cases the process starts with a complaint as a delinquency case and an indictment is sought on a later date. Once the matter is

[69] An individual cannot be indicted as a youthful offender if he/she allegedly committed the offense on or after his/her 17th birthday.

indicted, the delinquency charges, which have become indictments, are dismissed and the juvenile is arraigned on the indictments. At both the complaint and the indictment stages, the juvenile is entitled to a bail hearing. Occasionally, a juvenile is directly indicted without a preceding complaint. In contrast to delinquency cases, youthful offender cases are not confidential and are open to the public.

In 2003, there were 205 individuals indicted as youthful offenders (see Table 4e-1). Approximately 95% of the individuals were male (194) and 5% (11) were female. These individuals accounted for a total of 549 youthful offender indictments, an average of 2.7 indictments per offender.

Figure 4e-6. Massachusetts Youthful Offender Indictments by Gender, 2003



Data from the Administrative Office of the Trial Court, 2004.
Chart created by the Executive Office of Public Safety, 2004.

Over the past three years, females have accounted for 5% to 10% of the individuals indicted as youthful offenders and males have accounted for 90% to 95%**.** The total number of juvenile offender indictments (or cases entered) in Juvenile Court is generally greater than the number of individuals with juvenile offender indictments or cases. Between 1999 and 2003, the number of youthful offender cases entered in Juvenile Court decreased approximately 34% (from 829 to 549). From 2002 to 2003, the number of youthful offender cases entered in Juvenile Court increased approximately 25% (from 438 to 549).

Table 4e-1: Youthful Offenders in Juvenile Court, 2001-2003

	Males	Females	Total Individuals	Total Indictments	% Male	% Female
2001	171	11	182	571	94.0%	6.0%
2002	149	17	166	438	89.8%	10.2%
2003	194	11	205	549	94.6%	5.4%

Source: Administrative Office of the Trial Court, 2004.

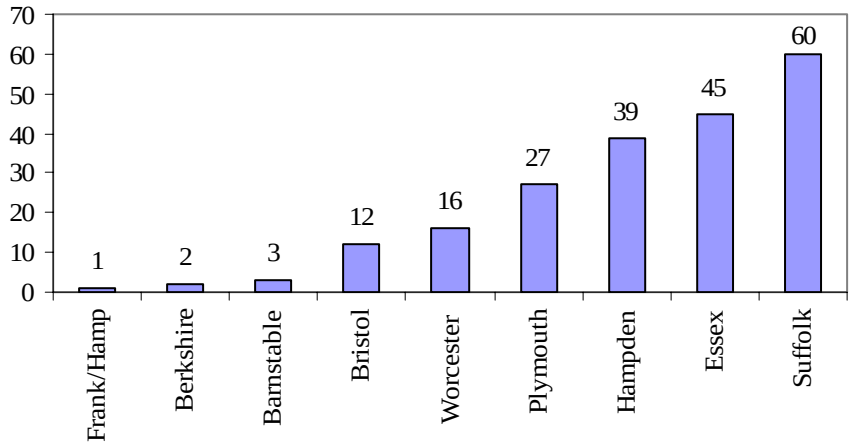
In 2003, more juveniles were indicted as youthful offenders in Juvenile Court in Suffolk County than in any other Massachusetts county (see Figure 4e-7). Essex County and Hampden County has the second and third largest numbers of individuals indicted as juvenile offenders.[70]

[70] Dukes County, Nantucket County, Middlesex County and Norfolk County are not in this data set.

When a juvenile is adjudicated as a youthful offender on an indictment, the court has three sentencing options:

- A sentence provided by law (an adult sentence).
- Commitment to DYS until the age of 21.
- A combination sentence, which includes commitment to the DYS until the age of 21 and an adult sentence to a house of correction or to a state prison. The adult sentence is suspended pending successful completion of a term of probation. (Mass. Gen. Laws ch. 119, § 58).

Figure 4e-7. Individuals Indicted as Youthful Offenders in Juvenile Court by County, 2003



Data from the Administrative Office of the Trial Court, 2004. Chart created by the Executive Office of Public Safety, 2004. Does not include any figures from Middlesex and Norfolk Counties, which were still under District Court jurisdiction.

CHILDREN IN NEED OF SERVICES (CHINS)

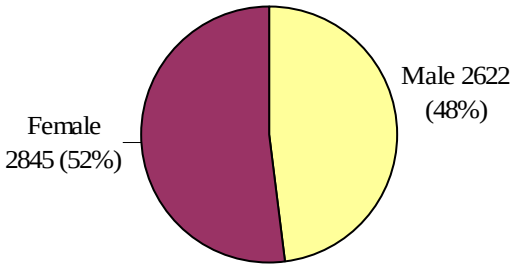
The goals of the CHINS statute are the following:

- Preventing future delinquency;
- Ensuring school attendance and compliance with school policies; and
- Providing support to families during times of stress (Mass. Gen. Laws ch. 119, § 39E).

A child may be determined to be a Child in Need of Services (CHINS) as a result of four non-criminal, non-delinquent behaviors: truancy, runaway, stubborn child, and school offender (Mass. Gen. Laws ch. 119, § 21). A CHINS petition can be filed for youth of different ages depending on the behavior. A petition can be filed for runaway or stubborn child if the child is under the age of 17. A petition can be filed for truancy or school offender if the child is at least age 6 but not yet age 16 (Mass. Gen. Laws ch. 119, § 21).

The Massachusetts Department of Social Services (DSS) is the primary provider of services under the children-in-need-of-services (CHINS) statute (Mass. Gen. Laws ch. 119, § 39G). In 2003, 50% of the children with CHINS applications in Juvenile Court were male and 50% were female. Also in 2003, 48% of the children with CHINS petitions were male and 52% were female (see Figure 4e-8).

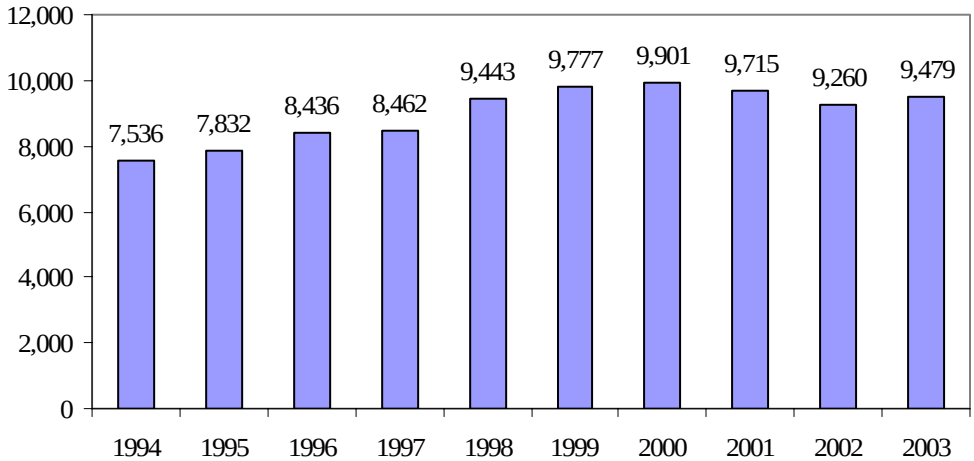
Figure 4e-8. Total Number of CHINS Petitions in Massachusetts Juvenile Court by Gender, 2003



Data from the Administrative Office of the Trial Court, 2004.
Chart created by the Executive Office of Public Safety, 2004.

There are three terms that are often used with CHINS cases: applications, petitions issued and petitions disposed. CHINS applications are filed in order to initiate the process of providing services. CHINS petitions are issued when a judge hears the case, accepts the application as a case and continues to formally appoint counsel. CHINS petitions are disposed when the case is terminated (Mass. Gen. Laws ch. 119, §§ 39E, 39G).

Figure 4e-9. CHINS Applications, 1994-2003



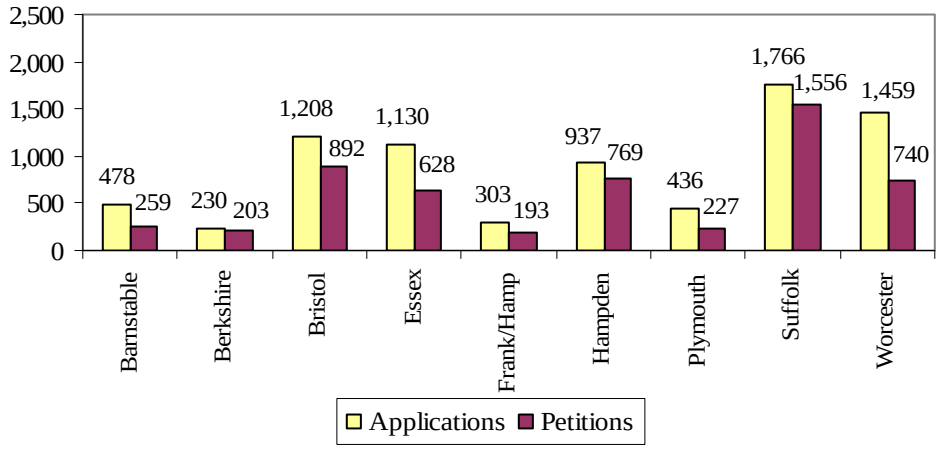
Data from the Administrative Office of the Trial Court, 2004. Data from District Court (CHINS applications received) and Juvenile Court (CHINS applications) combined. Chart created by the Executive Office of Public Safety, 2004.

In 2003, there were 9,479 CHINS applications received, of which 6,360 petitions were filed. From 1994 to 2003, the number of CHINS applications received in Massachusetts increased 26%.[71]

[71] Data represents a combination of Juvenile Court and District Court data. In Juvenile Court in 2003 there were 7,947 CHINS applications of which 5,467 petitions were issued. In District Court in 2003, there were 1,532 applications of which 893 petitions were issued. Also in 2003, there were 1,462 CHINS petitions disposed in District Court.

There were more CHINS applications in Juvenile Court in Suffolk County than in any other Massachusetts county (see figure 4e-10). Worcester County, Bristol County and Essex County had the second, third and fourth most applications, respectively. Suffolk County also had the largest number of CHINS petitions. Bristol County, Hampden County and Worcester County had the second, third and fourth most petitions, respectively.[72]

Figure 4e-10. CHINS Applications and Petitions in Juvenile Court by County, 2003



Source: Massachusetts Supreme Judicial Court, 2004.
Does not include any figures from Middlesex and Norfolk Counties which were still under District Court jurisdiction in 2003.

MENTAL HEALTH SERVICES EVALUATIONS

Many of the youth who come into contact with the Juvenile and District Courts require evaluation for mental illness or severe emotional problems. The Division of Forensic Mental Health Services, in the Department of Mental Health, provided a total of 3,201 evaluations to the 11 divisions of the Juvenile Court in 45 locations in 2003. Of these evaluations, 49% were delinquency cases (1,577); 44% were Children in Need of Services (CHINS) cases (1,396); 6% were Care and Protection cases (188); and 1% involved civil commitment for mental illness or substance abuse (40) (Massachusetts Department of Mental Health, 2004).

[72] Dukes County, Nantucket County, Middlesex County and Norfolk County are not in this data set.

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Juvenile Probation

*"Probation is a court-ordered sanction placed on a person convicted of a crime. The offender is allowed to remain in the community under the strict supervision of a probation officer. Massachusetts is the birthplace of probation, which was created by an industrious Boston shoemaker named John Augustus in 1841. Probation officially became part of the court system in 1878…Officers assigned to Juvenile Court supervise delinquency, youthful offenders, neglect and abuse and Children In Need of Services (CHINS) cases"(*Office of the Commissioner of Probation, n.d.).

The Office of the Commissioner of Probation operates two levels of supervision for juvenile offenders: administrative probation and risk/need probation.[73] This chapter focuses primarily on risk/need probation and uses data from the Office of the Commissioner of Probation and from the 2000 U.S. Census, which was complied by the Executive Office of Public Safety. According to the Office of the Commissioner of Probation, in 2002, there were 6,410 juveniles placed on risk/need probation (new cases).[74] The number of youth placed on risk/need probation increased 91% between 1993 and 2002 and increased slightly in between 2001 and 2002 (see Figure 4f-1). From 1993 to 2002, the total risk/need probation caseload increased 34%.

Highlights:

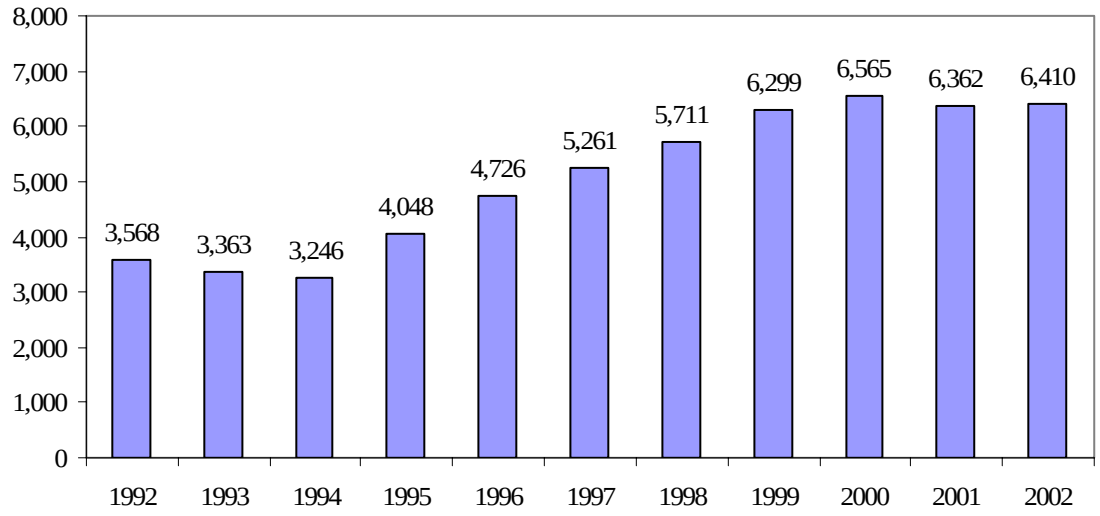
- The total number of youth placed on risk/need probation (new cases) has nearly doubled over the last 10 years, with the largest increases in controlled substance offenses, person offenses, and other offenses.
- Females placed on risk/need probation have been growing at a faster rate than males placed on probation.
- Male juveniles placed on risk/need probation were more likely to have property and drug offenses compared to females, while female juveniles placed on risk/need probation were more likely to have person offenses.
- Minority juveniles were overrepresented in risk/need probation placements compared to the total youth population, and were twice as likely to be placed on probation as white juveniles.
- Juvenile probationers are increasingly being assigned to the highest level of supervision, and the minimum level of supervision is less frequently used.

Massachusetts probation data show that in 2002, there were 2,552 juveniles placed on risk/need probation for person offenses, 2,266 for property offenses, 753 for controlled substances offenses, 276 for motor vehicle offenses, and 563 for other offenses (see Figure 4f-2 and Table 4f-1). From 1993 to 2002, the number of juveniles placed on risk/need probation for property offenses increased 46%, controlled substances offenses increased 303%, motor vehicle offenses increased 67%, and other offenses increased 141%.

[73] According to information provided by the Office of the Commissioner of Probation, risk/need probation is exercised in all felony, misdemeanor, and delinquency cases in which supervision is ordered by the court, except for those cases which are assigned to DUIL supervision, CHINS supervision, and administrative supervision. Risk/need supervision is designed for only those cases where a comprehensive assessment and classification process is necessary to respond effectively to the risk to the community presented by the offender and to the individual offender's needs. Administrative supervision is exercised in those cases where the primary purpose of the court's order is the enforcement of the collection of monies and/or any specific court orders. Care and Protection cases are subject to administrative supervision.

