



**MARIAN T. RYAN**  
DISTRICT ATTORNEY

**THE COMMONWEALTH OF  
MASSACHUSETTS  
MIDDLESEX DISTRICT ATTORNEY  
15 Commonwealth Avenue  
Woburn, MA 01801**

**Tel: 781-897-6700**  
**Fax: 781-897-6701**

January 6, 2015

William F. Welch, Clerk of the Senate  
24 Beacon Street  
Room 335 – State House  
Boston, MA 02133

Steven T. James, Clerk of the House  
24 Beacon Street  
Room 145 – State House  
Boston, MA 02133

Re: Annual Report of Wiretap Interceptions Pursuant to G.L. c. 272 § 99(R)

Dear Mr. James:

Pursuant to Chapter 272, Section 99(R) of the Massachusetts General Laws, I hereby submit this report to the General Court on behalf of the Middlesex District Attorney's Office for the 2014 calendar year.

- 1) The Middlesex District Attorney's Office has made four applications for electronic surveillance (wiretap) warrants during the calendar year 2014.
- 2) The applicants in each case were Assistant District Attorneys David Solet, Stephen Gilpatric and Christopher Tarrant.
- 3) Four wiretap warrants were issued by the Superior Court as a result of these applications.
- 4) These warrants authorized interceptions for fifteen days at a time, and were issued on April 4, 2014, April 11, 2014, April 15, 2014 and April 18, 2014, respectively.
- 5) The above-described applications sought to discover evidence pertaining to designated offenses "involving the possession or sale of a narcotic or harmful

drug.” These designated offenses, as defined in G.L. c. 272 § 99(B)(7), were as follows:

- a. April 4, 2014 warrant: Chapter 94C, Sections 32A (Possession with Intent to Distribute/Distribution of Cocaine), and 34 (Possession of Class B Substance), and in Conspiracy to commit these offenses, in violation of Chapter 94C, Section 40.
  - b. April 11, 2014 warrant: Chapter 94C, Sections 32A (Possession with Intent to Distribute/Distribution of Cocaine), and 34 (Possession of Class B Substance), and in Conspiracy to commit these offenses, in violation of Chapter 94C, Section 40.
  - c. April 15, 2014 warrant: Chapter 94C, Sections 32A (Possession with Intent to Distribute/Distribution of Cocaine), and 34 (Possession of Class B Substance), and in Conspiracy to commit these offenses, in violation of Chapter 94C, Section 40.
  - d. April 18, 2014 warrant: Chapter 94C, Sections 32A (Possession with Intent to Distribute/Distribution of Cocaine), and 34 (Possession of Class B Substance), and in Conspiracy to commit these offenses, in violation of Chapter 94C, Section 40.
- 6) Each of the four warrants related to the same investigation; the April 11, 15 and 18 warrants may thus be considered “renewals,” though the subsequent applications sought permission to monitor different combinations of target telephones.
  - 7) As a result of these warrants, 2,568 pertinent phone calls and 522 pertinent text messages to and from the target telephones were intercepted by monitoring officers.
  - 8) As a result of the wiretap investigation and evidence developed therefrom, a total of forty-three indictments were obtained against eight individual defendants in Middlesex County, for charges including Trafficking over 200 grams of Cocaine, Trafficking over 100 grams of Cocaine, Trafficking over 18 grams of Cocaine, Possession with Intent to Distribute Cocaine, Distribution of Cocaine, School Zone Violation, Conspiracy to Traffick Cocaine over 200 grams, Conspiracy to Traffick Cocaine over 100 grams, Money Laundering, Conspiracy to Commit Money Laundering, Possession of a Firearm, Possession of Ammunition, Possession of a Firearm During Commission of a Felony, and Possession of an Electrical Weapon. In addition, several individuals were charged as Habitual Criminals, Armed Career Criminals, or Subsequent Offenders.

- 9) In addition, the investigation resulted in three indictments against an individual in Suffolk County, including Trafficking in Cocaine over 200 grams, Possession of Ammunition as an Armed Career Criminal, and Possession of an Electrical Weapon; and nine indictments against an individual in Worcester County, including Trafficking in Cocaine over 36 grams, Possession of a Firearm with a Defaced Serial Number, Possession of a Firearm Without a Firearms Identification Card, Possession of Ammunition, Possession of a Firearm During the Commission of a Felony, and Receiving Stolen Property (to wit, a firearm).
- 10) To date, none of the cases charged as a result of the 2014 wiretap investigation have been resolved. Cases against eight defendants are currently pending in Middlesex Superior Court, and cases against individual defendants are pending in Worcester and Suffolk Superior Courts, respectively.
- 11) In addition, pursuant to Chapter 272, Section 99 (R)(5)(d), the Middlesex District Attorney's Office hereby reports the following convictions obtained during the 2014 calendar year that were the result of evidence obtained through electronic surveillance:
  - a. As a result of the 2013 wiretap investigation described in the Middlesex District Attorney's Office's letter of January 6, 2014, seven defendants were convicted in Middlesex Superior Court to charges including Possession of a Large Capacity Weapon, Possession of a Large Capacity Feeding Device, Improper Storage of a Firearm, Poss. To Distribute a Class B Substance (oxycodone) as a Subsequent Offender; Possession of Ammunition as an Armed Career Criminal; Receiving Stolen Property over \$250 (to wit: a stolen firearm), Trafficking in Marijuana over 100 lbs, Conspiracy to Traffick in Marijuana, Breaking and Entering with Intent to Commit a Felony, Attempt to Commit a Crime, Money Laundering, Conspiracy to Launder Money, Possession of a Firearm with a Defaced Serial Number.
  - b. Two defendants who were intercepted pursuant to the 2013 wiretap warrants are presently awaiting trial on charges alleging illegal weapons possession, narcotics distribution, and conspiracy.
  - c. One defendant who was not intercepted, but whose possession of an illegal firearm as a subsequent offender was identified as a result of evidence developed during the 2013 wiretap investigation is awaiting trial.
  - d. Two defendants whose involvement in an Armed Robbery conspiracy was uncovered through evidence recovered during the 2013 wiretap investigation are awaiting trial; one of these defendants was also

personally intercepted participating in an unrelated drug conspiracy, while the other was not intercepted. Two other defendants in the same Armed Robbery conspiracy pleaded guilty during the 2014 calendar year.

- e. Two defendants pleaded guilty during the 2013 calendar year to charges resulting from the 2013 wiretap investigation, including Possession with Intent to Distribute a Class B Substance (PCP), Distribution of a Class D Substance, Conspiracy to Traffick Marijuana Over 100 lbs.
- f. One defendant who was indicted as a result of the 2009-2010 Middlesex wiretap investigation remains at large and is a fugitive in warrant status.

Please do not hesitate to contact me if you have any questions about the above information or if you need any further information from this office.

Sincerely,

David Solet  
General Counsel  
Middlesex District Attorney's Office

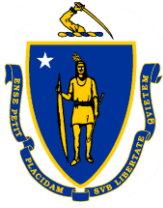
**Middlesex (NOR) District Attorney's Office**  
**Report on Law Enforcement Trust Fund Pursuant to 0340-0214**

	<u>Fiscal Year 2012</u>	<u>Fiscal Year 2013</u>	<u>Fiscal Year 2014</u>
<b><u>Gross Deposits:</u></b>	\$688,400.87	\$545,668.65	\$327,930.71
<b><u>Use/Distribution:</u></b>			
Return to Claimants (1)	\$77,427.12	\$74,709.23	\$119,190.50
Distribution to Police* (2)	\$96,331.77	\$162,972.00	\$20,474.77
Protracted Investigations (3)	\$30,276.63	\$3,334.65	\$52,018.73
Technical Equipment or Expertise (4)	\$150,533.91	\$68,130.46	\$188,590.57
Federal Match Requirements (5)	\$0.00	\$0.00	\$0.00
Other Law Enforcement Purp. (6)	\$481,798.94	\$289,786.32	\$475,941.45
Drug Rehabilitation, Drug Education, and Other Anti-Drug or Neighborhood Crime Watch Programs (7)	\$106,424.00	\$40,399.00	\$30,435.00
<b><u>Cost of Forfeiture Collection:</u></b>	\$190,636 (FY 12)	\$177,201 (FY 13)	\$224,935 (FY 14)
<b><u>Balance</u></b> as of Jan 2, 2015:			\$478,963.97 (1/2/15)

Source of reporting obligation: Each DAO's main line item FY 2015: *provided further, that the office shall submit a report to the executive director of the MA district attorneys' association no later than February 13, 2015, detailing the office's use of drug forfeiture funds, so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2012, 2013 and 2014; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 2, 2015;*

\* Excludes Forfeited Money Retained by Police and NOT Deposited Into District Attorney Law Enforcement Trust Fund

(12/29/14)



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 15 COMMONWEALTH AVENUE WOBURN, MA 01801  
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- MALDEN REGION SUPERIOR COURT
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- ELDER/DISABLED UNIT
- SPECIAL INVESTIGATIONS UNIT (SIU)

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- SIU

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- MALDEN
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- NEWTON
- SOMERVILLE
- WALTHAM
- WOBURN



February 24, 2015

James Cowdell  
 Fiscal Policy Analyst  
 Office of Senator Karen Spilka, Chairwoman  
 Senate Committee on Ways and Means  
 State House, Room 212  
 Boston, MA 02133

Patrick Ford  
 Budget Analyst  
 Office of Representative Brian Dempsey, Chairman  
 House Committee on Ways and Means  
 State House, Room 251  
 Boston, MA 02133

RE: **FY 2015 Middlesex (Northern) District Attorney's Office Report to the Senate and House Ways and Means Committees Regarding the Commonwealth's Invocation of MGL. C. 277 §70C for the period July 1, 2014 – December 31, 2014**

Dear Mr. Cowdell and Mr. Ford:

Pursuant to Massachusetts General Law Chapter 277 §70C, "The Commonwealth shall maintain a copy of all objections filed under this section and shall report the number of such objections, delineated by divisions of the district court, every 6 months to the house and senate committees on ways and means."

