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EXECUTIVE

- ADMINISTRATION
- COMMUNICATIONS
- INTERVENTION & PREVENTION PROGRAMS
- PUBLIC POLICY
- LEGISLATION
- VICTIM WITNESS BUREAU

TRIAL TEAMS

- CAMBRIDGE REGION SUPERIOR COURT
- MALDEN REGION SUPERIOR COURT
- WOBURN DISTRICT COURT

SPECIALTY UNITS

- APPEALS & TRAINING BUREAU
- CYBER PROTECTION PROGRAM
- FAMILY PROTECTION BUREAU
- CHILD PROTECTION UNIT
- DOMESTIC VIOLENCE UNIT
- ELDER/DISABLED UNIT
- SPECIAL INVESTIGATIONS UNIT (SIU)

STATE POLICE DETECTIVES

- COMPUTER FORENSICS
- HOMICIDE
- SIU

REGIONAL OFFICES

- CAMBRIDGE
- FRAMINGHAM
- LOWELL

DISTRICT COURT OFFICES

- AYER
- CAMBRIDGE
- CONCORD
- FRAMINGHAM
- LOWELL
- MALDEN
- MARLBOROUGH
- NEWTON
- SOMERVILLE
- WALTHAM
- WOBURN

October 26, 2021

Office of Senator Michael Rodrigues, Chairman  
 Senate Committee on Ways and Means  
 State House, Room 212  
 Boston, MA 02133

Office of Representative Aaron Michlewitz, Chairman  
 House Committee on Ways and Means  
 State House, Room 243  
 Boston, MA 02133

RE: FY 2020 Middlesex (Northern) District Attorney's Office  
 Report to the Senate and House Ways and Means Committees  
 Regarding the **CY 2020 Community Based Juvenile Justice Program**

Dear Senator Rodrigues and Representative Michlewitz:

Pursuant to Massachusetts General Law Chapter 12, §32 [each] district attorney, "... shall submit an annual report on each program, including statistics and findings, to (the) House and Senate Committees on Ways and Means...."

On behalf of Middlesex District Attorney Marian Ryan's Office, please accept this filing, which serves as a summary of the Community Based Justice (CBJ) program activities for the 2020 calendar year.

The Middlesex District Attorney's Office actively collaborates with numerous local organizations that work daily with youth to intervene in their lives, prevent their involvement in criminal matters, and divert, remediate, and rehabilitate through programming and other services. Despite the pandemic caused by COVID-19, CBJ meetings were held regionally and remotely. Our office also continued the practice of attending regular Community Youth Development Collaborative Meetings in the City of Lowell. The mission of these meetings is to ensure a larger-scale, community change aimed at the improvement of youth services.



Participants in these Collaborations include the city or town manager, city councilors, town-selected persons, the police chief and officers, school superintendents and principals, area university and college representatives, community service care providers, and our employees. Examples of the product of such collaborations have been applications for and the receipt of funding from state and federal grantors to community service providers, partnerships with private industry donors to contribute funding targeted at community needs, and reliance upon the analysis and expertise of professors and graduate students within local universities and colleges to interpret crime statistic data and generate models for social improvement.

From these meetings we confirmed what we already knew to be true, namely that the pandemic brought many challenges for our youth. These challenges included less in person interaction, from school to social settings, a lack of recreational activities at school and in the community, and a relentless reliance on technological devices. Many of these challenges manifested themselves in increased need for mental health services for our youth. In response, District Attorney Ryan moderated a Community Behavioral Health Discussion entitled "Challenging Choices, Difficult Decisions—Finding Strength in the Pandemic." The guest speaker for this event was Doctor Christine Runyan, who discussed the physiological impact of the pandemic and shared simple coping strategies.

It was also imperative that we help teach educators how to recognize signs of cyberbullying and offer support and connect the community to resources. We partnered with the Massachusetts Aggression Reduction Center of Bridgewater State University (MARC) to support schools in addressing on line behavior. MARC trained participants on research-based techniques to prevent and address bullying, including cyberbullying. Participants became certified to educate their colleagues on the material. The webinar also included information on challenges related to COVID-19 and a focus on bias and diversity and was shared with all Middlesex County School Superintendents. These resources are available on line at our website at [www.middlesexda.com](http://www.middlesexda.com).