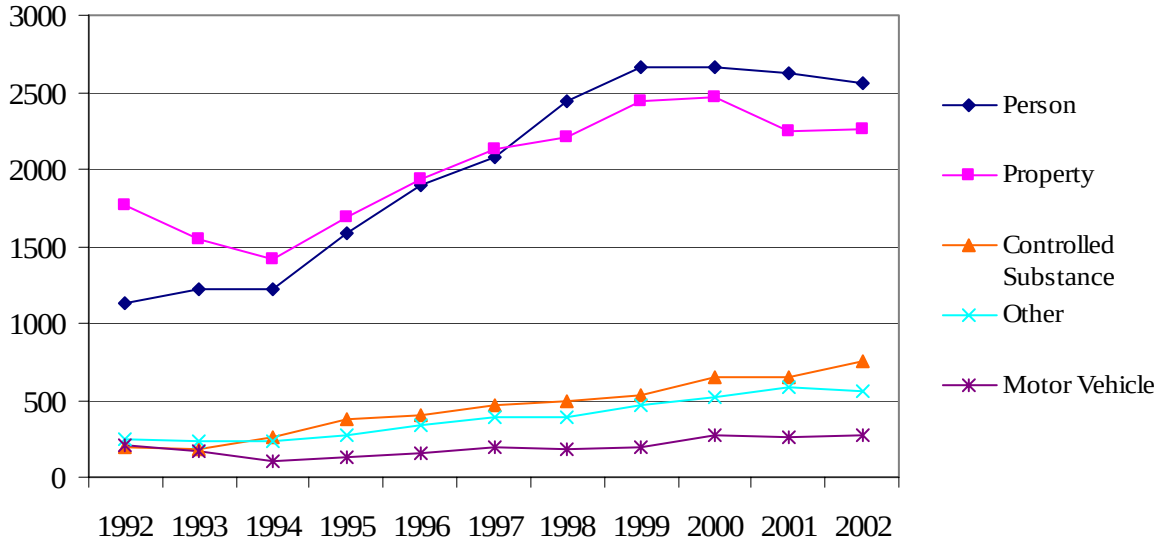
[74] "Placed on probation" means new case. All of the data in this section unless otherwise noted represents new cases.

Figure 4f-1. New Risk/Need Probation Cases, 1992-2002



Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety.

Figure 4f-2. Juvenile Court Risk/Need Probation Offense Characteristics, New Cases, 1992-2002



Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety.

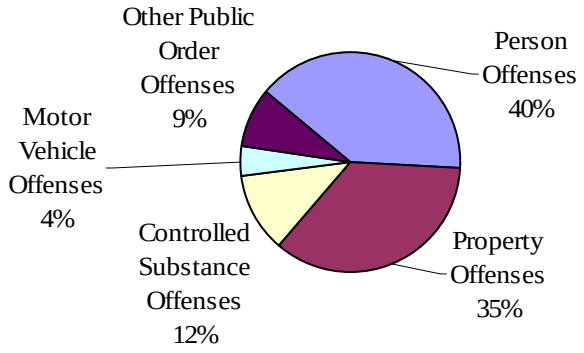
Table 4f-1. Statewide Juvenile Risk/Need Offense Characteristics, New Cases, 1993-2002

Offense Characteristics	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	Change 1993-2002	Change 2001-2002
Person Offenses	1,226	1,226	1,579	1,894	2,076	2439	2,659	2,663	2,620	2,552	+108%	-3%
Property Offenses	1,551	1,416	1,692	1,935	2,135	2205	2,441	2,465	2,246	2,266	+46%	+1%
Controlled Substance Offenses	187	265	374	403	471	497	538	649	654	753	+303%	+15%
Motor Vehicle Offenses	165	101	124	158	191	182	199	273	262	276	+67%	+5%
Other Public Order Offenses	234	238	279	336	388	388	462	515	580	563	+141%	-3%
Total	3,363	3,246	4,048	4,726	5,261	5711	6,299	6,565	6,362	6,410	+91%	+1%

Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety.

Between 2001 and 2002, the number of juveniles placed on risk/need probation for person offenses decreased approximately 3%, property offenses increased approximately 1%, controlled substances offenses increased approximately 15%, motor vehicle offenses increased approximately 5%, and other offenses decreased approximately 3%.

Figure 4f-3. Offenses of Juveniles Placed on Risk/Need Probation, 2002



Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety. Represents new cases.

The juveniles placed on risk/need probation in 2002 exhibited many behaviors that have been identified as contributing to delinquent behavior. Thirty-four percent of the males and 27% of the females had a prior record within the previous 5 years. Approximately one-half of both the males and females were under the age of 15 years when they committed their first offense. Males and females exhibited a similar degree of problems with school discipline, substance abuse, and peer relations. An overwhelming percentage of the males and females also demonstrated a need for counseling (72% and 73%, respectively) (The Office of the Commissioner of Probation, 2002).

Table 4f-2. Problems Exhibited by the Juvenile Risk/Need Population by Gender, 2002

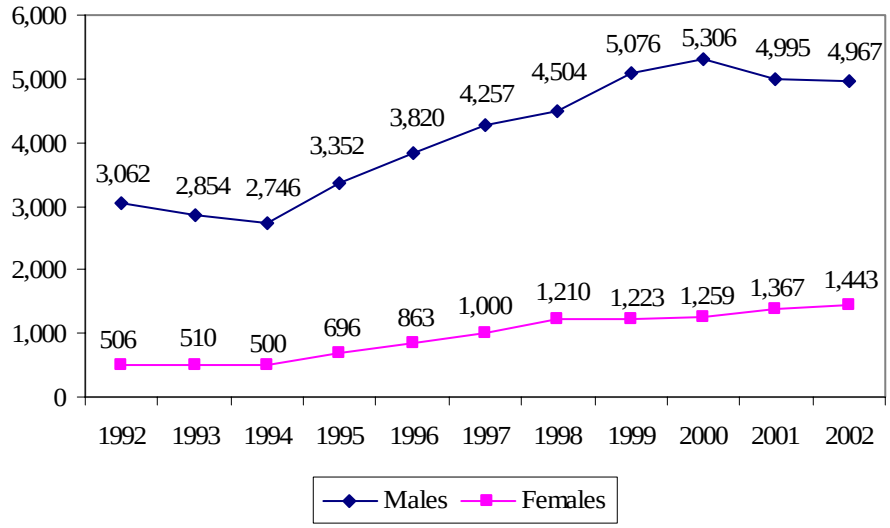
Gender of Probationer	Prior Record Within the Past 5 Years	< 15 Years Old at First Offense	School Discipline Problem	Substance Abuse Problem	Peer Relation Problem	Counseling Need
Male	34%	54%	85%	62%	84%	72%
Female	27%	50%	86%	60%	86%	73%

Data from the Office of the Commissioner of Probation, 2004. Compiled by the Executive Office of Public Safety. Represents new cases.

GENDER

The number of males and females placed on risk/need probation has increased in the past 10 years (see Figure 4f-4). From 1993 to 2002, the number of males placed on risk/need probation increased from 2,854 to 4,967, a 74% increase. From 1993 to 2002, the number of females placed on risk/need probation increased from 510 to 1,443, a 183% increase. Between 2001 and 2002, the number of males placed on risk/need probation decreased slightly (less than 1%) and the number of females placed on risk/need probation increased 5.6%. While the number of males placed on risk/need probation has been higher than the number of females placed on risk/need probation for the past 10 years, the increase in females was higher during this time. In 1993, females made up 15% of the total risk/need probation juvenile placements and in 2002, females made up 23% of the total risk/need probation juvenile placements.

Figure 4f-4. Number of Males and Females Placed on Risk/Need Probation, 1992-2002



Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety. Represents new cases.

Males and females who are placed on risk/need probation differed in their offense characteristics in 2002 (see Figure 4f-4 and Figure 4f-6). Forty-nine percent of the females compared to 37% of the males were placed on risk/need probation for person offenses. Twenty-eight percent of the females compared to 38% of the males were placed on risk/need probation for property offenses. Eight percent of the females compared to 13% of the males were placed on risk/need probation for drug offenses.

Figure 4f-5. Female Juvenile Court Risk/Need Offense Characteristics, 2002

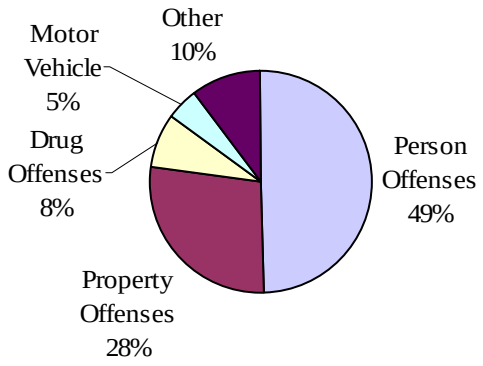
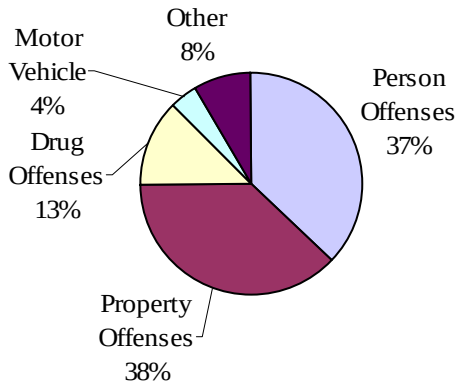


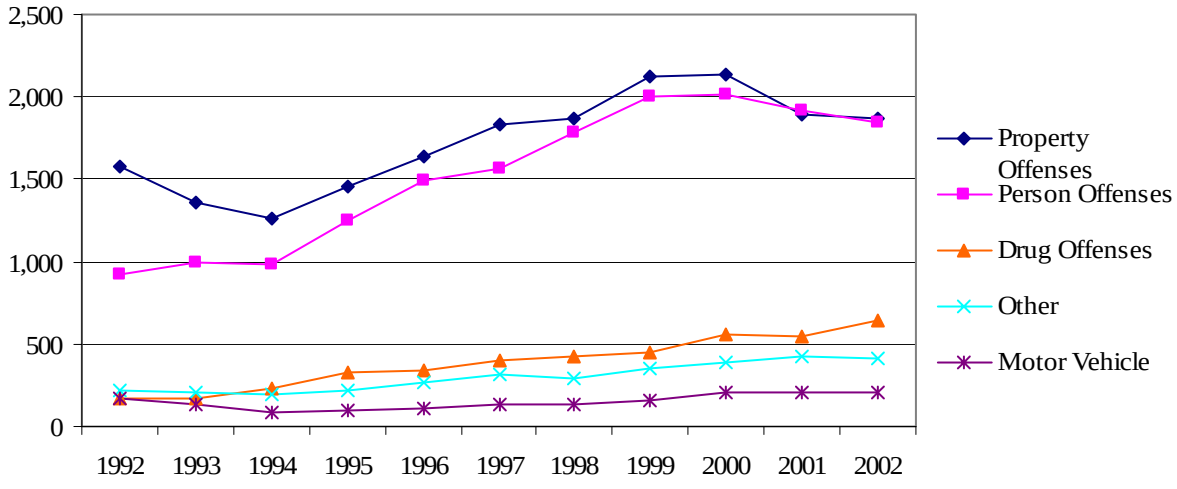
Figure 4f-6. Male Juvenile Court Risk/Need Offense Characteristics, 2002



Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety. Represents new cases.

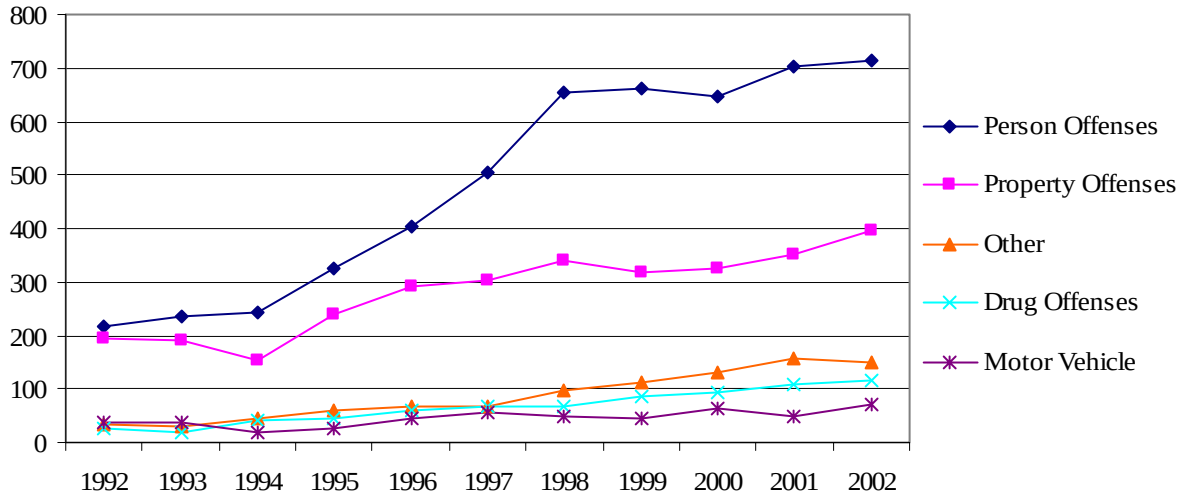
Between 1993 and 2002, the number of males placed on risk/need probation for person offenses increased 86%, property offenses increased 37%, drug offenses increased 280%, motor vehicle offenses increased 60%, and other offenses increased 102% (See Figure 4f-7). The number of females placed on risk/need probation increased for each of the offense categories also (see Figure 4f-8). The number of females placed on risk/need probation for person offenses increased 202%, property offenses increased 109%, drug offenses increased 505%, motor vehicle offenses increased 94% and other offenses increased 410%.

Figure 4f-7. Male Juvenile Court Risk/Need Probation Offense Characteristics, New Cases, 1992-2002



Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety.

Figure 4f-8. Female Juvenile Court Risk/Need Probation Offense Characteristics, New Cases, 1992-2002

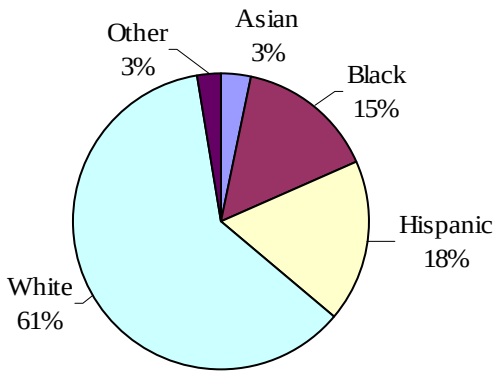


Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety.

RACE/ETHNICITY

In 2002, of those placed on risk/need probation, 3,937 were white juveniles (61%), 961 were black juveniles (15%), 1,136 were Hispanic juveniles (18%), 211 were Asian juveniles (3%), and 165 juveniles were of other or mixed race/ethnicity (3%).

Figure 4f-9. Massachusetts Risk/Need Probation Placements by Race/Ethnicity, 2002

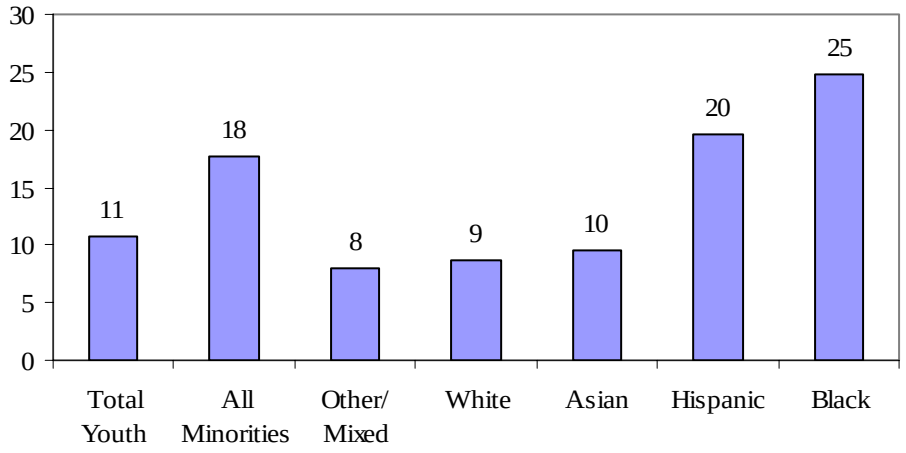


Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety. Data represents new cases.

In 2002, for every 1,000 minority juveniles age 10-16 in Massachusetts, there were 18 new risk/need probation placements, while for every 1,000 white juveniles in Massachusetts, there were 9 new risk/need probation placements (see Figure 4f-10). For every 1,000 Asian juveniles, there were 10 new risk/need probation placements; for every 1,000 Hispanic juveniles, there were 20 new

risk/need probation placements; and for every 1,000 black juveniles, there were 25 new risk/need probation placements. For every 1,000 youth who identified as other or multiple race/ethnicity there were 8 new risk/need probation placements. These rates show overrepresentation of minority youth being placed on probation when compared to their representation in the general youth population. However, overrepresentation is a result of decisions that can be compounded as a juvenile goes through the system. For example, it would be incorrect to assume that overrepresentation of minority youth being placed on probation necessarily originates in the Juvenile Court. In order to understand the sources of overrepresentation of minority youth on probation, an analysis of the decision points leading up to probation placement (including arrest, magistrate's hearing, and arraignment) would need to be carried out separately.[75]

Figure 4f-10. Probation Placement Rates by Race/Ethnicity, 2002 (Number of youth per 1,000)*



*Number of youth per 1,000 in the general population ages 10-16. Data from the Office of the Commissioner of Probation. In 2002, there were 211 Asian juveniles, 961 black juveniles, 1136 Hispanic juveniles, 3937 white juveniles and 165 juveniles of other race /ethnicity (American Indian and Cape Verdean) placed on probation as new cases. Compiled by the Executive Office of Public Safety.