On behalf of the Middlesex District Attorney's Office (MDAO), please accept this filing which meets the above stated requirement. During the period July 1, 2014 – December 31, 2014, prosecutors from the MDAO made the following number of objections pursuant to this statute:

1. Woburn District Court	0
2. Malden District Court	0
3. Somerville District Court	0
<b>4. Framingham / Natick District Courts</b>	<b>1</b>
5. Waltham District Court	0
<b>6. Ayer District Court</b>	<b>1</b>
7. Lowell District Court	0
8. Marlborough District Court	0

Mr. Cowdell and Mr. Ford  
Middlesex (Northern) District Attorney's Office  
Commonwealth's Invocation of MGL. C. 277 §70C  
Senate and House Committees on Ways and Means  
February 24, 2015  
Page 2

9. Cambridge District Court	0
10. Newton District Court	0
11. Concord District Court	0

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

Sincerely,

Jeffrey Shapiro  
Chief Operating Officer and  
Assistant District Attorney

Attachment: Copy of MGL. C. 277 §70C

Cc: District Attorney Marian Ryan  
Michael Pelgro, First Assistant District Attorney, MDAO  
Alice Casey, ADA & Director of District Courts, MDAO  
Dana Clowes, Fiscal Analyst, EOAF  
Steven James, Clerk of the House  
William Welch, Clerk of the Senate





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- WOBURN



February 24, 2015

James Cowdell  
 Fiscal Policy Analyst  
 Office of Senator Karen Spilka, Chairwoman  
 Senate Committee on Ways and Means  
 State House, Room 212  
 Boston, MA 02133

Patrick Ford  
 Budget Analyst  
 Office of Representative Brian Dempsey, Chairman  
 House Committee on Ways and Means  
 State House, Room 251  
 Boston, MA 02133

RE: **FY 2015 Middlesex (Northern) District Attorney's Office**  
 Report to the Senate and House Ways and Means Committees  
 Regarding the **Commonwealth's Invocation of MGL. C. 277**  
**§70C for the period July 1, 2014 – December 31, 2014**

Dear Mr. <sup>James</sup>Cowdell and Mr. <sup>P.F.</sup>Ford:

Pursuant to Massachusetts General Law Chapter 277 §70C, "The Commonwealth shall maintain a copy of all objections filed under this section and shall report the number of such objections, delineated by divisions of the district court, every 6 months to the house and senate committees on ways and means."

On behalf of the Middlesex District Attorney's Office (MDAO), please accept this filing which meets the above stated requirement. During the period July 1, 2014 – December 31, 2014, prosecutors from the MDAO made the following number of objections pursuant to this statute:

- |  |   |
|--|---|
| 1. Woburn District Court               | 0 |
| 2. Malden District Court               | 0 |
| 3. Somerville District Court           | 0 |
| 4. Framingham / Natick District Courts | 1 |
| 5. Waltham District Court              | 0 |
| 6. Ayer District Court                 | 1 |
| 7. Lowell District Court               | 0 |
| 8. Marlborough District Court          | 0 |

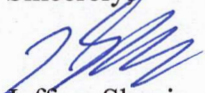


Mr. Cowdell and Mr. Ford  
Middlesex (Northern) District Attorney's Office  
Commonwealth's Invocation of MGL. C. 277 §70C  
Senate and House Committees on Ways and Means  
February 24, 2015  
Page 2

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Jeffrey Shapiro  
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<b>PART IV</b> CRIMES, PUNISHMENTS AND PROCEEDINGS IN CRIMINAL CASES
<b>TITLE II</b> PROCEEDINGS IN CRIMINAL CASES
<b>CHAPTER 277</b> INDICTMENTS AND PROCEEDINGS BEFORE TRIAL
<b>Section 70C</b> Civil infractions

Section 70C. Upon oral motion by the commonwealth or the defendant at arraignment or pretrial conference, or upon the court's own motion at any time, the court may, unless the commonwealth objects, in writing, stating the reasons for such objection, treat a violation of a municipal ordinance, or by-law or a misdemeanor offense as a civil infraction. The provisions of this section shall not apply to the offenses in sections 22F, 24, 24D, 24G, 24L, and 24N of chapter 90, sections 8, 8A, and 8B of chapter 90B, chapter 119, chapter 119A, chapter 209, chapter 209A, chapter 265, sections 1, 2, 3, 6, 6A, 6B, 8B, 13, 13A, 13B, 13B1/2, 13B3/4, 13C, 14, 14B, 15, 15A, 16, 17, 18, 19, 20, 22A, 22B, 22C, 23, 23A, 23B, 28, 31 and 36 of chapter 268, chapter 268A, sections 10, 10A, 10C, 10D, 10E, 11B, 11C, 11E, 12, 12A, 12B, 12D and 12E of chapter 269 and sections 1, 2, 3, 4, 4A, 4B, 6, 7, 8, 12, 13, 16, 28, 29A and 29B of chapter 272. If a motion to proceed civilly is allowed, the court shall not appoint counsel. If counsel has already been appointed, the court shall revoke the appointment. A person complained of for such civil infraction shall be adjudicated responsible upon such finding by the court and shall not be sentenced to any term of incarceration. **The commonwealth shall maintain a copy of all objections filed under this section and shall report the number of such objections, delineated by divisions of the district court, every 6 months to the house and senate committees on ways and means.**

When the court has treated a violation of a municipal ordinance or by-law or a misdemeanor offense as a civil infraction under this section and the ordinance, by-law or misdemeanor in question does not set forth a civil fine as a possible penalty, the court may impose a fine of not more than \$5,000. An adjudication of responsibility shall neither be used in the calculation of second and subsequent offenses under any chapter, nor as the basis for the revocation of parole or of a probation surrender. An adjudication of responsibility under this section may include an order of restitution.



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- DOMESTIC VIOLENCE UNIT
- ELDER/DISABLED UNIT
- PUBLIC PROTECTION, ANTI-TERRORISM, CORRUPTION & TECHNOLOGY (PACT)

STATE POLICE DETECTIVES

- COMPUTER FORENSICS
- HOMICIDE
- PACT

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- WOBURN

September 30, 2014

James Cowdell  
 Fiscal Policy Analyst  
 Office of Senator Stephen Brewer, Chairman  
 Senate Committee on Ways and Means  
 State House, Room 212  
 Boston, MA 02133

Kathryn Kendall  
 Deputy Budget Director  
 Office of Representative Brian Dempsey, Chairman  
 House Committee on Ways and Means  
 State House, Room 251  
 Boston, MA 02133

RE: Middlesex (Northern) District Attorney's Office (MDAO) Notice Pursuant to MGL c. 94C §47 (d), "... use of the monies in the (Forfeiture) trust fund for the purposes of drug rehabilitation, drug education ..."

Dear Mr. ~~Cowdell~~ and Ms. ~~Kendall~~:

Pursuant to the filing requirement of MGL c. 94C §47 (d), "..., each district attorney ... shall file an annual report with the house and senate committees on ways and means on the use of the monies in the (Forfeiture) trust fund for the purposes of drug rehabilitation, drug education, and other anti-drug or neighborhood crime watch programs."

As you may be aware, in FY 2014 a significant portion of the funds in the MDAO's forfeiture trust fund were necessary to supplement the state appropriation level for the MDAO's main account. These trust fund expenditures were necessary to support the ordinary and necessary costs associated with the investigation and prosecution of criminal cases in Middlesex County.

However, District Attorney Ryan continues to recognize the significant benefit that can be provided by contributing forfeiture trust fund dollars to programs and initiatives that are focused on drug rehabilitation, drug education, and other anti-drug or neighborhood crime watch programs. Therefore, in FY 2014 the office continued its tradition of





contributing a portion of these funds to three types of programs in Middlesex County that focused on children and youth, community based unused prescription drug collections, and a pilot program to help fund school based substance free graduation, prom or other end of the school year events.