In the summer of 2020, in the wake of the murder of George Floyd, the need to help youth and young adults find and use their voices when addressing racial and social justice issues became apparent. As a result of discussions surrounding this topic at the Lowell Young Development Collaborate Meetings, District Attorney Ryan proposed that our Office create a social justice roundtable initiative. This program, referred to as our Social Justice Roundtables, is a 4 week program during which students meet for 1 hour each week virtually with staff from the Middlesex District Attorney's Office. Through this program, our staff encourage and help youth talk about social and racial justice issues and empower them to be leaders for change. This program was piloted in Lowell with the assistance of the Lowell Boys and Girls Club in August of 2020. Since then, through CBJ, we have solicited other communities to participate.

At the same time, we launched an Anti-Hate Anti-Bias Task Force to bring leaders together to critically examine, prevent and respond to incidents of hate and bias across our county. The Task Force includes lawmakers, mayors, faith leaders, educators, youth leaders,

community advocates, and law enforcement. The Task Force sessions have included guest speakers from the MA Appleseed Center for Law and Justice discussing their latest report on the school-to-prison pipeline, and representatives from Quabbin Mediation sharing more information about their active bystander training.

Although not all hateful acts can be prosecuted it is our responsibility that those that are harmed by these hateful actions have their voices heard by our office. We have created a user friendly Anti-Bias/Hate Incident Report that can be filled out by community members, schools, organizations and law enforcement. This form can be found on our website and has been distributed widely throughout Middlesex County. As we collect these reports, we are keeping track of where these incidents are happening, to whom, and more importantly how can we create proactive interventions in the community to prevent these incidents from rising to the level of a hate crime.

In 2013, District Attorney Ryan engaged the Administrative Office of the Trial Courts as well as local healthcare and service providers to work toward the establishment of a **Drug Court** session in the Lowell District Court. District Attorney Ryan worked with the Presiding Justices of the Lowell District Court and the Lynn District Court Drug Court session to provide Lowell District Court partners an opportunity to view a successful Drug Court in action.

In June of 2014, the Lowell District Drug Court was launched. The drug court session is held every Tuesday at 2:00 p.m. during the second session of the Lowell District Court. Prior to the session commencing each week, the Lowell Drug Court Team, including judges, defense attorneys, assistant district attorneys, probation officers, police officers, counselors, clinical case managers, and court clinicians, meets at 12:15 p.m. to prepare for the upcoming session. To graduate from the Lowell Drug Court, participants must complete four phases, which span over a time frame of approximately 18 months.

### **Middlesex Juvenile and Young Adult Diversion Program**

The Middlesex Juvenile and Young Adult Diversion Program is a creative and progressive program which offers an alternative to formal prosecution for certain eligible young offenders. The program seeks to address root causes of youthful criminal behavior and encourage participants to work towards making better choices while also minimizing any life-altering consequences. Our diversion program is a *pre-arraignment* model designed to protect young people from having – or further extending - a criminal record. Diversion provides an opportunity to participate in remedial programming and restorative justice, attend counseling, address underlying substance use issues and/or perform community service in lieu of prosecution.

Under that model, prior to arraignment, ADAs in the juvenile and district courts identify and refer diversion-eligible cases to the Diversion Team for initial review. The police may also refer a case directly prior to a complaint issuing. The Diversion Team

reviews each case referred and seeks input from all relevant parties, including the police and any victims. With this input, eligibility to participate in the program and terms are determined.

Once accepted into the program, the young person, their counsel, if any, and in the case of a juvenile, a parent or guardian, attend a confidential intake meeting to formulate and individualized diversion contract. Potential diversion conditions are case-tailored, but typically youth are given the opportunity to complete a life skill or other remedial program, engage in counseling, participate in restorative justice, or explore and address substance use issues. Additionally, diversion participants may engage in community service and write letters of apology, where appropriate. Each participant is also asked to write a reflective essay (or, alternatively, provide feedback in a way in which they are comfortable) about their experience in the diversion program. If a young person satisfies all of the requirements of diversion, there are no further proceedings in the court system.

Despite increasing resource demands, we consider diversion a critical component of our overall prevention efforts. The diversion program is also sustained by the on-going efforts of the Director of District Courts, multiple juvenile and district court ADAs and administrative staff. In calendar year 2020, we continued to offer this program remotely through COVID-19.

District Attorney Ryan is committed to inclusive diversion options for youth. This has been borne out not only by the expansion in age for those eligible for diversion to under the age of 26, but also by the expansion of the scope of cases that are diversion eligible. A juvenile or young adult is still eligible for diversion consideration despite having a prior criminal record. Making diversion available to those who have already had contact with the courts prevents further extension of criminal records.