The categories of offenses, prior record, and other important indicators also vary for youth of different racial/ethnic groups.

Table 4f-3. Offense of Risk/Need Probationers by Race/Ethnicity, 2002

Race/Ethnicity	Person Offense	Property Offense	Controlled Substances Offense	Motor Vehicle Offense	Other Public Order Offense	Total
Asian	41%	42%	2%	5%	10%	100%
Black	49%	34%	8%	2%	7%	100%
Hispanic	43%	38%	7%	4%	10%	100%
Other	41%	35%	10%	3%	12%	100%
Total Minority	**45%**	**36%**	**7%**	**3%**	**9%**	100%
White	**37%**	**35%**	**15%**	**5%**	**9%**	100%
Total	40%	35%	12%	4%	9%	100%

Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety. Represents new cases. Numbers may not add up to 100% because of rounding.

[75] At the moment, the Massachusetts juvenile justice data is insufficient to do this analysis. Please see the About the Data chapter for more information about data limitations and population-based rates.

LEVEL OF SUPERVISION

The Office of the Commissioner of Probation provides data regarding the probation levels to which juveniles are assigned. The different levels indicate the level of contact a juvenile has with his or her probation officer. Maximum level probationers must meet with a probation officer at least once every two weeks, moderate level probationers are required to meet with a probation officer at least once every 30 days, and minimum level probationers have to meet with a probation officer at least once every 90 days.

An examination of probation data indicates that the percentage of risk/need juvenile probationers with a maximum level of supervision has increased since 1991. In addition, the minimum level of supervision is less frequently used. The percentage of juveniles placed on risk/need probation with a maximum supervision level increased from 41% in 1991 to 78% in 2002. The percentage of juveniles placed on risk/need probation with a moderate level of supervision decreased from 41% in 1991 to 21% in 2002. The percentage of juveniles placed on risk/need probation with a minimum level of supervision decreased from 18% in 1991 to 1% in 2002.

Figure 4f-11. Statewide Juvenile Court Probation Supervision Levels, 1991

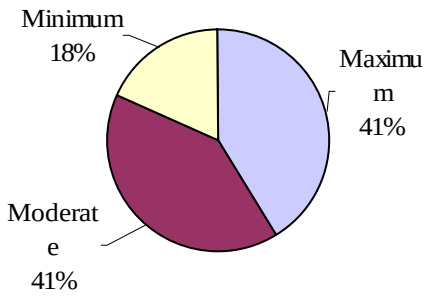
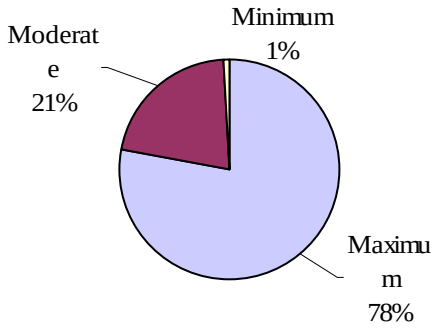
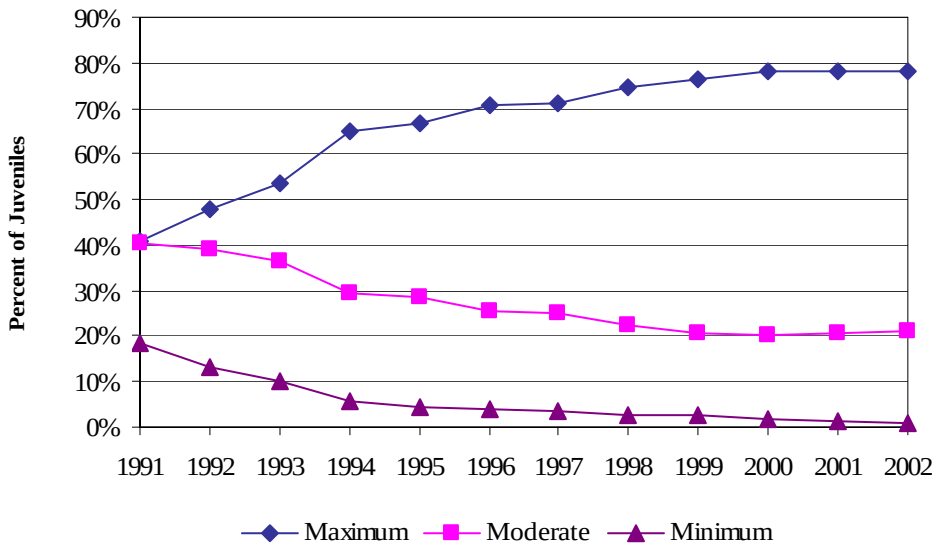


Figure 4f-12. Statewide Juvenile Court Probation Supervision Levels, 2002



Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety. Represents new cases.

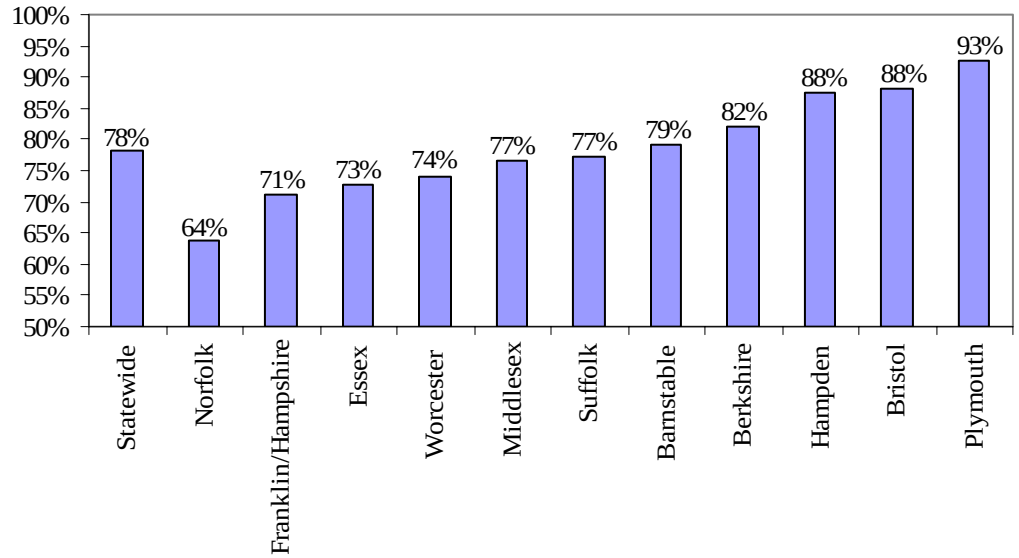
Figure 4f-13. Statewide Juvenile Court Probation Levels, 1993-2002



Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety. Represents new cases.

The level of probation supervision varies by county (see Figure 4f-14). In 2002, Plymouth County had the highest percentage of youth on probation with the maximum level of supervision (93%), and Norfolk County had the lowest percentage of youth on probation with the maximum level of supervision (64%).

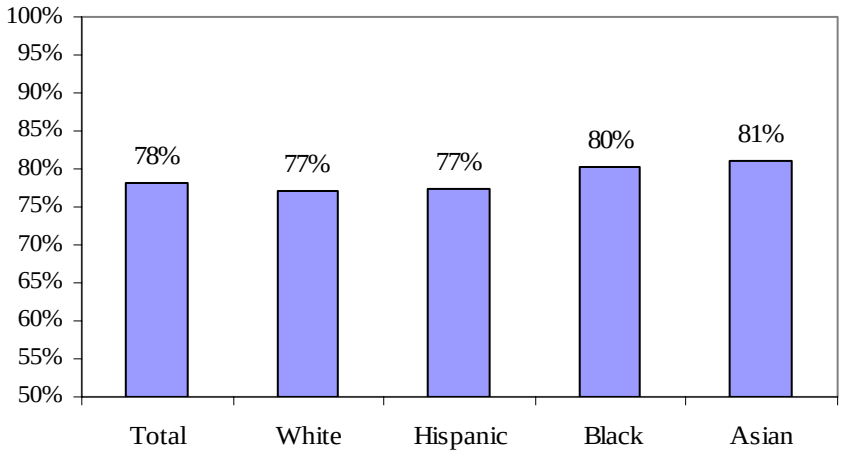
Figure 4f-14. Percent of Probationers with Maximum Supervision by County, 2002



Data from the Office of the Commissioner of Probation. Compiled by the Executive Office of Public Safety. Represents new cases.

There is little variation in the level of probation supervision by race/ethnicity. Asian youth are the most likely to be placed in maximum supervision (81%) and white youth are the least likely (77%), representing a difference of only 4 percentage points.

Figure 4f-15. Percent of Probationers with Maximum Supervision by Race/Ethnicity, 2002



Data from the Office of the Commissioner of Probation. In 2002, there were 211 Asian juveniles, 961 black juveniles, 1136 Hispanic juveniles, 3937 white juveniles and 165 juveniles of other race/ethnicity (American Indian and Cape Verdean) placed on probation as new cases. Compiled by the Executive Office of Public Safety.

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The Office of the Commissioner of Probation. (n.d.). [2002 Juvenile Risk/Need Reports.] Unpublished data.

The Office of the Commissioner of Probation. (n.d.). [2001 Juvenile Risk/Need Reports.] Unpublished data.

The Office of the Commissioner of Probation. (n.d.). Probation Supervision.

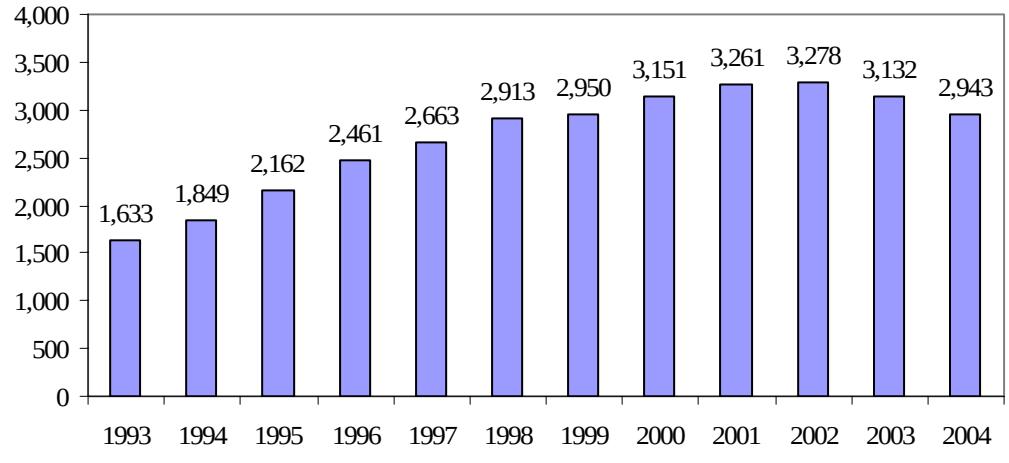
DYS Commitment

Highlights:

- The total DYS committed population increased approximately 60% from 1994 to 2004, but has been on the decline since 2002.
- The number of new DYS commitments decreased 18% from 1999 to 2003.
- Minority youth were overrepresented in the committed population compared to the overall youth population.
- Females in the DYS committed population are growing faster than males in the DYS committed population.
- The rate of individuals committed to DYS increases as a city or town's poverty level increases.
- The rate of individuals committed to DYS increases as a city or town's rate of alleged child abuse and neglect increases.

When youth are "committed to DYS" it means that they have been adjudicated a delinquent child on a complaint or adjudicated a youthful offender on an indictment, and, because of that adjudication, they will be in the legal custody of DYS until either age 18, 19 or 21. If a juvenile is charged as a delinquent, he or she will usually be committed until age 18. In the case of a child whose case is disposed of after he or she has attained his or her 18th birthday, he or she will be committed until age 19. If charged as a youthful offender, he or she could be committed until age 21.[76] "Committed to DYS" does not necessarily mean living in a DYS facility. The continuum of care for a juvenile who is committed to DYS is: Assessment, Residential Phase, Hardware/Secure Treatment, Staff Secure Treatment, Community Phase/Day Reporting, and Discharge. In 2003, approximately 8% of all juveniles arraigned were committed to DYS (Massachusetts Department of Youth Services, 2004).

Figure 4g-1. DYS Total Committed Caseload, 1993-2004 (as of January of each year)



Source: Massachusetts Department of Youth Services, 2004.

[76] Massachusetts General Law, Chapter 119, Section 58.

TOTAL DYS COMMITTED POPULATION

As of January 1, 2004, there were 2,943 juveniles in the Department of Youth Services committed population (Figure 4g-1). This number represents a 59% increase from 1994 but a 10% decrease from the high in 2002. According to the Massachusetts Department of Youth Services, the population increase in total DYS committed population since the early 1990s was fueled by:

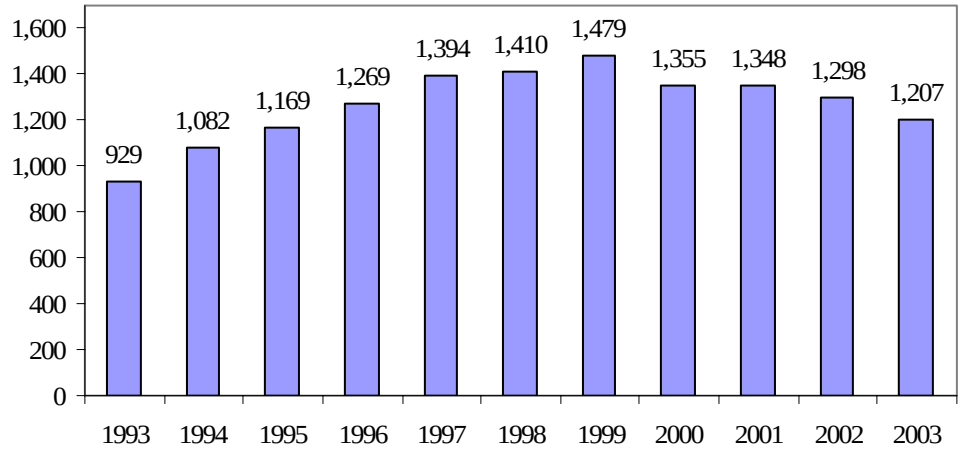
a) The rise in the number of juveniles newly committed to DYS by the courts;
b) An increase in the average length of commitment; and
c) An increase in the number of juveniles whose commitment was extended beyond 18 years of age "due to dangerousness" (Massachusetts Department of Youth Services, 2004).

Of the committed DYS population on Jan. 1, 2004, 11% were adjudicated as youthful offenders and 88% as delinquents.[77] The average length of stay in DYS custody is 2 years and 4 months (Massachusetts Department of Youth Services, 2004).

NEW COMMITMENTS

In 2003, there were 1,207 youth newly committed to the Department of Youth Services. This number represents a 30% increase since 1993 but an 18% decrease from the high in 1999.

Figure 4g-2. Total New Commitments to DYS, 1993-2003



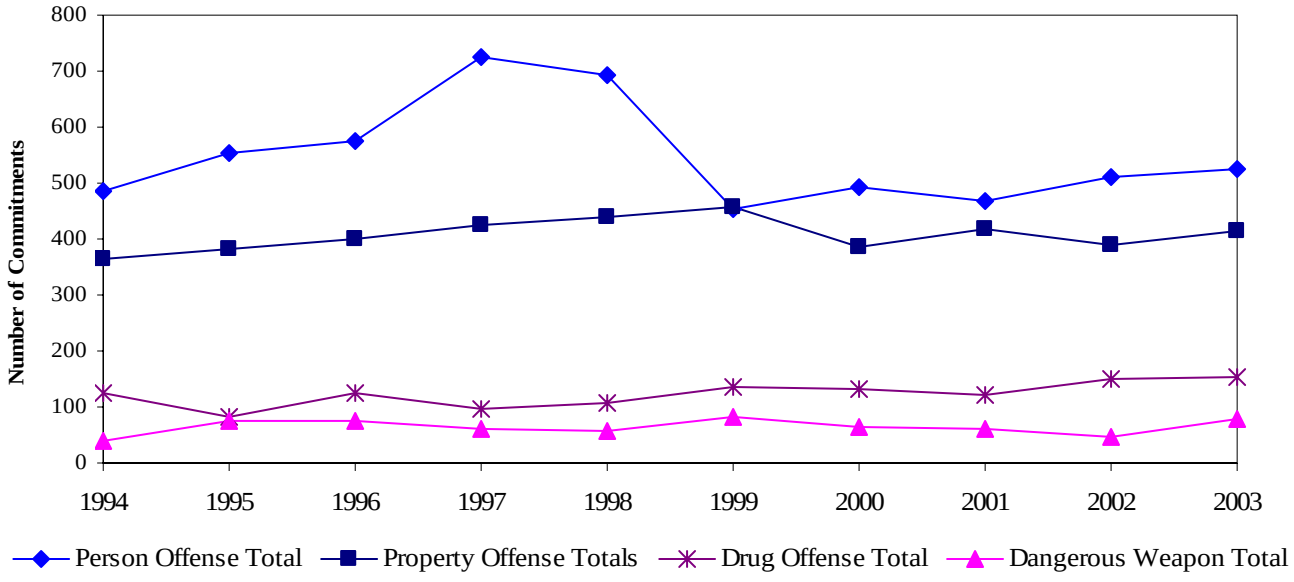
Source: Massachusetts Department of Youth Services, 2003.