Specifically, funding was provided to the following Middlesex County programs:

- ***Middlesex Partnership for Youth, Inc., (MPY)*** – This \$20,000 contribution to MPY, a private nonprofit organization that has a 20+ year history of collaborating with the MDAO, educators, public safety personnel, community leaders, mental health professionals and others, helps fund key intervention and prevention training for its member school districts and their community partners. A significant area of training involves the prevention of substance abuse among young people in Middlesex County by providing direct training to key community and school district leaders including health educators. MPY’s core mission is the prevention and intervention in matters of health and safety for youth in Middlesex County. Specifically, this funding will allow MPY to, among other things, provide the in-service training for individual school districts entitled “Prescription & Street Drugs”, provide speakers for community based forums aimed at combating drug and alcohol use among Middlesex County youth, and present a series of pre-prom and pre-graduation programs addressing the dangers of alcohol and drug use. **The total cost was \$20,000.**
- ***Provide Community Based Unused Prescription Drug Collection Lock Boxes*** –in partnership with the Police Chiefs of the 54 cities and towns in Middlesex County, District Attorney Ryan purchased a drug collection drop box for any police department that requested one. In FY 2014 units were purchased for Concord, Medford & Waltham. **The total cost was \$2,935**
- ***Pilot Program to Provide Stipends for Substance- Free Post-Prom, Post-Graduation or Other End of Year Events*** – in partnership with the School Superintendents of the 54 communities of Middlesex County, District Attorney Ryan offered \$500 stipends to any interested Middlesex School District that certified that these funds would be used to support a substance free school based event during the spring season. As has been well documented, the prom and graduation season is a particularly important time to reaffirm the message to young people regarding safe behavior and safe choices, especially with regard to drug and alcohol decisions. This is an important extension of the safe prom and graduation letter that the District Attorney and School Superintendent co-sign and send to all parents/guardians of junior and senior high school students in Middlesex County. **The total cost was \$7,500.**

MDAO Notice to the Senate and House Ways and Means Committees

Regarding use of Trust Funds

September 30, 2014

Page 3

The Middlesex District Attorney's Office is pleased to have the opportunity to use some of its state forfeiture funds in a manner that furthers its partnership with local communities; has the ability to provide a direct impact to young people and those with dependency or other substance related issues; and helps reduce the availability of unused prescription drugs to those for whom they were not prescribed.

The MDAO hopes to be in the position to provide similar awards to these or other deserving programs in future years, however, such contributions are based upon the availability of funding. The reality is that forfeiture funds are an unreliable and unpredictable source of funds to use for the operation of the people's public interest prosecution law firm, and have become increasingly more important to supplementing the state appropriation of the office, allowing the MDAO to perform its core statutory responsibilities.

If I may be of any additional assistance or answer any questions that you may have about this notice please feel free to contact me directly at 781-897-8456.

Sincerely,



Jeffrey Shapiro  
Assistant District Attorney and  
Chief Operating Officer

Cc: District Attorney Marian Ryan, Middlesex County  
Michael Pelgro, FADA, Middlesex DAO  
Dana Clowes, EOAF, Fiscal Policy Analyst



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February 3, 2015

James Cowdell  
 Fiscal Policy Analyst  
 Office of Senator Karen Spilka, Chairwoman  
 Senate Committee on Ways and Means  
 State House, Room 212  
 Boston, MA 02133

Patrick Ford  
 Budget Analyst  
 Office of Representative Brian Dempsey, Chairman  
 House Committee on Ways and Means  
 State House, Room 251  
 Boston, MA 02133

RE: FY 2015 Middlesex (Northern) District Attorney's Office  
 Report to the Senate and House Ways and Means Committees  
 Regarding the **CY 2014 Community Based Juvenile Justice Program**

Dear ~~Mr. Cowdell~~ and ~~Mr. Ford~~:

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 the Middlesex District Attorney's Office (MDAO), please accept this filing which serves as a summary of the Community Based Justice (CBJ) program activities for the 2014 calendar year.

This office continues to cultivate and maintain effective relationships with numerous local institutions that work daily with at-risk youth to intervene in their lives, prevent their involvement in criminal matters, and divert and remediate when they do make bad choices that impact schools, communities and others. Through frequent CBJ meetings, our regular Community Youth Development Collaborative Meetings, the MDAO juvenile diversion program, and involvement with Middlesex Partnerships for Youth, we have created a comprehensive system to focus on the youth population of Middlesex County and to assist schools in

keeping students safe by providing information about court involved youth, training, and crime prevention information and support.

CBJ programs are a critical tool that allows partnering agencies to collaborate on efforts to address youth violence and school safety. The mission of CBJ is to work proactively, collaboratively and consistently with schools, law enforcement officials, social service agencies, probation representatives, court representatives, and where appropriate Department of Youth Services staff, Department of Children & Families staff, and Department of Mental Health staff to promote public safety and social responsibility among school-aged children.

### **CBJ Meetings**

Approximately fifty times each month in various communities across the county, prosecutors meet with CBJ partners to collaborate on intervention and prevention initiatives that focus on preventing violence among middle and high school aged youth. In addition to participating personally in some meetings herself, the District Attorney has dedicated the resources of over fifty prosecutors to the CBJ program. Each multi-disciplinary CBJ meeting includes a team of our prosecutors, one from the juvenile court and one from the district court that services that community. Through this collaboration, prosecutors become familiar with the character of each city or town, focusing on the trends of violence, drug use, gang involvement, and other criminal activities particular to that community.

Information learned in the weekly, bi-weekly or monthly CBJ meetings is used for several purposes. The information learned as it pertains to specific individuals assists the Assistant District Attorneys (ADAs) in crafting disposition recommendations that are informed by school and police input. Importantly, youth-specific information provided to the school by MDAO and law enforcement assists the school and police in determining which students are court-involved, at-risk, or may pose a risk to others. On a larger scale, the CBJ meetings provide particularized data that can be extrapolated into youth community and county-wide trends. For example, juvenile and district court prosecutors summarize the trends and topics that arise within each of the CBJ meetings. This information is then utilized to inform the allocation of resources and efforts around prevention and education initiatives. These meetings also provide a forum to address general questions from the attendees such as obligations pursuant to G. L. ch. 119, 51A and provide a forum to educate the group on current trends such as the significance of signs, symbols, and clothing that identify gang-affiliated youth and the steps that administrators could take in response.

Youth who are court involved have their cases handled by ADAs who attend the CBJ meeting in their town or city so that ADAs view the cases and their potential community impact in the fullest way possible. A prosecutor's involvement with the youth's community provides a knowledge base to propose individualized sanctions that can deter the offender from further criminal involvement. This focus also provides meeting attendees with pertinent information on all juvenile and young adult cases that impact the school and community,



helping the schools fulfill their statutory mandate under General Laws Chapter 71, §37H and 37 H1/2, to keep children safe.

### **Community Youth Development Collaboratives**

This year MDAO has continued the practice of regular Community Youth Development Collaborative Meetings in the City of Lowell and the Town of Framingham. The mission of the Community Youth Development Collaborations [CYDC] is to bring together a larger group of community stake holders, which expands beyond the partnerships anticipated by CBJ, for larger-scale, community change aimed at the improvement of youth services. The CYDCs first identify the current needs of youth within the community, and then create partnerships between public and private industry community stake-holders targeted at meeting the identified needs.

Participants in these Collaborations include the city or town manager, city councilors / town selectpersons, the police chief and officers, school superintendents and principals, area university and college representatives, community service care providers, and MDAO 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 provide 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 to generate models for social improvement.

On October 9, 2014, at the Butler Middle School in Lowell, the Lowell Youth Development Collaborative sponsored a drug awareness night. This event, entitled "Drugs, Let's Get Real," included Key Note Speaker Melissa Weiksnar and a panel of speakers including District Attorney Marian Ryan and Lowell Police Superintendent William Taylor. The objective of the forum was to education parents and students on drug prevention and awareness through not only the panel discussion but also through interactive games and activities.

### **Drug Addiction and Addiction Related Crime Prevention Initiatives**

As information ascertained from CBJ meetings in the Lowell area underscored a trend of opiate addiction and abuse of prescription medication, District Attorney Ryan has worked with community partners in the Lowell region to respond to these concerns about increased youth and young adult substance abuse, addiction and over-dose fatality. Beginning in calendar year 2012, District Attorney Ryan, then General Counsel to the District Attorney, spearheaded an **Opiate Addiction Action Group** aimed at uniting Lowell community stakeholders to address opiate addiction in the greater Lowell youth and young adult community. The aim of the group, which District Attorney Ryan continues to chair, is to mobilize resources and develop a comprehensive approach to address drug addiction that

spans law enforcement, the medical community, local high schools, colleges and universities, and area service providers.

Products of the Opiate Addiction Action Group included a unified approach between the MDAO, the Lowell Police Department, Lowell Medical Center and other area health care providers to engage in roundtable discussions with local legislators concerning the Prescription Management Plan (PMP), opiate addiction treatment options and funding, the prescribing of opiates in emergency rooms and clinics as well as opiate prescribing and use on college campuses. Those discussions have fostered collaboration to ensure the sharing of information, the maximization of resources, and the identification of areas for legislative action.

