



# Youth Justice Massachusetts 2022 Voter Guide

## STATEWIDE CANDIDATES

- Governor
- Attorney General
- State Auditor

## WELCOME LETTER

Each year, thousands of young people in Massachusetts come in contact with the juvenile justice system. These young people are disproportionately children of color, children from the child welfare system, children coming from areas of concentrated poverty, and LGBTQ children. For the majority of these young people, interactions with the legal system are overwhelmingly negative, increase the risk of poor outcomes and may even increase future legal system involvement. Progress in reforming our legal system into one that is fair and works to create positive outcomes for all system-involved youth, creating stronger and safer communities for everyone, depends on the actions of elected officials who support or oppose these reforms. These elected officials deeply shape how our society treats young people. With youth accounting for half of the voting population, your vote can decide the state's policies and political influence over the next four to six years.

This nonpartisan voter guide is intended to ensure that you, as a voter, know your rights and are informed in your decisions. As a supplement to our 14-county guide, this guide compiles the responses to a detailed questionnaire of youth justice issues especially relevant to Massachusetts voters for candidates running for three statewide offices: State Auditor, Attorney General and Governor.



This voter guide is intended for educational purposes. The above not-for-profit, non-partisan organizations do not endorse any candidates or political parties for public office. Candidates (last name) and political parties are listed in alphabetical order. Only candidates receiving enough signatures to appear on the Primary or General Election ballot were invited to participate in this voter guide.

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## HOW TO USE THE GUIDE

All candidates were presented with a series of yes/no and narrative questions. Questions were specifically tailored for the position candidates are running for (District Attorney, Governor's Council and Sheriff). All candidates running for the same office in their respective county or district were given the same questions and same criteria to respond.

### Responses to YES/NO Questions



**CANDIDATE  
ANSWERED "YES"**



**CANDIDATE  
ANSWERED "NO"**



**CANDIDATE  
DECLINED TO  
ANSWER**

**Narrative Questions:** Candidates were asked to keep their answers the narrative/short answer questions to 200 words or less, and their answers are published unedited in the format below.



#### **Candidate 1**

Candidate's answer



#### **Candidate 2**

Candidate's answer



#### **Candidate 3**

Candidate's answer

# ATTORNEY GENERAL

## Role of the Attorney General

The attorney general is the state's top lawyer in Massachusetts and represents the Commonwealth and its state agencies like the Department of Children and Families (DCF) and Department of Youth Services (DYS) in the state and federal court system. They are responsible for prosecuting crimes that occurred across different counties and prosecute civil rights violations. What the attorney general chooses to litigate (to bring to court) determines policy. They are independent from local district attorneys, and therefore are able to make their own decisions about what legislation and policies they will or will not support.

- Can propose legislation to criminalize or decriminalize offenses or to expand or restrict law enforcement surveillance of Commonwealth residents
- Represents state government agencies in lawsuits
- Investigates hate crimes and civil rights violations
- Operates a consumer protection bureau to receive and respond to consumer complaints

## Candidates for Attorney General



**Andrea Campbell**  
(Democrat)



**Shannon Liss-Riordan**  
(Democrat)



**Jay MacMahon**  
(Republican)



**Quentin Palfrey**  
(Democrat)

## Yes/No Questions

### Raise the Age

In 2013, Massachusetts raised the age of juvenile court to keep 17-year-olds out of the adult system, excluding murder cases. Since then, juvenile crime has declined by 64%, and has seen faster declines in violent and property crime rates than the national average. Young people ages 18 – 20 are highly amenable to rehabilitation, and keeping them in the juvenile system, where they must attend school and participate in rehabilitative programming will lower recidivism. Would you commit to supporting gradually raising the age of juvenile jurisdiction to include 18-, 19-, and 20-year-olds in order to ensure more young people mature as responsible and productive adults in our communities? If not for all of those ages, what age would you agree to support as the upper threshold of the juvenile system?