DYS reports that in 2003, 42% and 32% of their population were committed or recommitted[78] to the department for crimes against the person and property offenses, respectively. The number of new commitments for offenses against persons decreased 3% in 2003 from 2002, while commitments for property offenses slightly increased by 1%. Between 1994 and 2003, the number of youth

[77] A small number of individuals in the DYS committed population had commitments extended (1%).
[78] A re-commitment is when a committed DYS client who resides in the community picks up a new charge. He/she generally does additional residential time in DYS. This is different from a revocation, where a client violates his/her grant of conditional liberty in the community (usually by not showing up at the Day Reporting Center) and does a short amount of revocation time in a residential program.

committed to DYS for drug offenses increased by 19%; however, there was a slight decline of 0.6% in 2003 from the prior year. There also was a substantial increase in the number of new commitments for dangerous weapons, 33 in 2002 to 69 in 2003, a 109% increase (Massachusetts Department of Youth Services, 2004).

Figure 4g-3. Most Serious Offense of New DYS Commitments, 1994-2003



Source: Massachusetts Department of Youth Services, 2004.

According to the Massachusetts DYS, since 1999, the largest number of commitments to DYS was for unarmed assault. In 2003 unarmed assault represented 18% of the total offenses, but reflected a slight 2% decline over 2002. "Other" property offenses had a substantial decline of 16% in 2003 from the prior year (Table 4g-1).

Table 4g-1. Top Five Offenses of DYS New Commitments, 1999-2003

Offense Type	1999	2000	2001	2002	2003
Unarmed Assault	224	233	222	260	256
Larceny	151	146	153	164	181
Other Property	162	139	199	165	138
Drug Offenses	133	130	130	150	149
Motor Vehicle Offenses	98	102	100	109	129

Source: Massachusetts Department of Youth Services, 2004.

DYS COMMITMENTS BY AGE

On January 1, 2004, less than 1% of the total committed population were ages 12 or 13, 4.3% were age 14, 13.2% were age 15, 25.2% were age 16, 36.2% were age 17, 10.7% were age 18 and 9.6% were age 19 or older.

Table 4g-2. Total DYS Committed Population by Age, January 1, 2004

Age	# of DYS Committed Individuals	Percent of Total DYS Committed Population
12	3	0.1%
13	23	0.8%
14	127	4.3%
15	388	13.2%
16	741	25.2%
17	1,066	36.2%
18	314	10.7%
19	141	4.8%
20	117	4.0%
21	24	0.8%

Data from the Massachusetts Department of Youth Services, 2004.
Table created by the Executive Office of Public Safety, 2004.

Looking at new commitments in 2003 rather than the committed population, 48% of new DYS commitments were age 14 or younger and 52% were age 15 or older.

Table 4g-3. New DYS Commitments by Age, 2003

Age	# of DYS Committed Individuals	Percent of Total DYS Committed Population
10	5	0.3%
11	12	0.8%
12	77	5.2%
13	239	16.3%
14	366	24.9%
15	380	25.9%
16	282	19.2%
17	101	6.9%
18	6	0.4%
19	1	0.1%

Data from the Massachusetts Department of Youth Services, 2004.
Table created by the Executive Office of Public Safety, 2004.

RACE/ETHNICITY

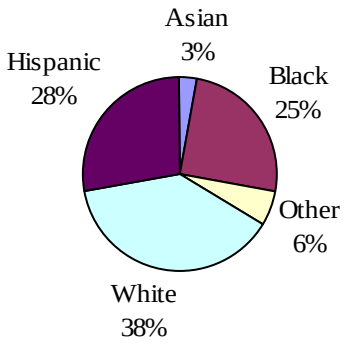
On January 1, 2004, 38% of the total DYS committed population was white, 25% was black, 28% was Hispanic, 3% was Asian and 6% identified with some other race/ethnicity.

Table 4g-4. Total DYS Committed Population by Race/Ethnicity, January 1, 2004

Race/Ethnicity	Percent of Total DYS Committed Population on January 1, 2004	Percent of Total Youth Population Age 10-16
Black	25%	7%
Asian	3%	4%
Hispanic	28%	10%
White	38%	76%
Other	6%	3%
	100%	100%

Data from the Massachusetts Department of Youth Services, 2004. Chart created by the Executive Office of Public Safety, 2004.

Figure 4g-4. DYS Committed Population by Race/Ethnicity, 2004



Data from the Massachusetts Department of Youth Services, 2004.
Chart created by the Executive Office of Public Safety, 2004.

On January 1, 2004, the DYS committed population of youthful offenders had the following composition: 21% white, 29% black, 39% Hispanic, 4% Asian and 7% who identified with some other race or ethnicity.[79]

GENDER

On December 31, 2003, 84% of the total DYS committed population was male and 16% was female. From January 1992 to December 2003, the number of females in the DYS committed population increased 279% and the number of males in the DYS committed population increased 71%. From January 2003 to December 2003, there was a 7% decrease in the number females in the

[79] As of January 1, 2004, there were 319 juvenile offenders in the DYS committed population.

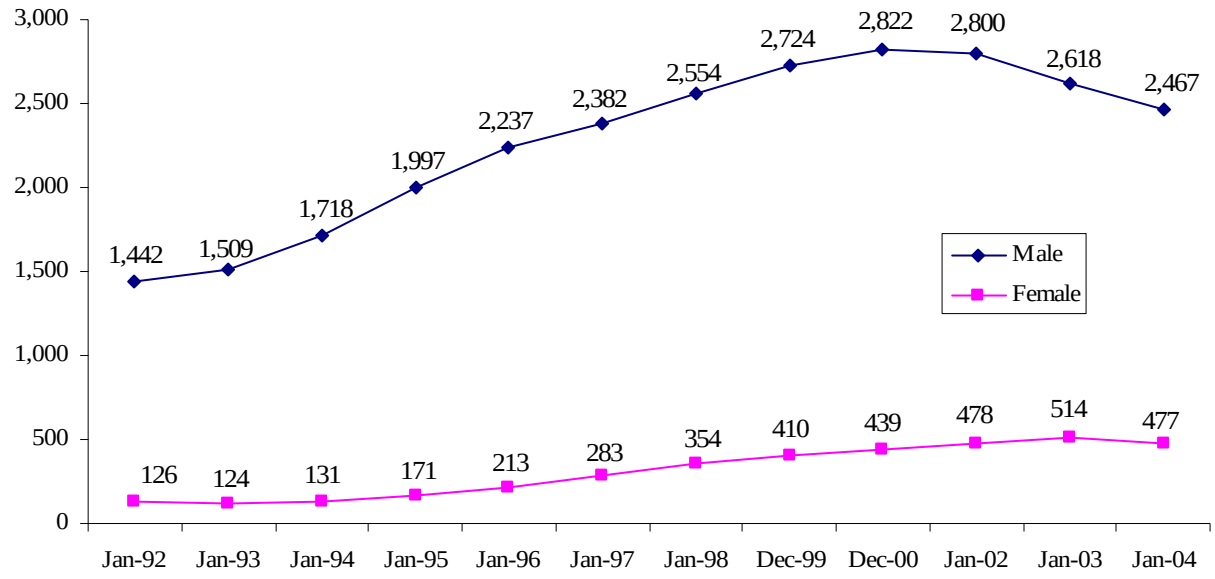
DYS committed population and a 6% decrease in the number of males in the DYS committed population (Massachusetts Department of Youth Services, 2004).

Table 4g-5. Total Committed Population by Gender, 1992-2003

Date	Male	Female	% Female	% Male	Total
Jan-92	1,442	126	8.0%	92.0%	**1,568**
Jan-93	1,509	124	7.6%	92.4%	**1,633**
Jan-94	1,718	131	7.1%	92.9%	**1,849**
Jan-95	1,997	171	7.9%	92.1%	**2,168**
Jan-96	2,237	213	8.7%	91.3%	**2,450**
Jan-97	2,382	283	10.6%	89.4%	**2,665**
Jan-98	2,554	354	12.2%	87.8%	**2,908**
Dec-99	2,724	410	13.1%	86.9%	**3,134**
Dec-00	2,822	439	13.5%	86.5%	**3,262**
Dec-01	2,832	477	14.4%	85.6%	**3,309**
Jan-02	2,800	478	14.6%	85.4%	**3,278**
Jan-03	2,618	514	16.4%	83.6%	**3,132**
Dec-03	2,467	477	16.2%	83.8%	**2,944**

Source: Massachusetts Department of Youth Services, 2004.

Figure 4g-5. DYS Committed Caseload by Gender, 1989-2004

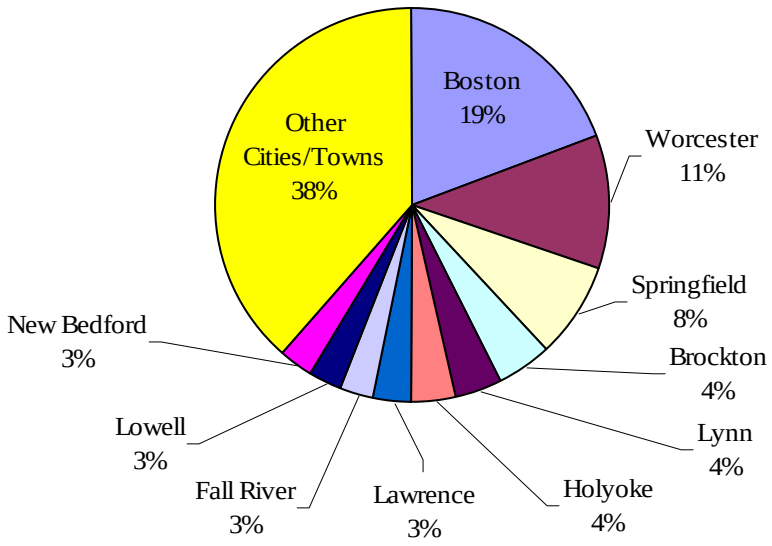


Source: Massachusetts Department of Youth Services, 2004.

GEOGRAPHY

While youth committed to DYS come from all over Massachusetts, a select number of locations represent a significant share of committed youth. A greater percentage of the total DYS committed population on January 1, 2004 youth came from Boston than any other city in January 2004. Of the Boston youth, most (over 60%) came from Dorchester Center, Roxbury, Grove Hall, Uphams Corner and other parts of Dorchester. Nineteen percent of the DYS committed youth came from Boston, 11% came from Worcester, 8% came from Springfield, 4% came from Lynn, 4% came from Holyoke, 3% came from Lawrence, 3% came from Fall River, 3% came from Lowell and 3% came from New Bedford. These ten cities account for 62% of the DYS committed population but only 24% of the youth population under 18 years old. As for youth newly committed or recommitted in 2003, Boston, Worcester, Springfield, Lynn, Brockton, Fall River, Holyoke, Lawrence, New Bedford and Lowell remain the top ten cities.

Figure 4g-6. DYS Committed Population by City/Town, January 2004



Data from the Massachusetts Department of Youth Services, 2004. Chart created by the Executive Office of Public Safety, 2004.

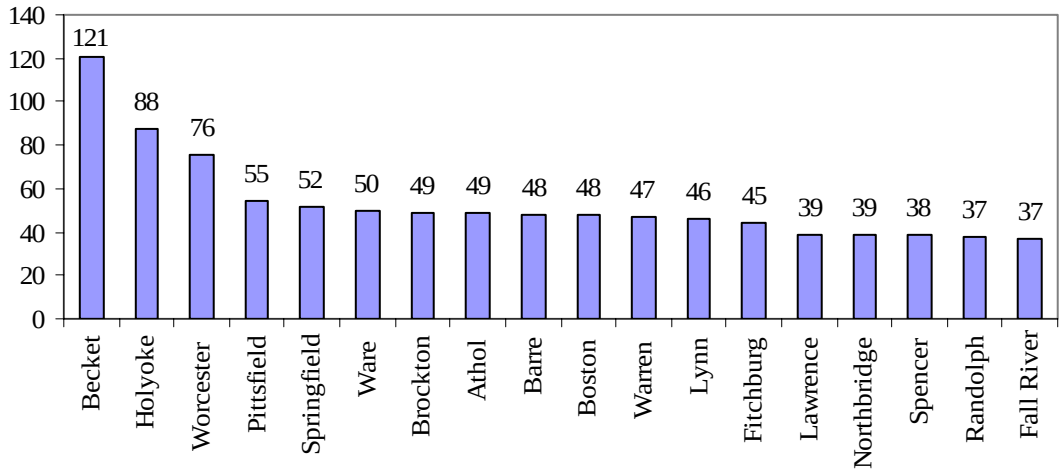
In order to compare cities and towns with different populations, rates were created by dividing the number of youth committed to DYS by the youth population. In this case, the number of youth in the DYS committed population on January 1, 2004 is divided by the total youth population (under 18) according to the U.S. census.[80]

The city with the highest DYS commitment rate is Becket. Becket's DYS commitment rate was 121 per 10,000 youth in January 2004. This means that if there were 10,000 youth under the age of 18 in Becket there would be 121 youth in the DYS committed population. However, this can be misleading. The town of Becket only has 414 youth under the age of 18 and on January 1, 2004, there were 5 in the DYS committed population. This gives Becket a very high commitment rate,

[80] "Under the age of 18" was used to create these rates because the information compiled by the Massachusetts Institute for Social and Economic Research, *Population 18 Years and Over and Percent Under 18 Years (on April 1, 2000): Massachusetts Cities, Towns, Counties and Congressional Districts*, had the most complete data for Massachusetts cities and towns.

but the actual number is quite low. The remaining towns in Figure 4g-7 have at least 1,000 youth under the age of 18. Worcester and Holyoke have the second and third highest rates of youth in the DYS committed population.

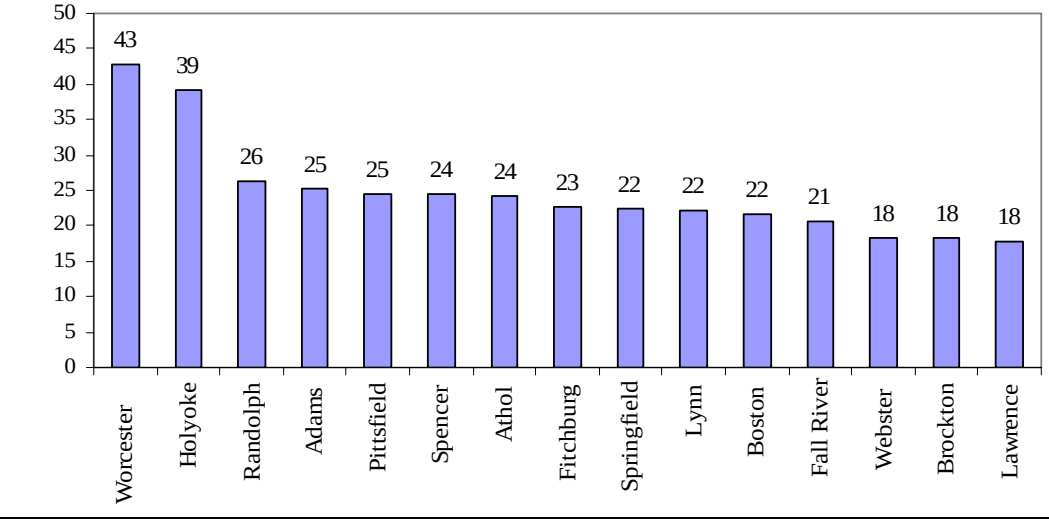
Figure 4g-7. Number of Individuals in the DYS Committed Population per 10,000 youth under 18 as of January 1, 2004 - Top 17 Cities



Source: Massachusetts Department of Youth Services, 2004 and the 2000 U.S. Census. Data compiled by the Executive Office of Public Safety. Cities and towns with fewer than 5 juveniles in the DYS Committed population were excluded from graph.

Rates were also created for new admissions and readmissions to DYS in 2003. The data show that Worcester and Holyoke are at the top again. Other towns that have both high rates of youth in the DYS committed population and high rates of new admissions and readmissions to DYS include Pittsfield, Springfield, Brockton, Athol, Boston, Lynn, Fitchburg, Lawrence, Spencer, Randolph and Fall River.