In 2013, District Attorney Ryan engaged the Administrative Office of the Trial Courts as well as area health care 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 Court Drug Court was launched. The drug court session is held every Tuesday at 2pm at the Lowell District Court with Judge Thomas Brennan presiding. Prior to the session commencing each week, the drug court team, including judges, defense attorneys, assistant district attorneys, probation officers, police officers and clinicians, meets at 1pm to prepare for the upcoming session. In order to graduate from the Lowell Drug Court, participants must complete four phases. This trajectory is approximately 18 months. Currently, three participants have advanced to Phase II, and all other participants are in Phase I. In January 2015, a Lowell District Drug Court participant graduated from a residential program, the first do so. Several of the drug court participants are considered leaders among their peers in their respective residential programs. Of the 30 participants, 12 are between the ages of 18-25.

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

During the 2014 calendar year, the MDAO has also engaged in the following efforts and initiatives with respect to child protection:

- Conduct quarterly 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.

- Designed and continue to update on line training relating to mandated reporter obligations pursuant to G.L. ch. 119, section 51A.
- Staff and conduct on-site and in-person trainings regarding G.L. ch. 119 section 51A requirements as requested.
- Lead TRACE program to combat child exploitation and human trafficking. Our TRACE (Team Response Against Child Exploitation) initiative established multi-disciplinary, regional networks throughout Middlesex County to respond to allegations of and concerns about the commercial sexual exploitation of children. Trainings were held to educate team members across the county in understanding and responding to victims of exploitation, investigating and prosecuting commercial exploitation cases, providing long-term services to victims of exploitation, and implementing a team response.
- Coordinating efforts with the My Life, My Choice organization to run programs on identifying, avoiding and escaping violent and exploitative relationships in local high schools.

### **Middlesex Juvenile Diversion Program**

The Middlesex Juvenile Diversion Program (MJDP) is a creative and progressive program which offers an alternative to formal prosecution in the juvenile court system to certain eligible juvenile offenders. The diversion program is a pre-arraignment model designed to protect eligible juvenile offenders from having a criminal record. The diversion program allows the juvenile the opportunity to participate in remedial programming, attend counseling and/or perform community service in lieu of prosecution. The goal is to address the root causes of juvenile delinquency and to work with the juvenile to make better choices while also minimizing any life altering negative consequences. The diversion program seeks to treat juveniles, not as criminals, but as children in need of aid, encouragement and guidance.

Under the model, prior to arraignment, the police or juvenile prosecutors refer diversion eligible cases to the MJDP for initial review. The MJDP Director investigates the case and seeks input from all relevant parties including any victims. The MJDP staff assimilates all input and ultimately determines diversion eligibility and terms. The assigned juvenile ADA then receives input from the CBJ participants on suggested terms and conditions of the juvenile's diversion contract, and when a victim is involved contact is made to receive victim input. It is through our collaboration with the police and the other CBJ partners that the MDAO is able to identify those youth who do not currently pose a risk to schools or community and who may benefit from this intervention process to prevent further criminal involvement.

Once accepted into the program, and after a confidential intake meeting with the juvenile and their guardian(s), an individualized diversion plan is formulated. The possible diversion conditions are innumerable but typically juveniles are given the opportunity to complete a remedial program and/or engage in counseling to address issues related to the offense committed and underlying causes of their criminal behavior. Additionally, diversioners are required to engage in community service, write letters of apology, when appropriate, and to author a reflective essay about the incident and the diversion experience. If the juvenile satisfies all of the requirements of diversion, there will be no further proceedings in the criminal justice system related to the matter. This program allows participants to compensate for their mistakes, avoid recidivism, and be provided a road map to a successful future without having a juvenile board of probation record that may have long lasting adverse effect on the youth's entry into future employment or academic opportunities.

In calendar year 2014, the MJDP screened 420 juvenile criminal cases for diversion and of these cases screened for diversion, 127 cases were deemed ineligible. Each of these diversion cases is overseen from in-take through conclusion by the part-time MJDP Director and the MJDP Case Manager. The MJDP is also sustained by the on-going efforts of the Director of District Courts and seven juvenile District Court ADAs.

In September, 2013, the age of juvenile court jurisdiction in Massachusetts was raised from seventeen to eighteen for delinquency cases. Due to the fact that MJDP is a program offered exclusively to juveniles, it was correctly anticipated that there would be an increase in the number of offenders potentially eligible for the MJDP. As such, the MDAO hired a full time case manager at the end of 2013, in part, to address the anticipated increase in volume of cases screened and diverted. The MJDP is active and operational throughout Middlesex County, and the outreach efforts of the Diversion Director have generated enthusiastic participation on the part of police departments and schools in referring juveniles to MJDP.

Additionally, the Diversion Director and Case Manager have engaged in community outreach to successfully increase the number of community partnerships with programs that offer services such as mental health counseling, drug addiction services, and youth employment training to generate locally accessible options for diversion conditions. The

positive response to the MJDP within the county is evidenced by the continued increase in referrals and regular positive feedback.

The MJDP Director continues to work directly with the MDAO Director of Information Technology to create a diversion case management tracking system that will generate reliable statistics about the diversion program. This diversion case tracking system will supply information to form the basis for data-driven assessments of the efficacy of the MJDP and its use of community partners, including an analysis of recidivism after diversion as well as an exploration of any corollary existing between MDJP and Juvenile Court statistics. The success of the MJDP depends on our ability to continue to staff this worthwhile initiative. Should the office be forced to absorb budget cuts there would be concern over whether the MDJP could continue on this trajectory of law enforcement, school and community engagement across Middlesex County, as well as the design and implementation of the diversion case tracking system described above.

### **Restorative Justice**

In Calendar Year 2014, District Attorney Ryan partnered with juvenile Court Restorative Justice Diversion, Inc., of Lowell (JCRJD) and received a Juvenile Accountability Block Grant for Restorative Justice from the Commonwealth's Executive Office of Public Safety and Security. District Attorney Ryan continues to be committed to utilizing a Restorative Justice partnership to further the goals of intervening in the lives as at-risk youth to prevent crime, reduce juvenile delinquency, and to provide youth with opportunities for positive change. With the award of the Restorative Justice Grant, the MJDP has expanded its partnership with JCRJD, referring 48 pre-arraignment juvenile cases for restorative justice and expanding the catchment area of the JCRJD program from only the city of Lowell to the entire county. The CBJ groups are generally very supportive of restorative justice practices and are very interested in using the CBJ forum to share information in best practices and outcomes.

Information sessions and trainings about restorative justice practices continue to be conducted throughout Middlesex County. The purpose of these gatherings is to discuss the Restorative Justice program, to familiarize those who work directly with at-risk youth with the opportunities Restorative Justice presents through diversion and juvenile probation, and to begin building opportunities for collaboration in the arena of prevention and intervention for youth. Finally, in 2014, District Attorney Ryan supported proposed restorative justice legislation and was a member of a briefing panel on *Senate Bill 52: An Act Promoting Restorative Justice*) at the Massachusetts State House/. District Attorney Ryan also participated in a Virtual Town Hall on Restorative Justice hosted by the Peace Alliance, a nationwide organization promoting restorative justice practices.

**Middlesex Partnerships for Youth, Inc.**

Other prevention efforts include the MDAO's on-going partnership with Middlesex Partnerships for Youth, Inc. (MPY), a non-profit organization which conducts prevention trainings for schools on issues of 51A mandated reporting, the sharing of student records, drug and alcohol use, bullying, cyber safety, suicide prevention, teen dating violence, anti-gang initiatives, as well as school climate and emergency preparedness.

MPY was established by the Middlesex District Attorney in 1988 as a consortium of school superintendents, police and fire chiefs from a small number of public school communities throughout Middlesex County. District Attorney Ryan has been an engaged and invested participant in MPY planning and programming throughout her career in the MDAO prior to becoming the District Attorney. This consortium has expanded to every city and town in Middlesex County. In addition, several public charter schools, private schools, and youth organizations located in Middlesex County are members of Middlesex Partnerships for Youth, Inc. MPY has become a robust and respected organization, serving a population of approximately 200,000 students. Through its programming, MPY trains more than 10,000 educators, public safety personnel, students and parents each year.

The MDAO collaborates with MPY on a continual basis. The CBJ program works directly with MPY to identify trends and issues that are a concern to the schools. This assists MPY in selecting relevant topics for conferences and in-service trainings.