**Andrea Campbell**  
(Democrat)



**Shannon Liss-Riordan**  
(Democrat)








**Jay MacMahon**  
(Republican)



**Quentin Palfrey**  
(Democrat)

**Q1: Will you commit to ensure that your administration focuses on the unique needs of children and youth in child welfare, juvenile justice, and education by maintaining the Child Justice Unit? If not, why not? And if yes, how do you plan to include a child and youth focus across other units in your office?**

 <p><b>Andrea Campbell</b> (Democrat)</p>	<p>Yes, I believe the Attorney General’s office has a unique role to ensure the next generation does better than the last. As someone whose childhood was filled with incredible instability related to cycles of incarceration, crime and poverty, I will absolutely prioritize the needs of children and youth as the next Attorney General. The Attorney General’s office can – and should – do more to engage with youth, including giving them a seat, voice and vote at the policy making table.</p>
 <p><b>Shannon Liss-Riordan</b> (Democrat)</p>	<p>Yes, maintaining the Children’s Justice Unit is very important. This unit does important work in furthering education equity, combating hate in schools, and supporting children in DCF care. As Attorney General I am committed to expanding the Office’s outreach, particularly to underserved communities. I will seek to hold regular office hours with this unit with child welfare and juvenile justice advocates to ensure that I am aware of issues happening across Massachusetts.</p>
 <p><b>Jay MacMahon</b> (Republican)</p>	
 <p><b>Quentin Palfrey</b> (Democrat)</p>	<p>I support maintaining a Child Justice Unit and will work to ensure that divisions across the Attorney General’s office are adequately and effectively serving our children. The needs of children and youth, especially those in low-income and marginalized communities, or living with disability, must be considered in education, healthcare, housing and more. I’ll work to bring in expertise from the Child Justice unit on relevant cases across the office, and will ensure the unit is standing up for policies that advance youth justice. This includes eliminating the stark racial disparities in Massachusetts schools, and standing against inequitable education solutions such as state receivership and expanding charter schools.</p>

**Q2: What do you see is the role of the AG in addressing the localized prevalence of community-based gun violence while balancing the racial disparities and the over-criminalization of youth with gun charges feeding into over incarceration and the adult sentencing of youth?**



**Andrea Campbell**  
(Democrat)

I believe the next Attorney General will play a key role in ensuring our Commonwealth remains vigilant and continues to lead the way on gun violence prevention measures. My gun violence prevention plan outlines an intersectional approach to combating gun violence, including establishing an Office of Gun Safety Enforcement, prioritize community-based gun violence prevention programs, bolstering programs that teach formerly incarcerated individuals about gun laws and gun safety, addressing disparities in legal gun ownership that all too often criminalize individuals in communities of color, and creating a program to expunge the records of those who demonstrate responsible behavior after a charge of illegal possession. As AG I would also work to revitalize a statewide "Safe Neighborhood Initiative" as to embrace a community-based, proactive approach to criminal prosecutions that will incorporate enhanced collaboration between the Attorney General's Office, local police departments, schools, and other key community entities and resources in areas with higher levels of gun and youth violence.



**Shannon Liss-Riordan**  
(Democrat)

While combating gun violence is critical, we cannot use the same methods that have led to the over policing and over incarceration of adults and youth of color. I will prioritize scaling up community-based gun violence prevention efforts and advocate for expanding judicial diversion programs for juveniles to get them out of the prosecution pipeline and into the services and programs they need.





**Jay MacMahon**  
(Republican)



**Quentin Palfrey**  
(Democrat)

Here in MA we have some of the smartest, toughest gun laws in the country. As Attorney General I will continue leading the fight to protect our laws and defend our communities from the threat of gun violence. I'll vigorously defend Massachusetts' existing gun laws from legal challenges, ban ghost guns, end bulk purchases and stop the interstate transportation of weapons not legal in MA. Community violence makes up the majority of gun homicides in this country, so our response must also be community-based. As AG I'll ensure the office supports community organizations fighting gun violence through collaboration, convenings, and grant funding. I'll also work to end the harsh sentencing practices that lead to over incarceration and racial disparities in our legal system. This will include ending mandatory minimums, expanding pre-sentencing community-based alternatives to incarceration, and prioritizing diversion and other evidence-based policies to disrupt the cradle-to-prison pipeline.