Figure 4g-8. Number of New DYS Commitments and Recommitments per 10,000 youth under 18, 2003 - Top 15 cities



Source: Massachusetts Department of Youth Services, 2004 and the 2000 U.S. Census. Data compiled by the Executive Office of Public Safety. Cities and towns with fewer than 5 juveniles in the DYS Committed population were excluded from graph.

DYS COMMITMENT AND POVERTY

Studies show that "the presence of several risk factors often increases a youth's chance of offending" (Shader, 2003) and that while there are many risk factors that can be linked to juvenile delinquency, most agree that "living in a neighborhood where there are high levels of poverty and crime increases the risk of involvement in serious crime for all children growing up there" (McCord et. al., 2001).

Breaking Massachusetts cities and towns into quintiles by income levels allows for an examination of potential relationship between DYS commitment and poverty. Using two income indicators: 1) median income of families with children under 18, and 2) percent of families living below 150% of the federal poverty level, a clear relationship between income and DYS commitment emerges. As poverty increases in a city or town, the rate of individuals committed to DYS also increases. In 2004, a child living in the poorest quintile is approximately 20-25 times more likely to be part of the DYS committed population than a child living in the richest quintile.

Table 4g-6. Relationship Between Median Income and DYS Commitment Rates

Income Quintiles*	< 18 population (2000)	Number of Towns in Quintile	# total individuals committed to DYS on Jan. 1, 2004	# total individuals committed to DYS on Jan. 1, 2004 per 10,000 individuals under 18	Median Family Income Families with own Children <18 (2000)
Quintile 1 (Poorest)	302,788	15	1,506	49.7	$12,500-$38,622
Quintile 2 (2nd Poorest)	293,670	77	733	25.0	$38,750-$53,594
Quintile 3 (Middle)	302,271	98	413	13.7	$53,739-$65,746
Quintile 4 (2nd Richest)	299,705	91	166	5.5	$66,043 - $82,549
Quintile 5 (Richest)	301,630	70	60	2.0	$82,614 - $200,001
Total Massachusetts	**1,500,064**	**351**	**2,878****	**95.9**	**$12,500-$200,001**

* Measured by median income of families with children under 18.

** Note that total commitments is less than previous figures because not all commitment cases indicated the town.

Table 4g-7. Relationship Between Percent of Families Living Below 150% Poverty Level & DYS Commitment Rates

Percent of Families Living Below 150% Poverty Level and DYS Commitment Rates					
Poverty Quintiles*	**< 18 population (2000)**	**Number of Towns in Quintile**	**# total individuals committed to DYS on Jan. 1, 2004**	**# total individuals committed to DYS on Jan. 1, 2004 per 10,000 individuals under 18**	**Percent of Families Living <150% Poverty (2000)**
Quintile 1 (Poorest)	291,184	10	1,468	50.4	21.8% - 50%
Quintile 2 (2nd Poorest)	308,275	57	781	25.3	10.6% - 21.56%
Quintile 3 (Middle)	299,342	91	363	12.1	6.96% - 10.6%
Quintile 4 (2nd Richest)	299,604	101	192	6.4	4.42% - 6.94%
Quintile 5 (Richest)	301,659	92	74	2.5	0% - 4.41%
Total Massachusetts	**1,500,064**	**351**	**2,878****	**19.2**	**0% - 50%**

* Measured by median income of families with children under 18.

** Note that total commitments is less than previous figures because not all commitment cases indicated the town.

Median Income: For every 10,000 children under the age of 18 in Quintile 1, the poorest quintile, there were 49.7 individuals in the DYS committed population on January 1, 2004. For every 10,000 children in Quintiles 2, 3, 4, and 5 there were 25 individuals in the DYS committed population, 13.7 individuals in the DYS committed population, 5.5 individuals in the DYS committed population, and 2 individuals in the DYS committed population, respectively. There is an inverse relationship between income quintile and rate of DYS commitment.

Less than 150% Poverty Level: For every 10,000 children under the age of 18 in Quintile 1, the poorest quintile, there were 50.4 individuals in the DYS committed population on January 1, 2004. For every 10,000 children in Quintiles 2, 3, 4, and 5 there were 25.3 individuals in the DYS committed population, 12.1 individuals in the DYS committed population, 6.4 individuals in the DYS committed population, and 2.5 individuals in the DYS committed population, respectively. Table 4g-7 shows that as the share in poverty increases the rate of DYS commitment increases.

A simple regression analysis shows that the relationships between DYS commitment rate and the two poverty indicators is statistically significant.[81] It also shows outliers, or communities that go against the trend. There are certain cities and towns in Massachusetts whose DYS commitment rates are much higher or much lower than would be estimated by looking at their income levels. Five cities/towns with DYS commitment rates much lower than their income levels would predict are Chelsea, Everett, Montague, Revere, and West Springfield. Five cities/towns with DYS commitment rates much higher than their income levels would predict are Barre, Holyoke, Pittsfield, Randolph, and Worcester. While this analysis does not look at the reasons behind these relationships, one possible explanation is that a town or city with high poverty rates but low DYS commitment rates may have better services available to prevent juvenile delinquency.

[81] The regression analysis did not control for urban/rural, distance from Boston or race/ethnicity.

OTHER STATE AGENCIES

Many youth committed to DYS have received services from various state agencies prior to DYS intervention for delinquent behavior. The Massachusetts Department of Social Services (DSS) refers to these children as "distressed kids," and defines them as individuals who are served by more than one state agency, the schools and law enforcement, and are court involved. In 1998, DYS reported that over half of their committed population (54%) had received services from DSS prior to their DYS commitment. Similarly, a report by Citizens for Juvenile Justice (2000) indicated 74% of the DYS caseload simultaneously received services from the Office of the Commissioner of Probation.

Many hold the belief that children who are involved with child welfare systems because of abuse or neglect are at a higher risk of becoming juvenile offenders later in life. In order to see if this is the case in Massachusetts, the rates of children allegedly abused/neglected were compared to the rates of juveniles in the DYS committed population by town. Comparing towns' rates of DSS involvement and towns' rates of DYS involvement shows that there is a relationship between these two measures (see Figures 4g-8 and 4g-9).

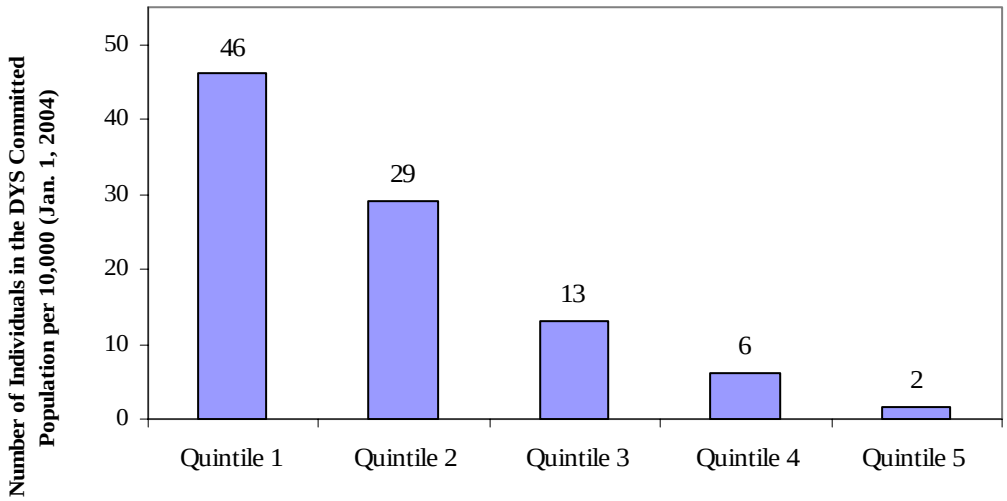
Breaking 305 Massachusetts cities and towns into five quintiles by rates of children allegedly abused/neglected shows that there is a relationship between rates of alleged child abuse/neglect and rates of DYS commitments. As the rate of alleged child abuse/neglect in increases, the rate of youth in the DYS committed population also increases. For example, Quintile 1 is comprised of the 28 cities and towns with the highest rates of children allegedly abused/neglected, and Quintile 5 is comprised of the 71 cities and towns with the lowest rates of children allegedly abused/neglected. In Quintile 1, 838 children were allegedly abused/neglected per 10,000 youth under 18 in 1997, and 46 youth were in the DYS committed population per 10,000 youth under 18 on January 1, 2004. Comparatively, in Quintile 5, 113 children were allegedly abused/neglected per 10,000 youth under 18 in 1997, and 2 youth were in the DYS committed population per 10,000 youth under 18 on January 1, 2004. While this analysis cannot and does not show a cause-and-effect relationship between child abuse/neglect and DYS commitment, it does show some correlation.

Table 4g-8. Relationship Between the Rates of Children Allegedly Abused/Neglected & DYS Commitment Rates

Abuse/Neglect Quintiles*	Total population under 18 years old	Number of towns	Number of Children Allegedly Abused/Neglected (unduplicated counts of children) 1997	Number of Children per 10,000 Allegedly Abused/Neglected	Number of juveniles committed to DYS on January 1, 2004	Number of juveniles committed to DYS on January 1, 2004 per 10,000 individuals under 18
Quintile 1 (highest)	305,515	28	25,599	838	1,409	46
Quintile 2	293,286	37	18,329	625	852	29
Quintile 3	290,669	76	11,589	399	377	13
Quintile 4	294,875	93	6,551	222	185	6
Quintile 5 (lowest)	294,179	71	3,335	113	49	2
Total	**1,478,524**	**305**	**65,403**	**2,197**	**2,872**	**96**

* As measured by the number of children allegedly abused/neglected per 10,000 youth under 18.Quintile 1 has the cities/towns with the highest rates of children allegedly abused/neglected, and Quintile 5 has the cities/towns with the lowest rates.
Source: Data from Massachusetts Department of Youth Services, 2004 and Massachusetts Department of Public Health (MassCHIP). Data compiled by the Executive Office of Public Safety.

Figure 4g-9. Relationship Between Children Allegedly Abused/Neglected and Juveniles Committed to DYS



Source: Data from Massachusetts Department of Youth Services, 2004 and Massachusetts Department of Public Health (MassCHIP). Data compiled by the Executive Office of Public Safety.

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Juveniles in Residential Placement

Highlights:

- Although the rate of Massachusetts juveniles in residential placement has been increasing since 1997, it is still below the national average rate of juveniles in residential placement.
- More than one half of juveniles in residential placement were placed for a person offense.
- Although the percent of juveniles in residential placement who are minorities declined since 1999, minorities were still overrepresented in juvenile residential placement compared to the overall youth population.
- Massachusetts ranks third in the nation in terms of the highest share of juveniles in private residential facilities.

The Census of Juveniles in Residential Placement (CJRP) is administered by the Bureau of the Census for the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The CJRP replaced the Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities, also known as the Children in Custody (CIC) census, which had been conducted since the early 1970's. The CJRP is a one-day count of young people assigned to beds who are younger than 21, who are charged with an offense or court-adjudicated for an offense, and who are in residential placement because of that offense. The most recent data is from the count that was taken on October 24, 2001. Responses to the 2001 CJRP identified over 127,251 young people assigned beds in 3,580 facilities nationwide. There were 2,980 facilities that held 104,413 residents that met all the inclusion criteria for the census (Office of Juvenile Justice and Delinquency Prevention, 2004). All of the data in this chapter is from the 1997 CJRP, 1999 CJRP and the 2001 CJRP.

Table 4h-1. Rates of Juveniles in Residential Placement for States with Juveniles defined as under 17-years-old, 2001

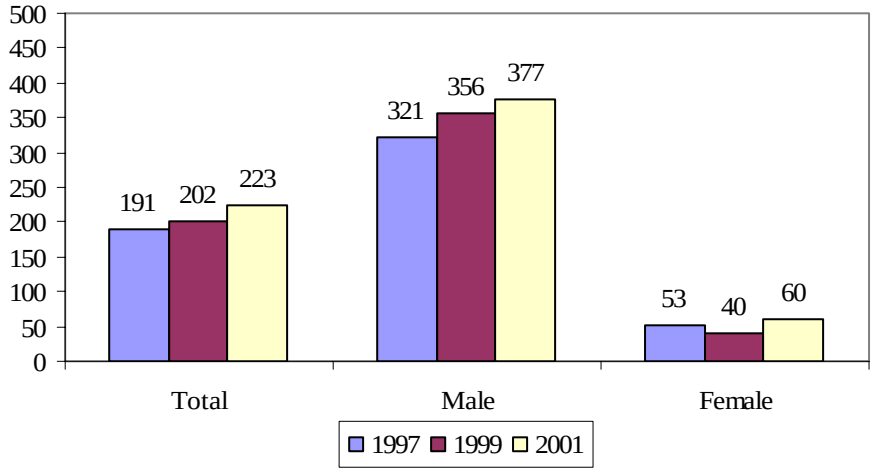
State	Total	Male	Female
New Hampshire	155	260	42
Mississippi	199	312	81
Massachusetts	**223**	**377**	**60**
Illinois	279	486	63
Michigan	334	533	124
Georgia	338	550	115
Wisconsin	343	559	117
South Carolina	350	594	95
Texas	364	627	88
Louisiana	507	829	172
Average for all United States	**336**	**560**	**100**
Average for states where juveniles are defined as under 17 years old	**309**	**513**	**96**

Source: OJJDP Census of Juveniles in Residential Placement, 2004. *Rates are calculated per 100,000 juveniles age 10 through the upper age of original juvenile court jurisdiction in each State.

In 2001, approximately 223 per 100,000 juveniles[82] in Massachusetts were in juvenile justice residential placement (in juvenile detention, correctional and shelter facilities). This rate is well below the national average of 336. Only 11 states have lower rates of juveniles in residential placement.[83] Because states have different age limits for juveniles, the following table compares Massachusetts to the other nine states that have 16 as their oldest age for original juvenile court jurisdiction in delinquency matters. Even when comparing to other states with the same age limit for juveniles, Massachusetts has rates below the average.

From 1997 to 2001 there has been an increase in the rate of juveniles in residential placement in Massachusetts. During this time, the rate for males has increased 17% and the rate for females has increased 13%.

Figure 4h-1. Massachusetts Juveniles in Residential Placement (Rate per 100,000 Juveniles), 1997-2001



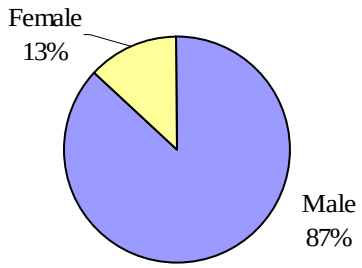
Source: OJJDP Census of Juveniles in Residential Placement, 2004.
Rates are calculated per 100,000 juveniles age 10 through the upper age of original juvenile court jurisdiction in each State.

GENDER

When OJJDP did its census in 2001, 87% of the juveniles in residential placement in Massachusetts were male and 13% were female. In the 1999 census, 90% of the juveniles in residential placement in Massachusetts were male and 10% were female. In the 1997 census, 86% of the juveniles in residential placement in Massachusetts were male and 14% were female.

[82] Rates are calculated per 100,000 juveniles ages 10 through the upper age of original juvenile court jurisdiction in each State.
[83] Hawaii, Vermont, New Hampshire, Maine, Maryland, North Carolina, Mississippi, Arkansas, Connecticut, Oklahoma and New Jersey all have rates lower than Massachusetts.

Figure 4h-2. Massachusetts Juveniles in Residential Placement by Gender, 2001

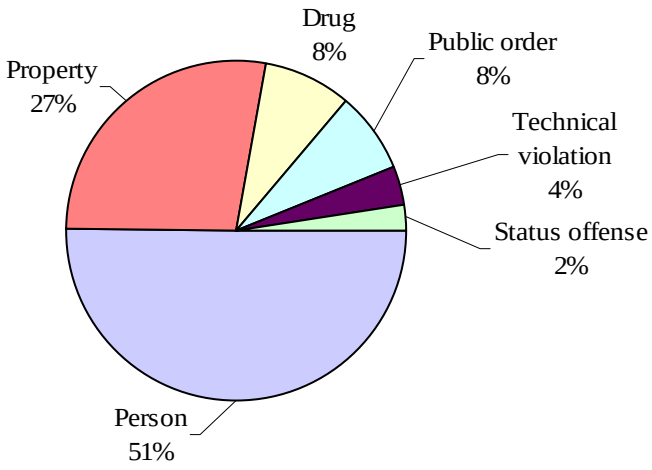


Source: OJJDP Census of Juveniles in Residential Placement, 2004

OFFENSE

Approximately 98% of the juveniles from Massachusetts in residential placement when the 2001 census took place had a delinquency charge as their most serious offense. Approximately 2% had a status offense as their most serious offense.