For the 2014-2015 school year, MPY has planned 10 professional development conferences for law enforcement, school personnel, and other public servants. The MPY fall events began with the 19th Annual School Safety Summit titled, "From Our Backyard to the Nation's Capital, Keeping Students Safe One Day at a Time." This sold-out conference, held October 2 in Natick, provided attendees with a comprehensive look at school safety. Attendees heard an emotional and powerful presentation from Michele Gay, who has become an advocate for safe schools since the death of her daughter in the tragic school shooting in Newtown, Conn. Two FBI agents and a representative from the U.S. Department of Education discussed important behavioral characteristics of those who commit violence, methods for improving the effectiveness of threat assessment teams and strategies for prevention and response by local officials to the most common safety threats in their schools. District Attorney Marian Ryan and Massachusetts Secretary of Education Matthew Malone gave an on overview of local efforts to keep students and staff safe as well as the recommendations from the Governor's Task Force on School Safety and Security.

The School Attendance Summit was held on October 6, 2014. This conference took a holistic approach to attendance and truancy and brought together a range of experts to explore the root causes of attendance problems and provide recommendations to combat truancy and tardiness. On November 21, 2014, MPY was honored to have Diane B. Patrick, First Lady of the Commonwealth share her personal story as a survivor of domestic violence. At a conference titled "Envisioning A Future Without Violence," District Attorney Marian

Ryan addressed the dynamics of domestic violence and how it impacts urban, suburban and rural communities in Middlesex County. Dan Lebowitz, Executive Director of the Center for the Study of Sport in Society, at Northeastern University, spoke about changing the culture of relationships and encouraged a widespread effort to engage men in candid and genuine conversations regarding their role in domestic violence. District Attorney Ryan led a lively panel discussion with Dan Lebowitz, Lonna Davis from Futures Without Violence, and Jackie Apsler from the Domestic Violence Services Network which included spirited discussion from the diverse audience.

The Fall Mental Health Series also featured three conferences that addressed school culture, alternative education and the changes to the Diagnostic and Statistical Manual (DSM-5).

District Attorney Ryan also worked in partnership with MPY on the school-based initiative for the 2014-15 school year, "I'm Worth More." This school-based initiative is a theme that unifies MPY programming to teachers and students for the year. The "I'm Worth More" theme focuses on the importance of recognizing how self-esteem, acceptance and understanding all contribute to successful relationships outside the classroom. Key messages include: respecting other people and their opinions and cultures; being self-confident while remaining open to different points of view; the importance of treating people fairly to build healthy long-term relationships. This is also the theme for the 2014-2015 Public Service Announcement (PSA) and Poster Projects, where middle and high school students are encouraged to create original videos and posters highlighting this theme.

The 17<sup>th</sup> Annual MPY SECURE Conference will be held on March 11, 2015 and is entitled "It Stops Here: Ending Opiate Abuse in Our Communities." Speaker Chris Herren – a professional basketball player whose promising career was derailed by drugs – will provide inspiration and guidance to help school professionals and law enforcement look differently at substance abuse and to challenge adults to change their approach in addressing substance abuse in their schools and communities. District Attorney Marian Ryan and other experts will offer concrete solutions and best practices to help schools and community effectively respond to substance abuse among youth. The conference will be held at the Nashoba Valley Technical High School in Westford.

Additionally, MPY collaborates with the MDAO to co-sponsor prevention initiatives for students. Two annual Peer Leadership Conferences are held each winter, for middle school and high school students. The Peer Leadership Conferences are co-sponsored with the Massachusetts Interscholastic Athletic Association and foster a healthy, substance-free lifestyle for teens. On February 25 and March 4, 2015, MPY and the MDAO are sponsoring two Empowering Girls conferences, one for middle school and one for high school girls. The goal of Empowering Girls is to instill a positive, can-do attitude among young women who live or go to school in Middlesex County. This year's programming will feature prominent women in a number of areas who will address some of the issues facing young women today including teen dating abuse, cyber safety, substance abuse, bullying, and body image. The



speakers will introduce students to new career opportunities, including roles that may have been in traditionally male-dominated industries.

The Executive Director of MPY is a member of the Massachusetts Association of School Superintendents, as a former public school assistant superintendent. She is also a member of the Administrators of Special Education in Massachusetts. Through her involvement with these state organizations of school leaders, she is able to successfully network with school administrators, including principals and special education administrators, and work closely with the MDAO regarding the very successful CBJ Program. The MDAO relies heavily on this partnership with MPY to engage school officials with the CBJ Program.

District Attorney Ryan serves as the chairperson of MPY and the MDAO makes a direct cash contribution to the organization each year. In addition, an in-kind contribution includes office space and staff resources for MPY. This enhances strong partnerships with the school districts throughout Middlesex County. The MDAO General Counsel serves the additional position of MPY-MDAO liaison.

District Attorney Ryan not only participates directly in a variety of MPY trainings and presentations, but she also encourages and permits ADAs to volunteer as presenters at a variety of school and community functions on important safety issues. This collaboration and in-kind contribution to MPY serves to further enhance prevention efforts across Middlesex County. MPY, with the expertise from several Assistant District Attorneys, has provided schools and communities with local programming and training on issues including cyber safety, social host liability, school investigations, bullying and teen dating violence. These educational events for parents and educators usually happen in the evenings at local schools.

MPY programming is directly influenced by the trends discussed at CBJ. Continuous dialogue between the CBJ program administrators and the MPY Executive Director enhances the collaboration and effectiveness between CBJ and MPY.

In summary, the collaboration between the Middlesex District Attorney's Office and its prevention partner, Middlesex Partnership for Youth, Inc., has become a proactive and formidable presence in Massachusetts, offering current and state-of-the-art initiatives and training in matters of health and safety for youth. Middlesex District Attorney Marian Ryan, as District Attorney and Chairman of the Middlesex Partnerships for Youth, Inc. Board of Directors, has engaged MPY to further develop its outreach and programming, all aimed at keeping kids safe.

### **Growth of CBJ**

District Attorney Marian Ryan is committed to working with the public and private schools in the 54 cities and towns of Middlesex County. District Attorney Ryan has executed

89 Memorandums of Understanding with Middlesex Schools since taking office in April of 2013. These MOU's outline a plan for direct communication through the CBJ program as well as in criminal investigations and prosecutions.

The MDAO contributes significant time in these critical, non-core mission areas and unfunded mandates because we believe in the long term value of intervention and prevention. Due in part to the vast size of Middlesex and its unique demographics and geography, it has developed a rich history of progressive minded public service, and a national reputation for excellence with its innovative approach to crime prevention, education and intervention programs. In fact, the MDAO is a national leader in its efforts to protect and serve the public with its focus on the full range of Criminal Justice System prevention and intervention programs, which engage schools and community stakeholders through education and training. The MDAO was the first in the Commonwealth to develop the Community Based Justice approach that became a model within our state and in many other jurisdictions across the country. The MDAO has strong, collaborative relationships with the leadership within the Middlesex municipalities, police departments, school districts and with health and human service professionals. Prosecutors play a particularly unique and critical role at the intersection of the following sectors: the challenges facing our health and human service agencies, law enforcement and public safety, public health, and the criminal justice system. Often times, however, when it is time to fund others from these sectors via state and federal funds, grants and other types of discretionary funding, "prosecutors" are historically ignored for funding, placing additional burdens on us to deliver our required and expected services to the public.

### **Current Trends**

The illegal use of opioid-based prescription drugs by teens and young adults continues to be identified by school, law enforcement and community service providers as an area of paramount concern. Class B substances under General Laws Chapter 94C, s.32A, such as Oxycodone (OxyContin) and Percocet, are highly addictive and often easily obtained by youth, who have only to search their family medicine cabinet for such substances. MDAO first identified this trend through reports made in CBJ meetings, and as described above, MDAO has worked with local law enforcement and community service providers within the context of CYDC meetings to establish medicine disposal opportunities. Additional prevention efforts have included utilization of the MDAO partnership with MPY to educate youth concerning the dangers of the illegal use and distribution of prescription medication.

Middlesex schools also continue to report significant marijuana use among middle school and high school students. This trend was identified after the passage of Ballot Question 2 in 2008, which made the possession of one ounce or less of marijuana punishable only by civil penalties, forfeiture, and in the case of individuals under the age of eighteen, participation in a drug awareness program and parental notification. The increase in students using marijuana, and doing so in schools and on school property, has continued to escalate

with the passage of Ballot Question 3 this November (CY 2012), which legalized the use of medical marijuana in the state. School officials and school resource officers report an on-going frustration over a witnessed shift in attitude within the youth community as it relates to marijuana. Despite the known dangers marijuana poses as a mind and mood altering substance, and the continued illegality of distribution of marijuana under G.L.c.90C, s.32C and 32E, school officials and school resource officers indicate that marijuana is perceived by youth as harmless and not criminal. As a result, school officials and school resource officers report that they continue to observe a wide array of instances where marijuana is found within schools and in the possession of students.