On an on-going basis, the Diversion Team engages in community outreach to collaborate with existing and new community partnerships with programs that offer services such as mental health counseling, life skills programming, help with substance use disorders, and youth employment training to generate locally accessible options for diversion conditions. The Team also regularly engages in outreach to educate schools, police and other youth involved agencies about the opportunities offered by the diversion program. These outreach efforts have continued despite the circumstances of the last year. In 2020, the Diversion Team presented to the following groups:

- Middlesex DA's Anti-Bias Task Force - August 26, 2020
- Middlesex Defense Attorney Bar Advocate Program - September 17, 2020
- Concord District Court Police Prosecutors – December 2, 2020

Recognizing that in order to truly understand the effectiveness of our work, we must be able to track results and share that information. We have thus made data collection a priority. In addition to tracking our diversion outcomes internally, we have also made them available on our website.

### **Restorative Justice**

District Attorney Ryan continues to be committed to utilizing Restorative Justice partnerships to further the goals of intervening in the lives of at-risk youth to prevent crime, to reduce juvenile delinquency, and to provide youth with opportunities for positive change. Driven by the belief that Restorative Justice is a process that seeks to truly repair the harm caused by crime, District Attorney Ryan has been an advocate for expanding the use of Restorative Justice programming across Middlesex County and across the Commonwealth.

In 2020, we continued to partner with Communities for Restorative Justice (C4RJ) of Concord to expand the opportunities for Restorative Justice practices throughout the county. We have also partnered with the Middlesex Community College Law Center's Restorative Justice Program to find opportunities to increase our use of this approach in Lowell and the surrounding areas. The Diversion Team actively looks for cases that would benefit from Restorative Justice programming.

### **Pre- Arraignment Drug Diversion and Treatment Program**

On November 30, 2016, we announced the launch of the first pre-arraignment adult drug diversion and treatment program in Middlesex County. This program is intended to provide critical intervention to individuals with substance use disorders at the earliest point in their intersection with the criminal justice system. Prior to arraignment, an ADA identifies and refers an eligible participant to one of the organizations with whom we partner to provide substance use disorder treatment. These include the Lowell House, Inc., the Gavin Foundation, and the South Middlesex Opportunity Council (SMOC). A standard treatment program is 16 weeks. If a participant successfully completes the program, any criminal charges are dismissed prior to arraignment.

This model reflects our collaborative approach to addressing substance misuse in our communities. By bringing multiple organizations to the table to help identify participants for this program, we are able to connect a larger number of individuals with treatment programs. The goal of the program is to provide a psycho-educational experience related to alcohol and drug use and its effect on a participant's life. By raising awareness and influencing behavioral changes, it is the ultimate goal of the program to lower participants risk for any future substance related problems, including related criminal activity.

In addition to our pre-arraignment drug diversion program, we have also established pre- arraignment mental health diversion and veteran diversion programs, in accordance with *An Act relative to criminal justice reform*, signed by Governor Charles Baker on April 13, 2018. In these initiatives, we partner with Eliot Human Services which provides counselling and treatment.

### **Opioid Task Forces**

As information ascertained from Task Force meetings in the Lowell area underscored a disturbing trend of opioid use disorder and broader misuse of prescription medication, District Attorney Ryan worked with community partners to establish Opioid Task Forces in all part of Middlesex County. These task forces, which unite community stakeholders to address opioid use disorder, have continued to meet since 2012, with the goals of mobilizing resources and developing a comprehensive approach to address this substance abuse crisis. The meetings remain focused on the intersection of behavioral health and substance use disorder and the implications to our communities: financial, social, and personal. The Task Force meetings generally involve law enforcement, fire and EMS, the medical community, local community service providers, community public health, and schools.

In March of 2020, we pivoted from hosting each meeting separately in person to hosting a single meeting each month remotely. We have had between 80 and 150 people at each meeting and continue to foster collaboration to ensure the sharing of information, the maximization of resources, and the identification of areas for legislative action, community-based programs and integrated public policy.

### **Programing Update**

We've adapted our programming to virtual platforms to allow us to continue to have important conversations about health and safety concerns with young people, parents and educators.

#### **Virtual Safety Trivia**

Traditionally, we visit summer camps across the county to speak to kids about ways to stay safe in the warmer months. This summer, we wanted to continue to engage the community by providing important safety tips as children spent more time outside. In August, we posted safety trivia questions on our Twitter and Instagram to give children and adults an opportunity to test their knowledge and remind them of important safety information related to windows, water, and bikes. Our partners at MassBike and the Boys and Girls Clubs of Stoneham and Wakefield also recorded videos to share tips with children and families.