Figure 4h-3. Offense Profile of Juveniles in Residential Placement, 2001



Source: OJJDP Census of Juveniles in Residential Placement, 2004

Of the delinquency offenses, person offenses were the most common followed by property offenses. The most common of the person offenses were aggravated assault and simple assault. The most common of the property offenses was burglary. Males and females differ slightly some in their most serious offense. Males were more likely than females to have sexual assault, burglary, robbery and weapons public order as their most serious offense. Females were more likely than

males to have simple assault, theft, technical violation, underage drinking and other public order as their most serious offense.

Table 4h-2: Detailed Offense Profile by Sex for Massachusetts, 2001

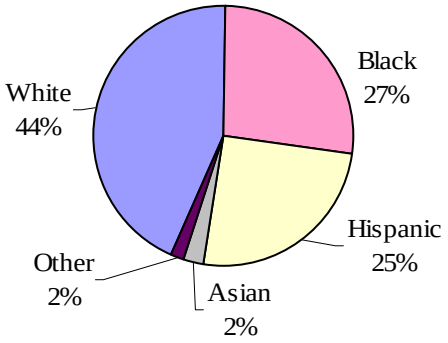
Most serious offense	Total	Male	Female
Total	**100%**	**100%**	**100%**
Delinquency	98%	98%	98%
Person	**50%**	**51%**	**50%**
Criminal homicide	1%	1%	0%
Sexual assault	9%	11%	0%
Robbery	6%	6%	2%
Aggravated assault	15%	15%	14%
Simple assault	18%	16%	31%
Other person	2%	2%	3%
Property	**27%**	**28%**	**26%**
Burglary	11%	12%	5%
Theft	5%	4%	9%
Auto theft	6%	6%	5%
Arson	1%	1%	2%
Other property	4%	4%	5%
Drug	**8%**	**8%**	**7%**
Trafficking	2%	2%	2%
Other drug	7%	7%	5%
Public order	**8%**	**8%**	**7%**
Weapons	3%	4%	0%
Alcohol	0%	0%	0%
Other public order	4%	4%	7%
Technical violation	**4%**	**3%**	**7%**
Status offense	**2%**	**2%**	**3%**
Running away	1%	1%	0%
Truancy	0%	0%	0%
Incorrigibility	0%	0%	0%
Curfew violation	1%	1%	0%
Underage drinking	0%	0%	2%
Other status offense	0%	0%	2%

Source: OJJDP Census of Juveniles in Residential Placement, 2004
To preserve the privacy of the juvenile residents, cell counts have been rounded to the nearest multiple of three.

RACE/ETHNICITY

At the time of the 2001 census, 44% of the juveniles in residential placement were white, 27% were black, 25% were Hispanic, 2% were Asian and 2% were of some other race/ethnicity.

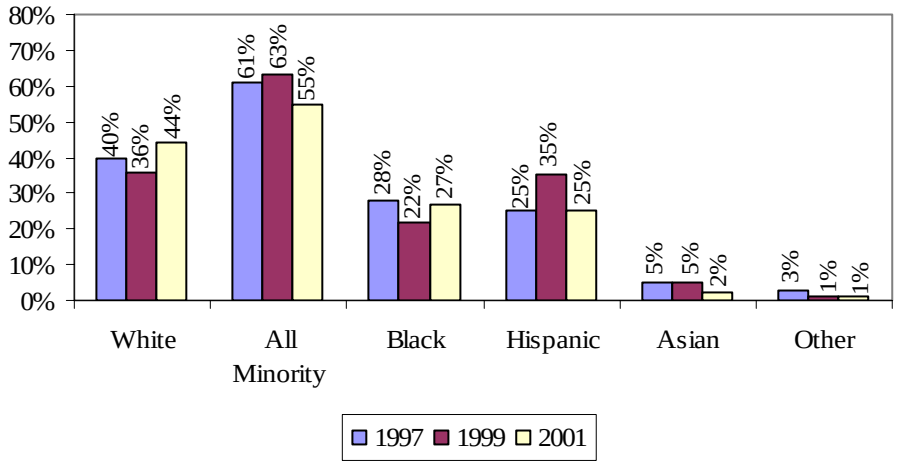
Figure 4h-4. Massachusetts Juveniles in Residential Placement by Race, 2001



Source: OJJDP Census of Juveniles in Residential Placement, 2004.

During the 1999 census, 36% of the juveniles in residential placement were white, 22% were black, 35% were Hispanic, 5% were Asian and 2% were of some other race/ethnicity. During the 1997 census, 40% of the juveniles in residential placement were white, 28% were black, 25% were Hispanic, 5% were Asian and 3% were of some other race/ethnicity (numbers may not add to 100% due to rounding). The percentage of juveniles in residential placement that are minority decreased from 1997 to 2001 and from 1999 to 2001.

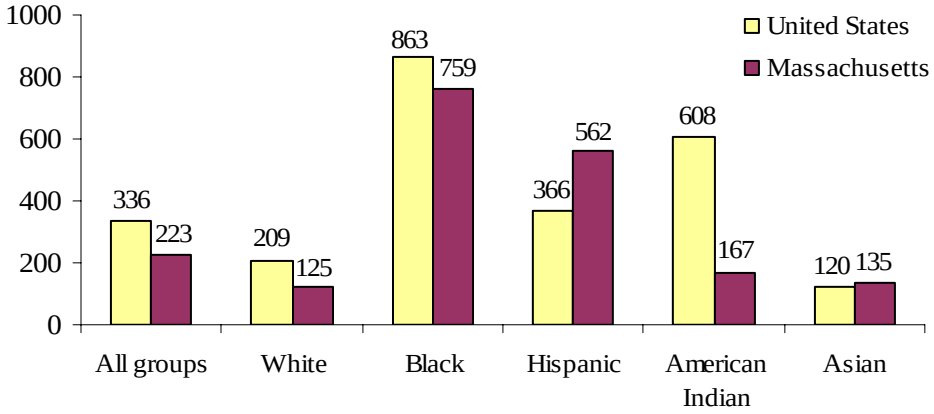
Figure 4h-5. Percent of Massachusetts Juveniles in Residential Placement by Race/Ethnicity, 1997 - 2001



Source: OJJDP Census of Juveniles in Residential Placement, 2004. Percents may not add evenly to 100% due to rounding.

In order to compare states with different racial/ethnic compositions, rates are calculated per 100,000 juveniles age 10 through the upper age of original juvenile court jurisdiction in each state. Massachusetts rates of juveniles in residential placement in 2001 were below the national rates for white juveniles, for black juveniles and for American Indian juveniles. Massachusetts rates were above the national rates for Hispanic juveniles and for Asian juveniles.

Figure 4h-6. Juveniles in Residential Placement in Massachusetts and the United States, 2001 (Rate per 100,000)



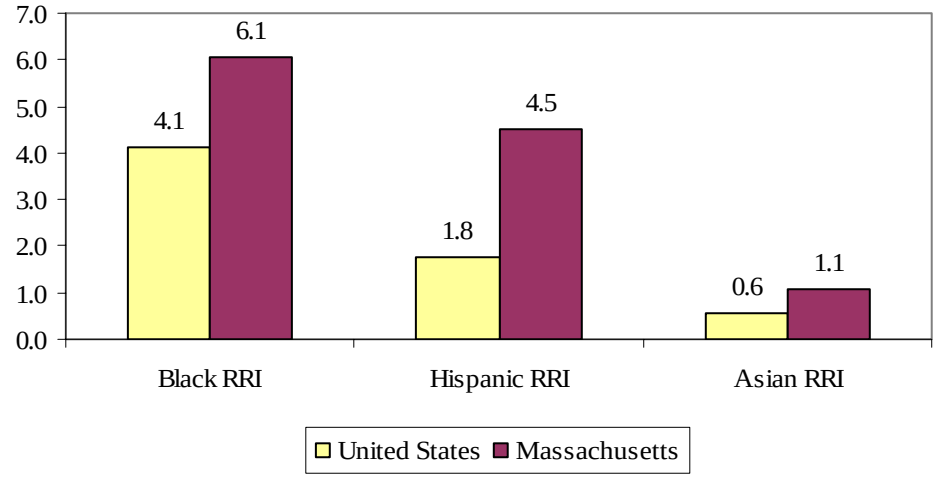
Source: OJJDP Census of Juveniles in Residential Placement, 2004.
Rates are calculated per 100,000 juveniles age 10 through the upper age of original juvenile court jurisdiction in each State.

While Massachusetts' residential placement rates are low, overrepresentation of minority youth does exist, as is the case for the United States as a whole. One measure of overrepresentation is the Relative Rate Index (RRI). The RRI measures the rate for different minority groups and compares

it to the white rate. The RRI is created by dividing the minority rate by the white rate. An RRI of 1 would reveal no overrepresentation or underrepresentation.

In comparing CJRP data to the population of youth in major demographic groups, the relative volume (rate) of residential placement activity involving black juveniles was over 4 times higher than for white juveniles nationally in 2001. The relative volume of residential placement involving Hispanic juveniles was over 1½ times higher and the relative volume of residential placement involving Asian juveniles was lower than for white juveniles. For Massachusetts, the Relative Rates are higher. In Massachusetts, the relative volume involving black juveniles in residential placement was over 6 times higher than for white juveniles. For Hispanic juveniles it was 4½ times higher. Asian juveniles had very similar rates compared to white juveniles.

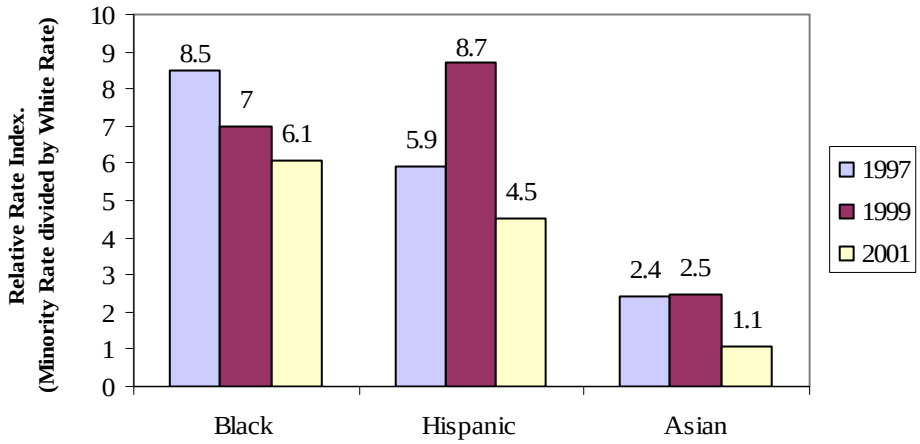
Figure 4h-7. Relative Rate Indices for Juveniles in Residential Placement, 2001



Source: OJJDP Census of Juveniles in Residential Placement, 2004.

From 1997 to 2001, the overrepresentation of minorities in residential treatment has decreased in Massachusetts (Figure 4h-8). The black RRI decreased from 8.5 to 6.1, the Hispanic RRI decreased from 5.9 to 4.5 and the Asian RRI decreased from 2.4 to 1.1. This data shows that while overrepresentation of minority youth exists in the Massachusetts juvenile justice system, the situation has been improving in the past four years.

Figure 4h-8. Massachusetts Relative Rate Indices for Juveniles in Residential Placement, 1997-2001

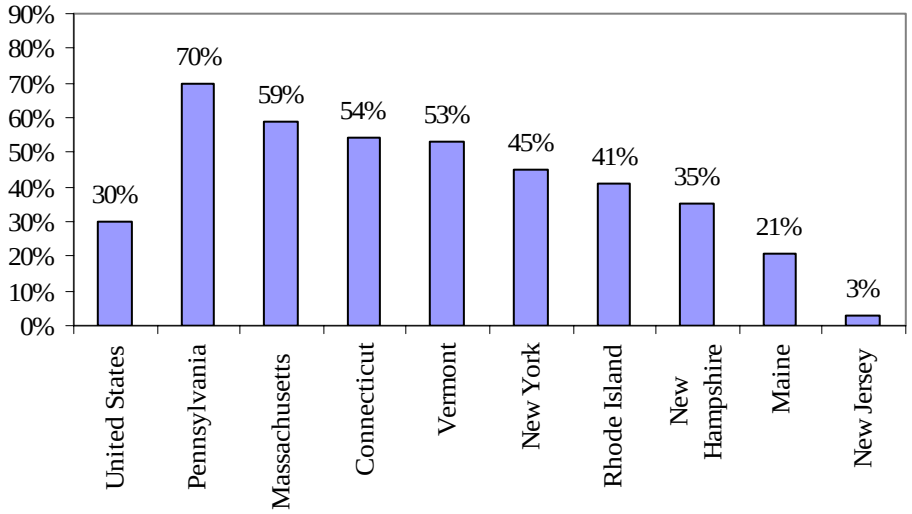


Source: OJJDP Census of Juveniles in Residential Placement, 2004

PRIVATE/PUBLIC PLACEMENTS

In 2001, 59% of the youth living in juvenile justice residential placements were in private placements, which is one of the highest in the United States. Only two states have a greater percentage of juveniles in private placements.[84]

Figure 4h-9. Percent of Placement Facilities That Are Private, 2001 (Selected States Near Massachusetts)



Source: OJJDP Census of Juveniles in Residential Placement, 2004

[84] Pennsylvania and Iowa.

References

Office of Juvenile Justice and Delinquency Prevention, Census of Juveniles in Residential Placement Databook, 2004, http://ojjdp.ncjrs.org/ojstatbb/cjrp/.

Massachusetts DYS Recidivism

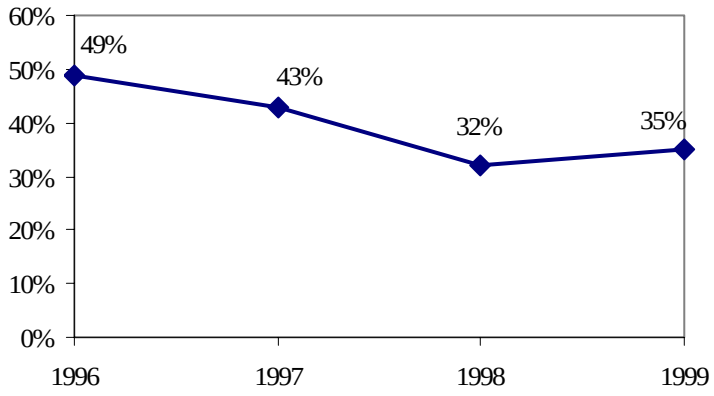
Highlights:

- From 1996 to 1999, recidivism rates of DYS discharges declined from 49% being convicted within one year to 35%.
- White juveniles discharged from DYS were more likely than any other race/ethnicity to recidivate and be convicted within one year of discharge.
- The highest recidivism rates for DYS discharges were for weapons offenders, and the lowest recidivism rates were for drug offenders.

According to a Massachusetts DYS study completed in 2003, there has been a "favorable trend in recidivism rates" from 1996 to 1999. During this time, most former DYS clients **were not convicted** of a crime within one year of discharge from DYS. Thirty-five percent of former DYS clients discharged in 1999 were convicted of a crime within one year of discharge, 32% of former DYS clients discharged in 1998 were convicted of a crime within one year of discharge, 43% of former DYS clients discharged in 1997 were convicted of a crime within one year of discharge and 49% of former DYS clients discharged in 1996 were convicted of a crime within one year of discharge (Tansi, 2003).

Few studies have examined juvenile recidivism nationally so it is difficult to compare Massachusetts to other states. Most state juvenile corrections agencies do not routinely collect data on juvenile recidivism and there is no consensus on how to measure it (Gies, 2003). However, data shows that Massachusetts has lower recidivism rates than Connecticut, Florida, Wisconsin, Utah, California and Washington and has higher recidivism rates than North Dakota, Texas, Colorado and Oregon (Tansi, 2003).