Just as with the adult population, a significant number of juveniles involved in the criminal justice system face serious, often untreated mental health issues. To most comprehensively address these cases, the MDAO actively seeks feedback from the schools, police and other community partners in fashioning appropriate and case-specific dispositions. Further, through the MJDP, programs and services available for mental health and substance abuse treatment are identified throughout the 54 cities and towns of Middlesex County. The MJDP director is an active member of the National Alliance on Mental Illness (NAMI) Advisory Group on Criminal Justice Diversion. The MDAO has written letters of support for police Crisis Intervention Training (CIT) initiatives aimed at reducing unnecessary arrests and court involvement for individuals with mental illness. In 2014 the number of police departments that have received CIT training has more than doubled. It is anticipated that through the work of the advisory group and NAMI, CIT training will become part of the standardized training conducted at police academies throughout the state. This more enlightened approach to youth with mental health issues is beneficial for the community and law enforcement alike; it has been a truly productive collaboration.

Substance abuse is a consistent topic at the various CBJ meetings with discussions surrounding not only students possessing Marijuana while in school, bringing it into school inside their backpacks and storing it in their lockers but also the impact of Marijuana use, prescription abuse, and opiate addiction. Synthetic drugs such as Spice and N-Bomb have also surfaced. In August, a school resource officer from a Middlesex Community reached out to the MDAO to alert us of the dangers of N-Bomb, which is presently not a crime to possess. At least two youths were hospitalized as a result of ingesting N-Bomb. District Attorney Marian Ryan has partnered with a local Representative in an effort to propose legislation to illegalize N-Bomb.

One of the activities that continues to be of particular concern in many CBJ communities over the past year has been "sexting" behavior among adolescents. "Sexting" refers to the dissemination of digital photographs depicting nude or semi-nude youth via digital media (i.e., email, text messages containing pictures, or posting on social networking sites). It frequently arises in the context of a youth photographing him/herself and sending that picture to another youth. In addition to the illegality of the dissemination under our current laws, the equally disturbing issue is that once the image is released it can be easily and widely disseminated, well beyond the intended recipient.

The increasing proliferation of cyber technology and social media access has presented many new challenges for schools as well as law enforcement. The CBJ meetings have been crucial forums to share information about ever-changing technology and youth practices. In response to the new challenges presented by cyber technology, the MDAO has developed and presented various educational curricula targeted a specified affected populations such as students, educators, parents and law enforcement. In 2014, the MDAO has seen a dramatic increase in the demand for these educational forums and District Attorney Marian Ryan is committed to continuing to provide these educational and prevention services throughout Middlesex County.

One of the programs developed by MDAO is a Cyber Educational Protection Program (CEPP). This program is offered to Middlesex communities and is targeted at youth who have engaged in sexting. The program is run by our Cyber Enforcement Unit (CEU) and Child Protection Unit (CPU) and focuses on educating youth and parents. The clear preference in addressing these matters is through intervention, prevention, training and education. Our CEU will prosecute, when appropriate, certain cases of sexting.

Despite our efforts and progress in education in the area of cyber technology, the misuse of social media sites are still prevalent and cyber bullying continues to be a problem for the schools. Students use application software (apps) such as Yik Yak and Sneaky App to post anonymous comments and disrupt the school community. Similarly, threats to harm specific students at school, staff, and generalized threats have been seen this past year and have been communicated in various ways, including Instagram, Facebook, Yik Yak, and Twitter.

### **CBJ Highlights from the Past Year**

The significant commitment of resources by the MDAO to this program, though for a very worthwhile pro-active initiative, is one that is beyond our core mission. MDAO's ADAs are working outside of their mandated core mission on behalf of the public by taking on the added responsibility to perform these (and other) important and often unfunded mandates.

- Over 500 CBJ meetings were held last year in Middlesex County, chaired or co-chaired by Middlesex ADAs. These meetings take place before court starts to accommodate the ADAs who need to be present in court for 9:00 a.m.
- In CY 2014, there were 550-600 participants that regularly attended these CBJ meetings.
- To be effective as directed by G.L. c. 12, §32, CBJ participants must include, "[t]he district attorneys ... schools and local law

enforcement representatives, probation and court representatives and, where appropriate, the department of social services, department of youth services and department of mental health.”

- The MDAO revised and executed new Memorandum of Understanding (MOU) documents about CBJ roles and responsibilities between District Attorney Ryan and our local community partners, including schools and police, to 89 school systems and school districts across our county.
- These CBJ meetings presently serve virtually all of the *public high schools*, and nearly all of the *middle schools* in Middlesex County. Although we aim for 100% participation, the MDAO does understand that some schools have decided for budgetary or other reasons not to participate. The MDAO will continue to work with these school districts in the year ahead to continue to impress upon them the overall value of the program and their participation.
- Given the expansion of our juvenile pre-complaint diversion program, the CBJ program has become the venue to discuss whether or not a juvenile is appropriate for diversion. In CY 2014 the MJDP screened 420 juvenile criminal cases for diversion and of these cases screened for diversion, 127 cases were deemed ineligible. The MDAO considers the feedback and input of the CBJ group in the decision to divert. The group not only provides insight on whether diversion is appropriate in any given case but they provide us with suggestions on appropriate conditions for the juvenile in an effort to change their behavior.
- The CBJ reports that are generated at each meeting by the ADAs not only serve as a confidential record of the matters discussed during the meetings pertaining to priority prosecutions, but the reports also allow us to identify and monitor trends in schools throughout the county. Often times we are able to target a problem in a certain school and or community and assist them in solving the issue. Other times information obtained regarding community trends serves as a basis to develop violence prevention and intervention programs, identification protocol and curricula as mandated by G.L.c.12, s.32.

Mr. Cowdell and Mr. Ford  
Middlesex (Northern) District Attorney's Office  
Community Based Juvenile Justice Annual Report to the  
Senate and House Committees on Ways and Means  
February 3, 2015  
Page 15

Attached to this report you will find a chart that illustrates the number of schools that are represented by each CBJ Meeting.

CBJ and other intervention and prevention initiatives are important efforts that this office has developed over the years. While we believe these to be important programs, this office is being required to absorb additional mandates in other areas, which are often unfunded and that go beyond our core function of investigating and prosecuting criminal matters. These mandates are made necessary due to expectations and requests of the public that we protect and serve; legislative statutes, acts and resolves; court imposed mandates and due to our overall commitment to doing what is necessary and just to carry out our responsibilities. Beginning in September 2012, the MDAO has also dedicated significant resources to litigating pending cases and post-conviction motions about the Hinton State Laboratory and former state chemist Annie Dookhan. As the Commonwealth's fiscal challenges continue and critical fiscal choices must be made, these important but non-core initiatives must be closely scrutinized given the significant resources that they require.

At the present time, the additional legal assistance provided by the volunteer attorney participants in the CBJ program has been invaluable to the operation of this office and allows the MDAO to continue this important legislatively mandated program. However, as courtroom resources are reduced and criminal caseloads continue to demand more of our time and resources, our ability to continue to carry out the programmatic responsibilities that are above and beyond our mandated core mission must be evaluated.

Thank you for providing the MDAO with the opportunity to share this update on CBJ and related programs with you. We believe that this report demonstrates that the MDAO continues in its commitment and dedication to improve and expand these important programs in this county. If you have any questions regarding this program or the MDAO generally, please contact me directly at 781-897-8456.

Sincerely,



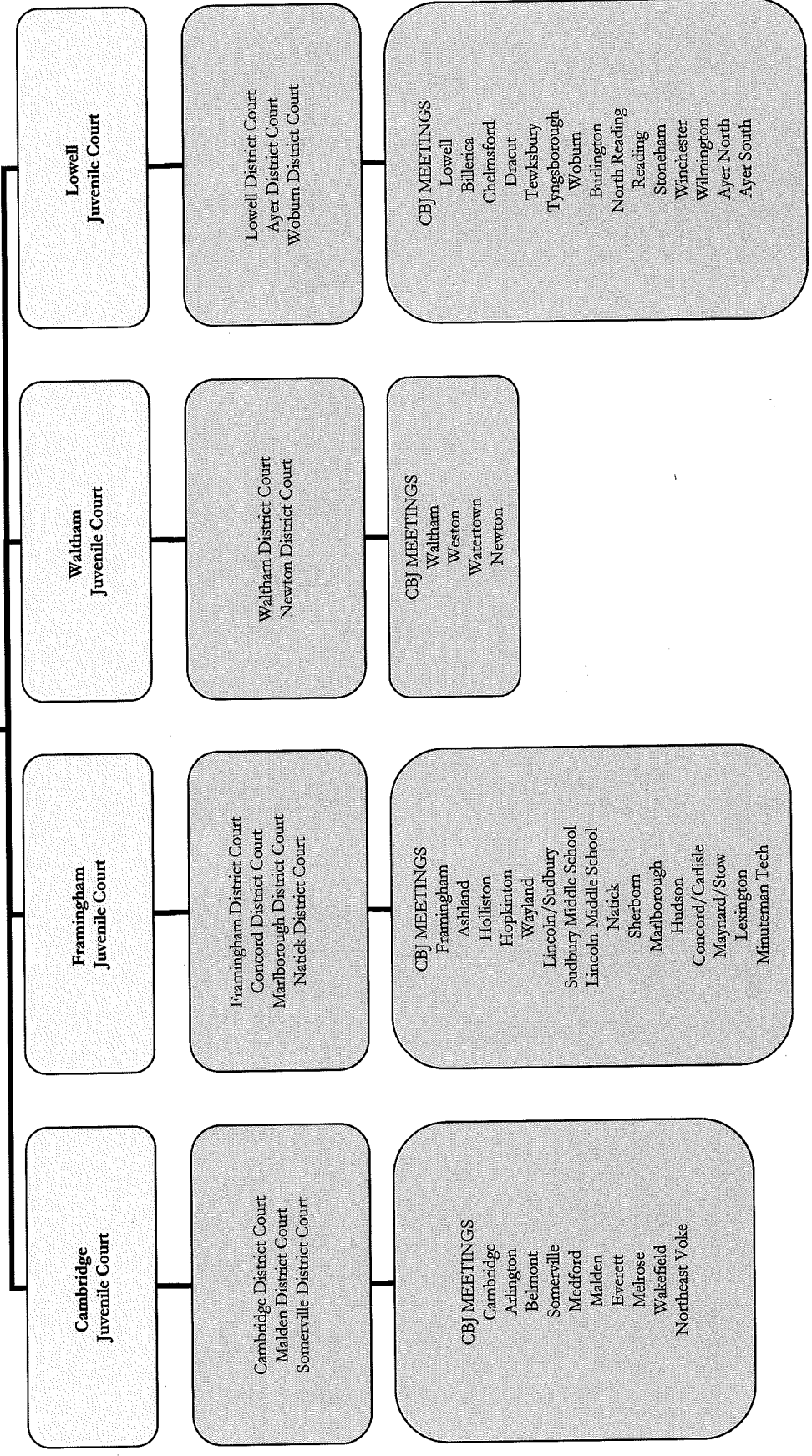
Jeffrey Shapiro  
Chief Operating Officer and  
Assistant District Attorney