#### **Girl Scouts Democracy Badge**

In October, DA Ryan took part in a Girl Scouts meeting with students from Arlington, ages 7-12, who were working to earn their Democracy Badge. She spoke to the scouts about her role as District Attorney and her career path. The conversation was centered around the roles and responsibilities of the different branches of government and how people come to public service. We

know many schools are having similar conversations around civic engagement and government. We're always happy to speak to students about the work of the office and how we collaborate with other areas of government.

### **Internet Safety**

With an increase in children's screen time, we know that parents and educators are concerned about how children may be using their devices and the impact of what they may encounter online. We recorded videos to share safety tips with parents and children that are available on YouTube.

### **Cut It Out Training**

DA Ryan recently presented our *Cut It Out Middlesex* program virtually to cosmetology and health assisting students from Medford Vocational High School. *Cut It Out Middlesex* is modeled after the national Cut It Out training and is part of our efforts to raise awareness about domestic violence. Students learn how to spot signs of domestic violence and how to safely refer clients to local community service providers. As part of the program, we connect participants to local resources including the police department and domestic violence agencies. These conversations help students to identify when a relationship may be concerning and know where support is available whether for their clients, themselves or a loved one.

### **MA Appleseed Foundation for Law and Justice**

As an Office we have focused on looking at our cases through a racial equity lens. We are critically examining where bias, inequity and other systemic barriers can be underlying factors in someone's interaction with the criminal justice system. To that end, our office partnered with the Appleseed Foundation for Law and Justice, an organization dedicated to identifying and reforming aspects of the criminal justice system. Members of the Appleseed Foundation have presented their report, "Protecting Girls of Color from the School-to-Prison Pipeline," which illustrates how school discipline impacts students of color, particularly Black girls, at our Anti-Hate Anti-Bias Task Force and at other meetings and trainings sponsored by our Office. This report highlights the importance of continuing our work towards equity through implicit bias training, cultural competency, trauma-informed care and alternative practices like counseling, restorative justice and diversion. This information is important for our ongoing discussions about ways we can work collaboratively to tackle the inequalities that students and their families face and better support them.

### **Superintendents and Chiefs' Breakfast**

In November, District Attorney Ryan hosted a Superintendent and Police Chief's Virtual Breakfast. Deborah Silva, Executive Director of MA Applesseed Center for Law and Justice, also joined this meeting to share the findings of their report. Neva Coakley-Grice, Chief of Boston Public Schools Safety Services, shared her experiences working with youth and the community as a BPD officer for over 27 years, including within the Boston Public Schools. She discussed her perspective and strategic plans for supporting and protecting students in schools.

### **Child Protection Efforts and Initiatives**

During the 2020 calendar year, we have also engaged in the following efforts and initiatives with respect to child protection:

- The Recertification Program for the 51A Online Mandated Reporter Training ("OMRT"): <http://51a.middlesexcac.org/>. The Recertification Program was designed for users who previously completed the Middlesex Children's Advocacy Center's OMRT who want or need to update their certification, but do not want to repeat the more time-intensive original training. To achieve recertification, the user is asked to demonstrate competence and understanding of the obligations under the 51A Law by completing an evaluation of 50 questions. The questions were designed to refresh the user's memory about key points of the 51A Law and are based upon information learned in the original training about recognizing, responding to, and reporting child maltreatment.
- Staffed and conducted trainings regarding G.L. Ch. 119 section 51A requirements.
- Child Fatality Review Team meetings:
  - Local Child Fatality Review Teams are charged with collecting and reviewing information on individual cases in an effort to understand the causes and incidence of child fatalities and near fatalities in the county. The teams are not looking to assign blame for a child's death. Rather, they are trying to identify factors that may have contributed to the child's death so as to prevent future, similar deaths. The Local Teams advise the State Team by making




recommendations for changes in law, policy or practice, which may prevent future child deaths and near deaths.

- The TRACE (Team Response Against Child Exploitation) Program, a multidisciplinary team response to commercial exploitation of children ("CSEC") in Middlesex County. TRACE's mission is to improve information sharing and build stronger collaboration within and between agencies so we can respond more effectively to CSEC cases, develop community understanding and identification of CSEC-involved youth, and enhance efforts to identify and hold exploiters accountable.

Thank you for allowing us to share this update on our programming and other intervention and prevention initiatives. This report demonstrates our Office's commitment and dedication to improving and expanding these important programs in this county.

If you have any questions regarding this program or our Office generally, please contact me directly at 781-897-8456.

Sincerely,

  
Regina Scalley, Chief Fiscal Officer

cc: DA Marian Ryan  
Steve Loughlin, First Assistant District Attorney, MDAO  
Alice Casey, ADA & Director of District Courts, MDAO