Figure 4i-1. Percent of DYS Discharges Reconvicted Within One Year of Discharge, 1996-1999

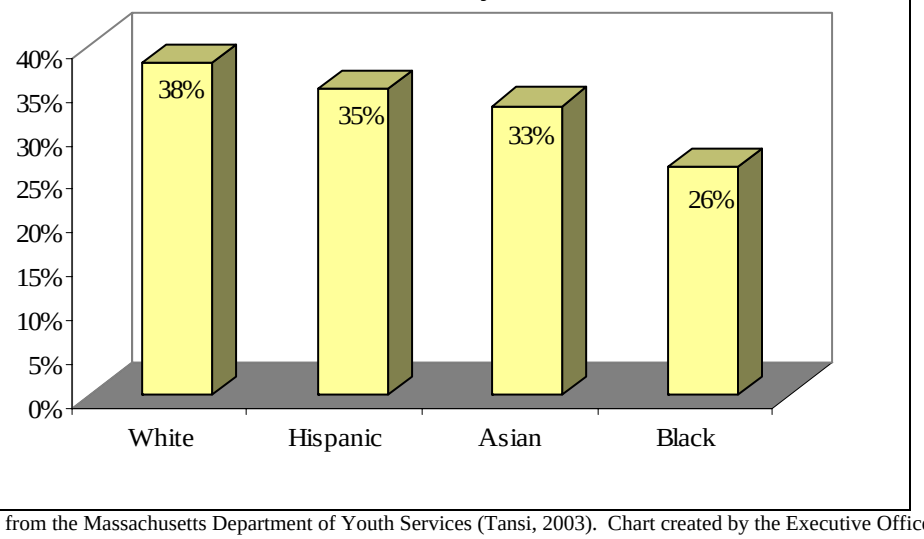


Data from the Massachusetts Department of Youth Services, 2003.
Chart compiled by the Executive Office of Public Safety, 2004.

There are several factors that contribute to an individual having a high risk of re-offending in Massachusetts. These factors include:

- **Gender:** 39% of the males and 14% of the females were convicted of a crime within one year of discharge.
- **Race/Ethnicity:** 38% of the white individuals, 35% of the Hispanic individuals, 33% of the Asian individuals and 26% of the black individuals were convicted of a crime within one year of discharge.
- **Offense:** 43% of the weapons offenders, 41% of the property offenders, 32% of the person-crime offenders, 30% of the public order offenders, 30% of the motor vehicles offenders, and 29% of the drug offenders were convicted of a crime within one year of discharge.
- **Age:** The younger the individual was at first DYS commitment, the more likely he or she was to be convicted of a crime within one year of discharge.
- **County:** 54% from Bristol County, 45% from Worcester County, 35% from Essex County, 34% from Suffolk County, 33% from Plymouth County, 26% from Hampden County, and 18% from Middlesex County were convicted of a crime within one year of discharge. (Tansi, 2003).

Figure 4i-2. Reconviction Rates Within 1 year of DYS Discharge by Race/Ethnicity, 2000



Data from the Massachusetts Department of Youth Services (Tansi, 2003). Chart created by the Executive Office of Public Safety, 2004.

References

Tansi, R. (April 22, 2003). *2003 Juvenile Recidivism Report.* Boston, MA: Massachusetts Department of Youth Services.

Gies, S. V. (September 2003). Aftercare Services. *OJJDP Juvenile Justice Bulletin*, NCJ201800. Retrieved August 23, 2004, from http://www.ncjrs.org/html/ojjdp/201800/contents.html.

Conclusion

As previously mentioned, this book is the result of the cooperation and support of many agencies and individuals. During the review process, we received a number of suggestions about what should and should not be included in this compilation. In response to suggestions from various agencies, we attempted to focus on presenting the "facts" and generally let the data speak for themselves. Nevertheless, we would like to highlight a select number of trends and issues that we thought were worth noting.

A critical starting point for understanding juvenile justice in Massachusetts is the striking reduction in juvenile crime arrest rates. After arrest, however, the juvenile justice system has increasingly relied on detention, as demonstrated by an increase in DYS detention admissions. Further, while the number of new DYS commitments has increased in the past decade, it has decreased since its high in 1999. The gender mix of juveniles in the justice system has also changed. The numbers of girls in the system has grown at remarkable rates with the number of girls on probation almost tripling and the number of girls in the DYS committed population almost quadrupling.

Contact with the juvenile justice system varies by geography. Some counties, cities, and towns account for a disproportionate share of youth in the juvenile justice system. Many of these, often urban, locations are also places with higher than average poverty rates and rates of child abuse and neglect.

Risk factors are increasingly affecting youth in Massachusetts. More youth are being treated for mental health problems than in the past. Rates of suicide, suicide attempt, and thoughts of suicide by juveniles in Massachusetts are cause for concern. Drugs continue to tempt youth and drug use in Massachusetts is notably higher than the national average. More students are being excluded from school than in the past.

While we recognize the limitations of race/ethnicity data, the data presented in this document generally suggest that minority youth are overrepresented in the juvenile justice system in Massachusetts. They are also disproportionately represented in school dropout rates, school exclusion and foster care populations and are more likely to be living in poverty.

Data-related issues emerged for almost every issue covered in this book. While some improvements in data collection, reporting, and analysis are being planned, the quality and accuracy of data continue to limit our ability to adequately understand the juvenile justice system. Nevertheless, we can still learn a great deal from the data that are currently available. By compiling the information in this book we hope that we have created a foundation of information on the Massachusetts juvenile justice system from which future examinations can build. The information presented in this book raises many questions and highlights issues that warrant further examination. Areas that would benefit from additional analyses include, but are not limited to, probation violations, mental health in the juvenile justice system, causes of disproportionate minority contact, the juvenile sex offender registry, juvenile alien warnings, MCAS scores and their effect on juvenile delinquency, non-English speaking defendants, and prevention/intervention programs.

We hope this document can help to develop a better understanding of our juvenile justice system and the needs of our youth and can be a catalyst for future study and positive steps in juvenile justice in Massachusetts.

Other Sources of Juvenile Justice Information

This section contains information about other sources of juvenile justice information and is divided into three parts: 1) Data, Information and Resources, 2) Evidence-Based Delinquency Prevention and Juvenile Justice Programs and 3) General Prevention and Youth Development Information.

DATA, INFORMATION AND RESOURCES

Massachusetts Juvenile Justice Data, Information and Resources

- Citizens for Juvenile Justice: www.cfjj.org.
- Committee for Public Counsel Services: www.mass.gov/cpcs/.
- Juvenile Justice Advisory Committee: www.mass.gov/jjac/.
- Massachusetts Bar Association: www.massbar.org/.
- Massachusetts Department of Youth Services: www.mass.gov/portal/index.jsp?pageID=eohhs2agencylanding&L=4&L0=Home&L1=Government&L2=Departments+and+Divisions&L3=Department+of+Youth+Services&sid=Eeohhs2.
- Massachusetts District Attorneys Association: www.mass.gov/mdaa/.
- Massachusetts Executive Office of Public Safety: www.mass.gov/eops/.
- Massachusetts Juvenile Court: www.mass.gov/courts/courtsandjudges/courts/juvenilecourt/index.html.
- Massachusetts State Police Crime Reporting Unit: www.mass.gov/msp/cru/SPRESRCH.HTM.
- Office of the Commissioner of Probation: www.mass.gov/courts/probation/index.html.
- Youth Advocacy Project: www.youthadvocacyproject.org/index.htm.
- The General Laws of Massachusetts: www.mass.gov/legis/laws/mgl/index.htm.

Other Data, Information and Resources Specific to Massachusetts

- Massachusetts Citizens for Children: www.masskids.org.
- Massachusetts Department of Education Statistical Reports: www.doe.mass.edu/infoservices/reports/.
- Massachusetts Department of Education Youth Risk Behavior Survey: www.doe.mass.edu/hssss/program/youthrisk.html.
- Massachusetts Department of Mental Health: www.mass.gov/portal/index.jsp?pageID=eohhs2agencylanding&L=4&L0=Home&L1=Government&L2=Departments+and+Divisions&L3=Department+of+Mental+Health&sid=Eeohhs2.
- Massachusetts Department of Public Health, Division of Child and Adolescent Health: www.mass.gov/dph/fch/dcah.htm.
- Massachusetts Department of Social Services: www.mass.gov/portal/index.jsp?pageID=eohhs2agencylanding&L=4&L0=Home&L1=Government&L2=Departments+and+Divisions&L3=Department+of+Social+Services&sid=Eeohhs2.
- Massachusetts Department of Public Health Massachusetts Community Health Information Profile (MassCHIP): http://masschip.state.ma.us/.
- Massachusetts Office of Healthy Communities: www.mass.gov/dph/ohc/ohc.htm/.
- Office of Adolescent Health and Youth Development: www.mass.gov/dph/fch/adhealth.htm.

National Data, Information and Resources

- Coalition for Juvenile Justice: www.juvjustice.org/.
- Kids Count: www.aecf.org/kidscount/databook/.
- National Center for Children in Poverty: nccp.org/index.html.
- National Center for Chronic Disease Prevention and Health Promotion, Healthy Youth Data and Statistics: www.cdc.gov/HealthyYouth/yrbs/index.htm.
- National Center for Juvenile Justice: www.ncjj.org/.
- National District Attorneys Association: www.ndaa-apri.org/.
- Office of Juvenile Justice and Delinquency Prevention: ojjdp.ncjrs.org/.
- Office of Juvenile Justice and Delinquency Prevention Statistical Briefing Book: ojjdp.ncjrs.org/ojstatbb/index.html.
- Substance Abuse and Mental Health Services Administration (SAMHSA), Office of Applied Studies: www.oas.samhsa.gov/.

EVIDENCE-BASED DELINQUENCY PREVENTION AND JUVENILE JUSTICE PROGRAMS

Blueprints: www.colorado.edu/cspv/blueprints/index.html.
"In 1996, the Center for the Study and Prevention of Violence (CSPV), at the University of Colorado at Boulder, with funding from the Colorado Division of Criminal Justice, Centers for Disease Control and Prevention, and the Pennsylvania Commission on Crime and Delinquency, designed and launched a national violence prevention initiative to identify violence prevention programs that are effective. The project, called Blueprints for Violence Prevention, has identified 11 prevention and intervention programs that meet a strict scientific standard of program effectiveness. Program effectiveness is based upon an initial review by CSPV and a final review and recommendation from a distinguished Advisory Board, comprised of seven experts in the field of violence prevention. The 11 model programs, called Blueprints, have been effective in reducing adolescent violent crime, aggression, delinquency, and substance abuse. Another 21 programs have been identified as promising programs. To date, more than 600 programs have been reviewed, and the Center continues to look for programs which meet the selection criteria."
For model programs go to: *www.colorado.edu/cspv/blueprints/model/overview.html*.
For promising programs go to: *www.colorado.edu/cspv/blueprints/promising/overview.html*.

Office of Juvenile Justice and Delinquency Prevention Model Programs Guide:
www.dsgonline.com/mpg_non_flash/mpg_index.htm.
"The Office of Juvenile Justice and Delinquency Prevention's Model Programs Guide (MPG) is designed to assist practitioners and communities in implementing evidence-based prevention and intervention programs that can make a difference in the lives of children and communities . The MPG database of evidence-based programs covers the entire continuum of youth services from prevention through sanctions to reentry. The MPG can be used to assist juvenile justice practitioners, administrators, and researchers to enhance accountability, ensure public safety, and reduce recidivism. The MPG is an easy-to-use tool that offers the first and only database of scientifically-proven programs across the spectrum of youth services."

Promising Practices Network on Children, Families and Communities:
www.promisingpractices.net/.
"The Promising Practices Network (PPN) web site highlights programs and practices that credible research indicates are effective in improving outcomes for children, youth, and families."

Substance Abuse and Mental Health Services Administration (SAMHSA) Model Programs
modelprograms.samhsa.gov/template_cf.cfm?page=model_list.
"Model Programs are well-implemented, well-evaluated programs, meaning they have been reviewed by the National Registry of Effective Programs (NREP) according to rigorous standards of research. Developers, whose programs have the capacity to become Model Programs, have coordinated and agreed with SAMHSA to provide quality materials, training, and technical assistance for nationwide implementation. Model Programs score at least 4.0 on a 5-point scale on Integrity and Utility, based on the NREP review process."

Youth Violence: A Report Of The Surgeon General, Appendix 5-B: Descriptions of Specific Programs That Meet Standards for Model and Promising Categories
www.mentalhealth.samhsa.gov/youthviolence/surgeongeneral/SG_Site/chapter5/appendix5b.asp.
This youth violence report is a "scholarly report that [summarizes] what research can tell us about the magnitude, causes, and prevention of youth violence." This report lists "an array of interventions of well-documented effectiveness in helping young people whose lives are already marked by a propensity for violence as well as in preventing others from viewing violence as a solution to needs, wants, or problems."

GENERAL PREVENTION AND YOUTH DEVELOPMENT INFORMATION

Prevention
- Center for Substance Abuse Prevention: prevention.samhsa.gov/.
- Office of Juvenile Justice and Delinquency Prevention: ojjdp.ncjrs.org/.
- The Prevention Researcher: www.tpronline.org/.

Youth Development
- Channing Bete Company: www.channing-bete.com/positiveyouth/index.html.
- Child Welfare League of America: www.cwla.org/.
- Kids Health: www.kidshealth.org/.
- National Network for Youth: www.nn4youth.org/.
- National Youth Development Information Center: www.nydic.org/nydic/.
- National Youth Leadership Council: www.nylc.org/index.cfm.
- Search Institute: www.search-institute.org/.
- The Forum for Youth Investment: www.forumforyouthinvestment.org/.
- Youth Leadership Institute: www.yli.org/.

List of Acronyms

ALP: Alternative Lockup Program
CJRP: Census of Juveniles in Residential Placement
CHINS: Child In Need of Services
CfJJ: Citizens for Juvenile Justice
CJJ: Coalition for Juvenile Justice
CPCS: Committee For Public Counsel Services
CSAP: Center for Substance Abuse Prevention (part of U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration)
CWOF: Continuance Without A Finding
DRC: Day Reporting Center
DOE: Department of Education
DPH: Department of Public Health
DSS: Department of Social Services
DYS: Department of Youth Services
DMC: Disproportionate Minority Contact
EOPS: Executive Office of Public Safety
JJAC: Juvenile Justice Advisory Committee
JJDPA: Juvenile Justice and Delinquency Prevention Act
MCC: Massachusetts Citizens for Children
MYRBS: Massachusetts Youth Risk Behavior Survey
NCCP: National Center of Children in Poverty
OJJDP: Office of Juvenile Justice and Delinquency Prevention
SAMHSA: Substance Abuse and Mental Health Services Administration (part of U.S. Department of Health and Human Services)
YRBS: Youth Risk Behavior Survey

Glossary of Terms

Adjudication: A finding by a judge or jury in a delinquency case that a child is delinquent, or in a youthful offender case that a child is a youthful offender.

Administrative Office of the Trial Court: The state agency charged with the administration of the statewide Trial Court system.

Administrative Probation: A period of probation that is not supervised by a probation officer.

Alternative Lockup Program (ALP): Facility where juveniles who are detained after arrest are held prior to their initial court appearance.

Alternative Placement: Out-of-home placements for children removed from their homes by DSS (such as foster care and residential care.)

Arraignment: Initial court appearance in which the defendant is informed of the charges and enters a plea of not delinquent.

Arrest Rate: The number of arrests per a certain population. See "juvenile arrest rate."

Assessment: Evaluation of a child committed to DYS that determines the child's psychosocial history and needs to help guide treatment plans.

Bail: The amount of money – determined by a judge or magistrate and meant to ensure the defendants appearance in court – that must be given to the court in order for the defendant to be released from custody pending the outcome of the case. The money is given back to the person who posted it if the defendant appears for all court appearances.

Binge Drinking: Five or more alcoholic drinks in a row, within a couple of hours, in the 30 days before the survey (from the Massachusetts Youth Risk Behavior Survey).

Care and Protection: Proceeding in juvenile court whereby placement – such as in foster care - of a child believed to be abused or neglected is determined based on the best interests of the child and their health and safety.

Census of Juveniles in Residential Placement (CJRP): Contains a collection of nationwide data detailing the characteristics (age, sex, race/ethnicity, offense, type of facility, and placement status) of juvenile offenders in residential placement facilities.

Child In Need of Services (CHINS): A means by which the juvenile court and probation department may monitor and assist children who persistently runaway or disobey home rules, or who persistently fail to attend school or disobey school rules.

Children's Defense Fund: A national advocacy organization for children.

Civil Commitment: The hospitalization of a person with mental illness who poses a danger to the public due to their illness; or, the hospitalization of someone who has a severe substance abuse problem and is likely to cause serious harm.

Citizens for Juvenile Justice (CfJJ): A non-profit organization in Massachusetts that seeks to improve the juvenile justice system through advocacy and public education.

Coalition for Juvenile Justice (CJJ): A national resource on delinquency prevention and juvenile justice issues comprised of volunteers nationwide consisting of professionals, concerned citizens, and advocates for children and families that participate as members of state advisory groups on juvenile justice.

Commitment to DYS: A delinquency or youthful offender disposition in which the juvenile is committed to the Department of Youth Services until age 18 or age 21 respectively.

Committee For Public Counsel Services (CPCS): Massachusetts state agency that provides legal representation for indigent defendants – adults and juveniles – charged with crimes.

Community Corrections Centers: A full range of treatment, education, drug testing, electronic monitoring, and community service programs for offenders run by the probation department in partnership with various sheriffs departments. Two exist for juveniles.