Attachment: CBJ Meeting Charts

Cc: DA Marian Ryan  
Michael Pelgro, First Assistant District Attorney, MDAO  
Alice Casey, ADA & Director of District Courts, MDAO  
Dana Clowes, Fiscal Analyst, EOAF



**Organization of the  
Middlesex District Attorney's Office  
Community Based  
Justice Program**





**CAMBRIDGE  
JUVENILE COURT**

**Arlington**  
Monthly

Arlington High School  
Otroson Middle School

**Belmont**  
Monthly

Belmont High School  
Chenery Middle School

**Melrose**  
Monthly

Melrose High School  
Melrose Middle School

**Wakefield**  
Monthly

Wakefield High School  
Galvin Middle School

**N.E. Vocational**  
Monthly

Northeast Technical  
High School

**Cambridge**  
Every Other Week

Cambridge Rindge & Latin H.S.  
Amigos School  
Cambridgeport School  
Fletcher Maynard Academy  
Graham & Parks School  
Haggerty School  
John M. Tobin School  
Kennedy- Longfellow School  
King Open School  
Maria L. Baldwin School  
Martin Luther King, Jr. School  
Morse School  
Peabody School

**Everett**  
Every Other Week

Everett High School  
Devens School  
Kevenian School  
Lafayette School  
Madeline English School  
Parlin School  
Webster School  
Whittier School

**Medford**  
Monthly

Medford High School  
Medford Vocational  
Curtis Tufts School  
Andrews Middle School  
McGlynn Middle School

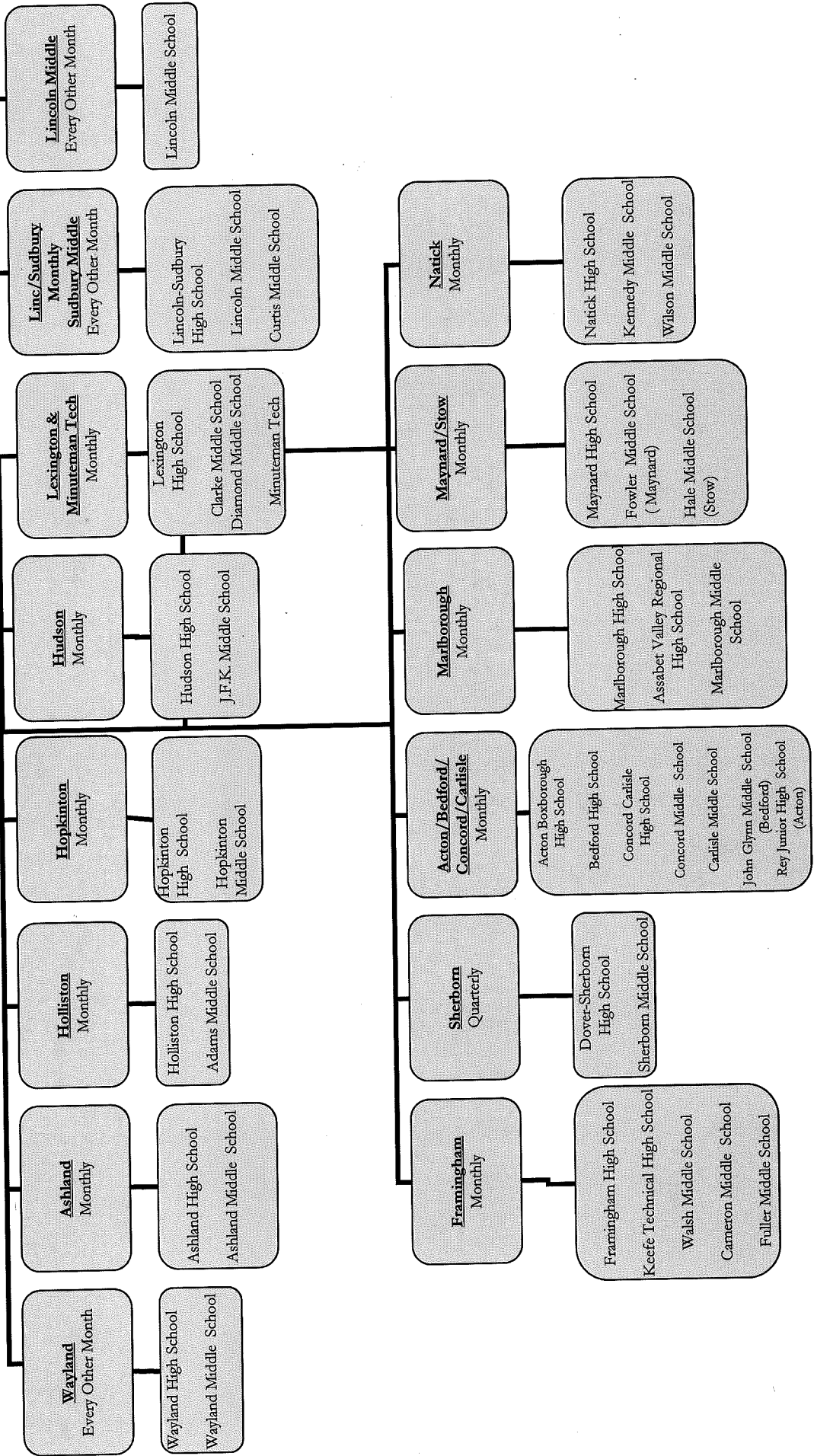
**Malden**  
Every Other Week

Malden High School  
Beebe School  
Ferryway School  
Forestdale School  
Linden School  
Salernwood School

**Somerville**  
Monthly

Somerville High School  
Full Circle High School  
Next Wave Junior High  
Albert F. Argenziano School  
Arthur Healey School  
East Somerville Community  
School  
John F. Kennedy School  
West Somerville  
Neighborhood School