**Q3: Describe the role of your administration in addressing the education rights of children and youth, particularly focusing on the use of student discipline and the overuse of suspension/expulsion which disproportionately impacts students of color and students with disabilities.**



**Andrea Campbell**  
(Democrat)

As the product of five public schools, I know firsthand the transformative power of education. It can break cycles of poverty, incarceration, and crime, open the doors of opportunity, and change lives. I started my legal career defending the rights of children and their families for free, particularly those with disabilities. As AG, I will continue to ensure this office plays a vital role in ensuring that every student is given the opportunity and learning environment to succeed and thrive. This includes taking on the school-to-prison by investigating the over-policing of kids, including kids of color, as outlined in my education plan.



**Shannon Liss-Riordan**  
(Democrat)

I have spent more than two decades fighting discrimination in the courts and aggressively enforcing our civil rights laws. I will not hesitate to investigate and crack down on schools and school districts who employ racist disciplinary policies or otherwise violate the education rights of children. In fact, I'm doing that while campaigning for this office. A few months ago I filed a civil lawsuit against a school district in Georgia for racist disciplinary policies against Black students who were peacefully protesting horrifically racist treatment from their white peers. We know that similar types of disparate treatment happens right here in Massachusetts and I will be very intentional about rooting it out and holding school districts accountable. More about my Georgia lawsuit:

[https://www.northwestgeorgianews.com/rome/news/local/black-students-families-from-coosa-high-file-lawsuit-against-floyd-county-schools/article\\_426f7502-d60d-11ec-9a4e-0b9f687083ed.html](https://www.northwestgeorgianews.com/rome/news/local/black-students-families-from-coosa-high-file-lawsuit-against-floyd-county-schools/article_426f7502-d60d-11ec-9a4e-0b9f687083ed.html)








**Jay MacMahon**  
(Republican)



**Quentin Palfrey**  
(Democrat)

Where you live and the color of your skin shouldn't determine what kind of education your children have. Our schools are too segregated, and there are stark differences in educational opportunities depending on where in Massachusetts you live. As chief civil rights officer, the AG must make the intentional disruption of educational injustice a major civil rights priority. I strongly disagree with those – including one of my opponents – who believe that part of the solution to educational injustice is to lift the cap on charter schools. Charter school expansion undermines teachers and collective bargaining, siphons off resources, and picks winners and losers. Receivership is also not the answer. State takeovers haven't worked, and they are the wrong answer for Boston. The real solution is to invest in our schools, in our communities, and in early childhood education. But a high-quality education isn't just about funding, it's also about creating safe and supportive environments so that every student has the opportunity to thrive. This includes teacher hiring and training that emphasizes social and emotional learning, and prevents harsh discipline or isolation of students. I will also be vigilant in enforcing anti-discrimination laws, and implement policies that seek to end institutional racism.

**Q4: What steps will your office take to be proactive and intervene to ensure that school districts comply with the new school policing MOU law?**

 <p><b>Andrea Campbell</b> (Democrat)</p>	<p>As Attorney General, I will make sure this office continues to engage with school leaders, teachers, students and families to ensure our school districts are complying with this MOU and fostering healthy and safe learning environments for our children.</p>
 <p><b>Shannon Liss-Riordan</b> (Democrat)</p>	<p>I will work to ensure that school districts are transparent about their compliance with the new school policing MOU law. Recently, I have partnered with the ACLU of Massachusetts on a transparency initiative to file public records requests for police departments to turn over racial demographic information about their stops and arrests. I will take a similar approach to school districts who refuse to be transparent about police in schools and the new MOU law. There is plenty of data already that clearly demonstrates the issue of over policing of students of color by police in schools. We cannot allow any school districts to fail to comply with the new MOU law.</p>
 <p><b>Jay MacMahon</b> (Republican)</p>	
 <p><b>Quentin Palfrey</b> (Democrat)</p>	<p>As Attorney General I would work to build relationships with both school administrators and local law enforcement to ensure our schools are safe places for all students. The AG's office can help facilitate efforts to move away from having law enforcement officers in schools and relying more on counselors and social workers that can address many of the underlying social issues students face. This can involve gathering and publishing information that tracks whether cities and towns are in compliance with MOU laws, and where the AG's office should intervene if necessary.</p>