Community Service: One possible condition in the disposition of a case that requires the juvenile to do some form of community service work (such as helping to clean a public park).

Complaint: The manner by which a juvenile is charged with having committed a delinquent act.

Continuance Without A Finding (CWOF): A form of probationary disposition the successful completion of which will lead to the case being dismissed without a delinquency adjudication.

Court Reorganization Act of 1992: The act that authorized the establishment of a statewide Juvenile Court in Massachusetts.

Current Alcohol Use: one or more alcoholic drinks on at least one of the 30 days before the survey (from the Massachusetts Youth Risk Behavior Survey).

Current Drug Use: Use of a drug on at least one of the 30 days before the survey (from the Massachusetts Youth Risk Behavior Survey).

Dangerousness Hearing: A hearing to determine if the defendant should be detained without the opportunity for bail pending the resolution of the case because the defendant is alleged to pose a danger to the community.

Day Reporting Center (DRC): DYS community-based centers that provide counseling, supervision and other forms of treatment and monitoring for juveniles who have been committed to DYS and released from residential placement.

Delinquent: A child between the ages of 7 and under 17 who has been adjudicated delinquent as a result of breaking a state law, a city ordinance, or a town by-law.

Department of Education (DOE): The state agency charged with overseeing public education in Massachusetts.

Department of Public Health (DPH): The state agency charged with seeking to promote healthy people and communities, particularly for the underserved.

Department of Social Services (DSS): The state agency charged with the responsibility of protecting children from child abuse and neglect.

Department of Youth Services (DYS): Statewide agency responsible for the administration of secure detention facilities, residential commitment facilities, and a range of community-based treatment and monitoring programs for accused and/or delinquent youth.

Detention: The holding of a child charged with an offense in custody pending to the posting of bail or resolution of the case.

Discharge: Point at which DYS no longer has supervision over a committed child.

Disproportionate Minority Confinement (DMC): The overrepresentation of minority youth in the juvenile justice system at all points in the juvenile justice process.

District Attorney's Office: Prosecutor agencies organized by county. The District Attorney is the public's elected advocate whose primary responsibility is to ensure that youth and adults who violate the law are held accountable for wrongdoing.

District Court: The branch of statewide court system that has jurisdiction over criminal matters and a variety of civil matters. Juvenile sessions are held in district courts in some jurisdictions.

Early Initiation of Alcohol Use: Consumption of an alcoholic drink before age 13 (from the Massachusetts Youth Risk Behavior Survey).

Executive Office of Public Safety (EOPS): The state agency that plans and manages the Commonwealth's public safety efforts by supporting, supervising, and providing planning and guidance to a variety of Massachusetts public safety agencies, boards and commissions.

Formal Field Investigation: An encounter in the community between the police and a civilian in which the police gathers information from the civilian such as name, address, etc. and possibly asks the individual questions relating to the investigation of a crime.

Frequent Binge Drinking: Six or more episodes of binge drinking in the month prior to the survey. On average, this represents more than one heaving drinking episode per week (from the Massachusetts Youth Risk Behavior Survey).

Index Crimes: (see Part I Crimes).

Indictment: Process by which a juvenile is charged with a crime as a youthful offender.

Investigative Detention: The detention of an individual by the police, without a formal arrest, with the intention of interrogating the individual for the purposes of investigating a crime.

Jurisdiction: The persons about whom and the subjects about which a court has the power to make decisions that are legally binding; or, the geographical area within which a court has the right and power to operate.

Juvenile: In Massachusetts, a child between the ages of 7 and under 17.

Juvenile Arrest Rate: In this document, the juvenile arrest rate is the number of arrests of individuals under the age of 18 per 100,000 individuals in the general population (adult and juvenile).

Juvenile Court: The branch of the statewide court system that has jurisdiction over delinquency, children in need of services (CHINS), care and protection petitions, adult contributing to a delinquency of a minor cases, adoption, guardianship, termination of parental rights proceedings, and youthful offender cases.

Juvenile Court Clinics: Statewide system of court-based mental health clinics.

Juvenile Justice Advisory Committee (JJAC): Massachusetts State Advisory Committee that is appointed by the Governor and charged with the responsibility to fund programs that implement Juvenile Justice and Delinquency Prevention Act goals, coordinate juvenile justice and delinquency prevention efforts in the Commonwealth and provide policy recommendations to the Governor and state legislators.

Juvenile Justice and Delinquency Prevention Act (JJDPA): The federal act that provides the major source of federal funding to improve states' juvenile justice systems.

Lifetime Alcohol Use: Any consumption of alcohol during one’s life, except one or two sips for religious purposes (from the Massachusetts Youth Risk Behavior Survey).

Lifetime Drug Use: Use of a drug at some point during one’s life (from the Massachusetts Youth Risk Behavior Survey).

Lifetime Sexual Intercourse: Having had sexual intercourse at least once in one’s lifetime (from the Massachusetts Youth Risk Behavior Survey).

Massachusetts Citizens for Children (MCC): A non-profit statewide child advocacy organization whose mission is to improve the lives of the state's most vulnerable children and is a national leader in child abuse prevention.

Massachusetts General Laws: Massachusetts legal statutes.

n.d.: A work with no date available.

National Center of Children in Poverty (NCCP): A nonprofit, nonpartisan research and policy organization at Columbia University that seeks to identify and promote strategies that prevent child poverty in the United States and that improve the lives of low income children and families.

National Center for Juvenile Justice: A private, non-profit organization that serves as a resource for independent and original research on topics related directly and indirectly to the field of juvenile justice.

National Household Survey on Drug Abuse: A survey that measures the prevalence of use of illicit drugs, alcohol, and tobacco products, as well as the nonmedical use of prescription drugs in the United States.

Office of the Commissioner of Probation: State agency that oversees the probation departments across the state. Part of the Court System.

Operation Night Light: Partnership between police and probation officers whereby they conduct curfew checks of juvenile probationers in the community.

Office of Juvenile Justice and Delinquency Prevention (OJJDP): Part of the federal Department of Justice, OJJDP provides grant money and supports states and communities in their efforts to develop and implement effective and coordinated juvenile prevention and intervention programs and improve their juvenile justice systems.

Part I Crimes: Also referred to as index crimes, Part I Crimes include criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, arson, and motor vehicle theft.

Part II Crimes: Include other assaults, forgery and counterfeiting, fraud, embezzlement, buying/possessing stolen property, vandalism, weapons carrying/possessing, prostitution, sex offenses, drug abuse violations, gambling, offenses against family/children, driving under influence, liquor law violations, drunkenness, disorderly conduct, vagrancy, and all other offenses.

Population-Based Rates: Rates created per a specific number of individuals in the general population.

Probable Cause: The minimum degree of evidence necessary for an officer to arrest an individual or for the individual to be charged with a crime.

Probation: A type of disposition for a specified period of time during which the juvenile must follow conditions set by the court or else face harsher sanction.

Protective Custody: The detention of an individual, often for mental health reasons, for the individual's own safety whether or not the individual wants it.

Protective Factor: Something that decreases the potential harmful effect of a risk factor.

Recent Drug Use: Use of a drug on at least one of the 30 days before the survey (from the Massachusetts Youth Risk Behavior Survey).

Recent Sexual Intercourse: Having had sexual intercourse in the three months before the survey (from the Massachusetts Youth Risk Behavior Survey).

Recidivism: The commission of a crime by a juvenile who has already been adjudicated a delinquent or a youthful offender on a prior matter. In the Recidivism chapter of this document, recidivism refers to individuals being convicted of a crime within one year of discharge from the Department of Youth Services (DYS).

Relative Rate Index (RRI): Compares "rates" for minority youth to those of white youth (e.g. rates at which youth are detained). It is computed by dividing minority rates by white rates. If the rate for minority youth is equal to those of white youth, the relative rate index is a "1". The higher the RRI, the more overrepresentation of minorities exists.

Residential Placement: Concerns children who have been committed to DYS and are sent to a DYS secure facility for treatment and public safety. Can also refer to DSS placement of children, who have been ordered into their custody by the court for CHINS or Care and Protection reasons, in DSS residential programs.

Risk Factor: Anything the increases the probability that a child will engage in delinquent behavior.

Risk/Need Probation: A supervised form of probation that has varying levels of supervision depending on assessment of the child's risks/needs.

Runaway: A CHINS category referring to children who have a history of running away from home.

School Exclusions: The removal of a student from participation in regular school activities for disciplinary purposes for more than ten consecutive school days.

Secure Treatment: Residential placement of a child committed to DYS in a locked or staff secure DYS facility for the purposes of treatment and public safety.

Status Offenses: Offenses committed by juveniles which are not illegal for adults (such as curfew violations or underage drinking.)

Stubborn Child: A CHINS category referring to children who persistently disobey home rules.

Student Exclusion: The removal of a student from participation in regular school activities for disciplinary purposes for more than ten consecutive school days. The removal could be permanent or indefinite.

Suspended Sentence (delinquency): A commitment to DYS that is suspended for a probationary period determined by a judge upon successful completion of which the delinquent will not be sent into DYS custody.

Suspended Sentence (youthful offender): A commitment to either a House of Correction or a state prison suspended for a probationary period determined by a judge upon successful completion of which the youthful offender will not be sent into custody.

Truant/School Offender: A CHINS category referring to children who are persistently absent from school or violate school regulations.

Youth Risk Behavior Survey (YRBS): Monitors adolescent risk behaviors related to the leading causes of morbidity and mortality among youth and adults including behaviors such as tobacco, alcohol, and other drug use; behaviors related to intentional and unintentional injuries; high-risk sexual behaviors; poor dietary patterns; and lack of physical activity.

Youthful Offender: A person who is subject to an adult or juvenile sentence for having committed, while between the ages of fourteen and seventeen, an offense against a law on the commonwealth, which, if he [or she] were an adult, would be punishable by imprisonment in the state prison [i.e., a felony] and (a) has previously been committed to the Department of Youth Services or (b) has committed an offense which involves the infliction or threat of serious bodily harm in violation of law, or (c) has committed a violation of [G.G. c. 269, § 10(a)(c), (d), G.L.c.269, § 10E (firearm offenses)].

Note: *The terms defined above relate to their meanings as they apply to the juvenile justice and child welfare systems in Massachusetts and in this document. They may or may not correlate with meanings of the same terms as they apply to the context of the Massachusetts' adult criminal justice system, or juvenile and criminal justice systems and child welfare systems in other states.*

Data Sources

Data sources and references are listed at the end of each chapter in this document. However, a more detailed description of certain data sources may be of interest to some readers. This additional section was included to provide more detailed information about selected data sources that are used throughout this document.

2000 United States Census: The 2000 United States Census is a complete enumeration "of population and housing taken by the Census Bureau in years ending in 0 (zero). Article I of the Constitution requires that a census be taken every ten years for the purpose of reapportioning the U.S. House of Representatives" (United States Census Bureau, 2000).

2003 Massachusetts Youth Risk Behavior Survey: "The Massachusetts Youth Risk Behavior Survey (MYRBS) is conducted every two years by the Massachusetts Department of Education with funding from the United States Centers for Disease Control (CDC). The survey monitors adolescent risk behaviors related to the leading causes of morbidity and mortality among youth and adults. These behaviors include tobacco, alcohol, and other drug use; behaviors related to intentional and unintentional injuries; high-risk sexual behaviors; poor dietary patterns; and lack of physical activity. The 2003 MYRBS was conducted in the spring of 2003 in 50 randomly selected public high schools across the Commonwealth. In total, 3,624 student in grades 9 through 12 participated in this voluntary and anonymous survey. Because of the high student and school response rates, the results of this survey can be generalized to apply to all public high schools across Massachusetts" (Massachusetts Department of Education, 2004).

Census of Juveniles in Residential Placement Databook: "The Census of Juveniles in Residential Placement (CJRP) was administered for the first time in 1997 by the Bureau of the Census for the Office of Juvenile Justice and Delinquency Prevention (OJJDP). CJRP replaced the Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities, also known as the Children in Custody (CIC) census, which had been conducted since the early 1970's. The CJRP, which will be repeated biennially, provides the Nation with the most detailed picture of juveniles in custody ever produced. The CJRP asks juvenile residential custody facilities in the U.S. to describe each youth assigned a bed in the facility on the last Wednesday in October. The census is not sent to adult facilities, or facilities exclusively for drug or mental health treatment, or abused or neglected children." The CJRP "collects an individual record on each juvenile held in the residential facility, with information on the juvenile's gender, date of birth, race, placement authority, most serious offense charged, court adjudication status, date of admission, and security status" (Office of Juvenile Justice and Delinquency Prevention, n.d.).

Kids Count Data Book: "KIDS COUNT, a project of the Annie E. Casey Foundation, is a national and state-by-state effort to track the status of children in the U.S. By providing policymakers and citizens with benchmarks of child well-being, KIDS COUNT seeks to enrich local, state, and national discussions concerning ways to secure better futures for all children" (Annie E. Casey Foundation, 2004).

Massachusetts Department of Public Health Massachusetts Community Health Information Profile (MassCHIP): "MassCHIP was developed by the Massachusetts Department of Public Health to assist communities and professionals in health planning. It currently has over 4,000 active

users working in a variety of settings, including hospitals, HMOs, government agencies, universities, community health centers, and local boards of health…MassCHIP provides access to 28 health status, health outcome, program utilization, and demographic data sets, from which you can generate two types of reports: 1) Instant Topics (formerly standard reports) and 2) Custom Reports, as well as charts and maps. Instant Topics are predefined reports which use MassCHIP's most current data to supply information on a variety of topic areas for specific geographies. Custom reports are user-defined reports which can be created by downloading the MassCHIP Client and choosing the data set and selectors of interest. Depending on the data source, you can view an entire range of selectors including geography, year, age, race and ethnicity, gender, or income" (Massachusetts Department of Public Health, n.d.).

Massachusetts Institute for Social and Economic Research (MISER): "The Massachusetts Institute for Social and Economic Research (MISER) was founded in 1981 by the University of Massachusetts. *MISER* is an interdisciplinary research institute of the College of Social and Behavioral Sciences. It provides a variety of services to the University, the Commonwealth, and to national and international audiences. Faculty, students, and staff at *MISER* come from several academic areas, including the College of Social and Behavioral Sciences, the School of Education, the College of Food and Natural Resources, the School of Management, and the School of Public Health. MISER*'s* research involves planning, strategy, and forecasting, with a focus on social, economic, and demographic issues. This work is designed to formulate new public policy for use by government policy makers, as well as to develop information systems showing the relationship between public policy and the economy of Massachusetts and New England. *MISER* contracts with a variety of clients to perform customized, large-scale research projects and analyses…**A**s the Lead Agency in the State Data Center (SDC) program, *MISER* is the liaison between the Commonwealth and the U.S. Bureau of the Census and houses all the latter's data on Massachusetts" (Massachusetts Institute for Social and Economic Research, n.d.).

National Center for Children in Poverty: "The National Center for Children in Poverty (NCCP) is a nonprofit, nonpartisan research and policy organization at Columbia University. [Their] mission is to identify and promote strategies that prevent child poverty in the United States and that improve the lives of low income children and families" (National Center for Children in Poverty, n.d.). NCCP has "data wizards" that provide information about policies, demographics and economic conditions.

National Household Survey On Drug Abuse: "The National Survey on Drug Use and Health (NSDUH)[85] is sponsored by the Substance Abuse and Mental Health Services Administration (SAMHSA). The survey has been conducted since 1971 and serves as the primary source of information on the prevalence and incidence of illicit drug, alcohol, and tobacco use in the civilian, noninstitutionalized population aged 12 or older in the United States. Information about substance abuse and dependence, mental health problems, and receipt of substance abuse and mental health treatment also is included. Since 1999, about 70,000 interviews are conducted each year using a computer–assisted interviewing (CAI) methodology. Before 2002, the name of the survey was the National Household Survey on Drug Abuse (NHSDA)" (United States Department of Health and Human Services, 2003).

[85] Before 2002, the name of the survey was the National Household Survey on Drug Abuse. Data in this report is from the 2001 survey.

United States Department of Labor, Bureau of Labor Statistics: "The Bureau of Labor Statistics (BLS) is the principal fact-finding agency for the Federal Government in the broad field of labor economics and statistics. The BLS is an independent national statistical agency that collects, processes, analyzes, and disseminates essential statistical data to the American public, the U.S. Congress, other Federal agencies, State and local governments, business, and labor. The BLS also serves as a statistical resource to the Department of Labor.... BLS data must satisfy a number of criteria, including relevance to current social and economic issues, timeliness in reflecting today's rapidly changing economic conditions, accuracy and consistently high statistical quality, and impartiality in both subject matter and presentation." (United States Department of Labor, 2001).

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Appendix