**FRAMINGHAM  
JUVENILE COURT**



**WALTHAM  
JUVENILE COURT**

**Weston**  
Monthly

Weston  
High School  
Weston  
Middle School

**Watertown**  
Monthly

Watertown  
High School  
Watertown  
Middle School

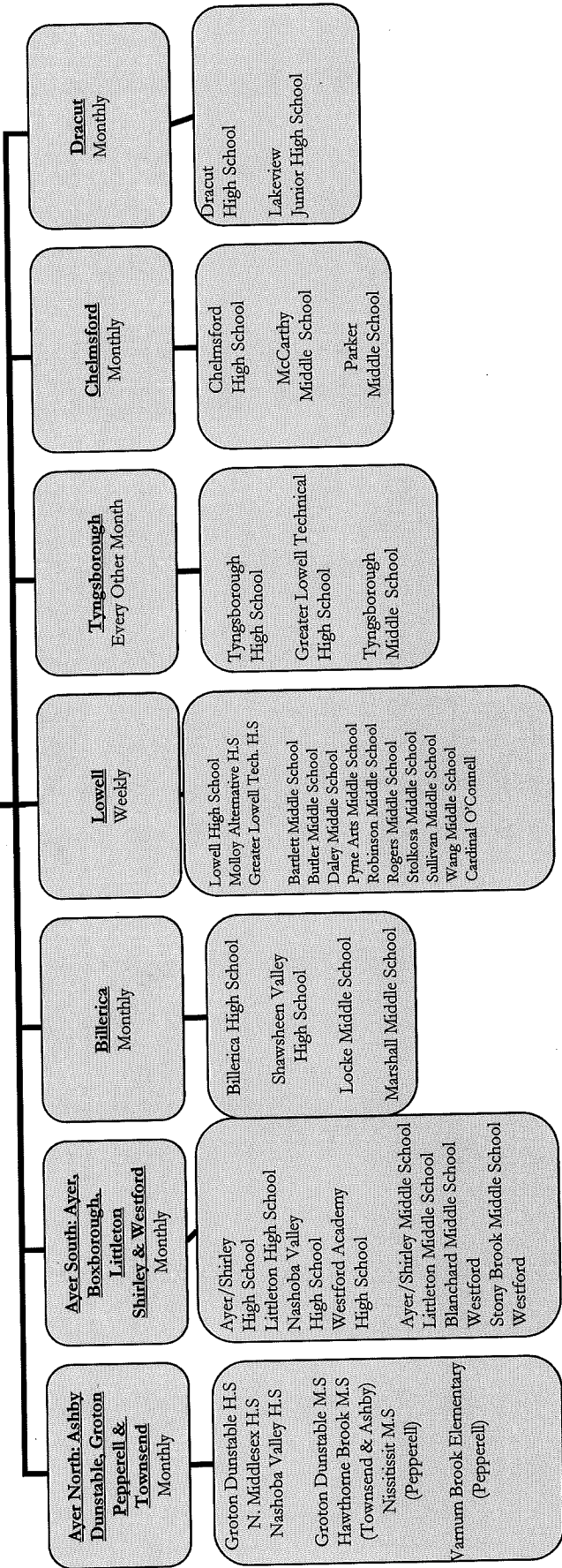
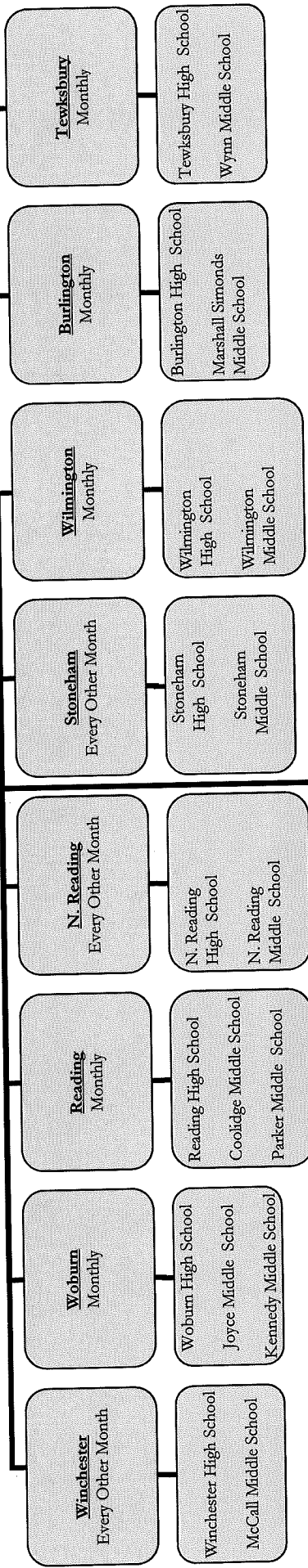
**Waltham**  
Monthly

Waltham High School  
Kennedy Middle School  
McDevitt Middle School

**Newton**  
Monthly

Newton North High School  
Newton South High School  
Bigelow Middle School  
Brown Middle School  
Day Middle School  
Oak Hill Middle School

**LOWELL  
JUVENILE COURT**



Juveniles

Middlesex - 7/1/13 - 6/30/14 Case Type	Superior Court/Youthful Offender		Juvenile Court		
	Arrestment	Disposed	Arrestment	Disposed	Diversion
Animal Cruelty	-	-	2	1	-
Child Abuse (The majority of Child Abuse cases	-	-	28	182	-
Child Pornography	-	-	16	33	-
Crimes Involving Property	2	3	124	556	544
Crimes Involving Administration of Justice	-	-	-	-	-
Crimes Against Morality	-	-	-	-	-
Crimes Against Person	9	42	1,773	8,084	325
Crimes Against Public Policy	-	-	30	129	-
Crimes Against Public Order	-	-	222	732	140
Domestic Violence & 209A Violations	-	-	174	802	179
Drugs	-	-	261	1,008	143
Elder Abuse	-	-	10	141	-
Firearms	-	-	36	306	-
Homicide	-	-	-	-	-
Motor Vehicle-related	-	-	187	598	-
Sexual Assault	-	-	-	-	-
<b>Totals</b>	<b>11</b>	<b>45</b>	<b>2863</b>	<b>12572</b>	<b>1331</b>

Other	Superior Court / Youthful Offender	Juvenile Court	Diversion
Number of Defendants	11	3277	629

Adults

Middlesex - 7/1/13 - 6/30/14 Charge Type	Superior Court		District Court	
	Arraignment	Disposed	Arraignment	Disposed
Animal Cruelty	3	-	26	6
Child Abuse (The majority of Child Abuse cases	263	6,084	749	758
Child Pornography	59	2,949	17	17
Crimes Involving Property	17	128	841	3,876
Crimes Involving Administration of Justice	5	6	11	11
Crimes Against Morality	13	108	12	12
Crimes Against Person	2,025	20,691	21,747	108,446
Crimes Against Public Policy	40	281	1,946	9,248
Crimes Against Public Order	52	440	2,039	6,901
Domestic Violence & 209A Violations	98	1,682	6,495	6,544
Drugs	634	7,269	8,808	32,769
Elder Abuse	38	302	753	757
Firearms	662	3,556	1,442	4,833
Homicide	53	645	23	96
Motor Vehicle-related	42	365	28,212	70,048
Sexual Assault	43	21	23	16
<b>Totals</b>	<b>4047</b>	<b>44527</b>	<b>73144</b>	<b>244338</b>

Other	Superior Court	District Court
Number of Defendants	2051	73387



Appeals

Middlesex - 7/1/13 - 6/30/14	Trial Court	Appeals Courts	Supreme Judicial Court	SJC & Appeals Court Single Justice	Other
Review Suppression/Dismissal Orders	94	-	-	-	-
Prepare/Filing of Rule 15 Petitions	-	-	3	-	-
Prepare/Filing Oppositions to Rule 15 Petitions	-	-	25	-	-
Prepare/Filing of c. 211, s. 3 Petitions	-	-	2	-	-
Prepare/Filing of Opposition to c. 211, s. 3 Petitions	-	-	13	-	-
Preparing Position Statements for Post-Conviction Motions (not MNT)	89	-	3	-	-
Preparing Position Statements for Motions for New Trials	49	-	-	-	-
Sentencing Appeals Hearings	-	-	-	-	-
Arguments	-	111	16	-	-
Number of Briefs Filed	-	141	14	-	-
Preparation of Position Statements for Parole Hearings	-	-	-	-	-
Preparation of Position Statements for Executive Clemency Petitions	-	21	-	-	2
<b>Totals</b>	<b>232</b>	<b>273</b>	<b>76</b>	<b>0</b>	<b>2</b>

Other	Total
Direct Appellate Review Applications	11
Further Appellate Review Applications	100
Gatekeeper Petitions	3
Reported Questions	2



## Cases Reviewed

Middlesex - 7/1/13 - 6/30/14					
Cases Reviewed - Not Charged	Juvenile	District	Superior	Appeals	Total
51A Reviews	-	-	821	-	821
51B Reviews	-	-	760	-	760
Bomb Threats/School Threats	-	-	-	-	0
Child Fatality Investigations	-	-	25	-	25
Disabled Abuse	-	-	112	-	112
DV High Risk Assessment	-	264	77	-	341
Elder Abuse	10	175	124	-	309
Grand Jury Investigatons	-	-	2,735	-	2735
Homicide Protocols	-	-	-	-	0
SAIN TEAM Interviews	-	-	324	-	324
Sexually Dangerous Person	-	-	142	-	142
Unattended Death Investigations	-	-	435	-	435
Other Non-Charged Investigations	-	-	1,210	-	1210
<b>Total</b>	10	439	6765	0	7214

COUNTY- Date Range					
Other Work	Juvenile	District	Superior	Appeals	Total
Administrative Warrants	-	-	-	-	0
Bail Reviews	-	-	901	-	901
Civil Litigation Involving Forfeitures	-	-	233	-	233
Coordinate Defense of Civil Suits	-	-	-	23	23
Oppose Summons/Subpoenas	-	-	-	-	0
Post-conviction Hearings	-	-	34	-	34
Rendition and Fugitive Proceedings	-	-	100	-	100
Review/Respond to Public Records Requests	-	-	-	144	144
Search Warrants	-	-	-	587	587
Support Services to Law Enforcement Functions	-	-	-	53	53
<b>Total</b>	0	0	1268	807	2075