**Q5: The federal government found that the Department of Children and Families [violated the civil rights](#) of parents with disabilities and more recently, after years of pressure from advocates, DCF adopted a new [LGBTQ non-discrimination policy](#) after years of advocacy. What will the role of your administration be as it pertains to enforcing the civil rights of children and families of color - including the enforcement of the Indian Child Welfare Act - those with disabilities, and LGBTQ youth in Massachusetts' child welfare system?**



**Andrea Campbell**  
(Democrat)

I lost both of my parents at a young age, leading my brothers and I to live with relatives and sometimes in foster care. I care deeply about holding our systems accountable, including DCF. There is more work to do to make sure these systems are inclusive, welcoming, and treating every child and family with dignity and respect. Because of my lived experience and own interactions with DCF, I believe I can bring a unique lens to the Attorney General's office that will elevate, prioritize and address these issues.



**Shannon Liss-Riordan**  
(Democrat)

As Attorney General, I plan to significantly ramp up enforcement of our civil rights laws through the Civil Rights Division. I also plan to increase outreach to underserved communities so that the Attorney General's Office can build strong input pipelines to ensure the Office is aware of ongoing, systemic issues impacting these communities. DCF has been in need of stronger oversight and accountability for quite some time. I will not hesitate to open investigations as needed to enforce the civil rights of children and families in DCF care and ensure that DCF is held accountable for any instances of negligence, abuse, or discrimination.



**Jay MacMahon**  
(Republican)



**Quentin Palfrey**  
(Democrat)

As a former Assistant AG I've seen first hand the important role the Attorney General's office plays in counseling state agencies. As AG I'll ensure that upholding civil rights by eliminating racial disparities, and enforcing protections for the LGBTQ+ and the disabled communities, are cross cutting objectives that are prioritized in all divisions of the office. This will include counseling and oversight of the DCF, and upholding their compliance with new non-discrimination policies. Investigating public corruption will be a top priority of the AG's office under my leadership, extending beyond the DCF to recent scandals with the state police, and issues with treatment of the prisoners in our corrections facilities.

**Q6: Thousands of students with IEPs didn't get services during the pandemic. Would the AG civil rights unit look at this as a violation? How would you address this?**






**Andrea Campbell**  
(Democrat)

As mentioned earlier, I started my legal career representing children for free because I recognized the importance of every child having access to high quality education. As Attorney General, I will make sure our children receive the care they deserve and will direct the civil rights unit to look into this violation.





**Shannon Liss-Riordan**  
(Democrat)

Yes, denying students with IEPs during the pandemic is a blatant civil rights violation and I would vigorously investigate this as Attorney General. I would seek to get direct input from affected families and students, identify why schools and school districts failed to provide these services, and launch a comprehensive investigation. If litigation is needed to ensure accountability for these schools who have violated the civil rights of these students, I will not hesitate to file a lawsuit.

 <p><b>Jay MacMahon</b> (Republican)</p>	
 <p><b>Quentin Palfrey</b> (Democrat)</p>	<p>IEPs are essential for ensuring quality public education for all types of learners in Massachusetts. IEP failures were a problem long before the pandemic, and many hard working teachers used limited resources to implement this curriculum as best they could in a virtual or hybrid classroom. The Attorney General must look at this not by evaluating individual teachers, but through a systemic lens that investigates how resources for IEPs are allocated. We must work to eliminate economic and racial disparities in these programs to ensure where a student lives and the color of their skins does determine the educational opportunities available to them.</p>

**Q7: The Child Advocate is appointed jointly by the State Auditor, the State Attorney General and the Governor. What are your top 3 priorities for the next Child Advocate to focus on?**

 <p><b>Andrea Campbell</b> (Democrat)</p>	<p>My top 3 priorities for the next Child Advocate are addressing the mental health crisis facing our youth, reforming our juvenile justice system, and pushing for all the tools, resources and opportunities they need to ensure the next generation does better than the last.</p>
 <p><b>Shannon Liss-Riordan</b> (Democrat)</p>	<ul style="list-style-type: none"> <li>• Commitment to structural anti-racism</li> <li>• Commitment to expanding judicial diversion programs to keep young people out of the prosecution pipeline</li> <li>• Meaningful accountability and transparency for the Department of Children and Families</li> </ul>



**Jay MacMahon**  
(Republican)



**Quentin Palfrey**  
(Democrat)

The Child Advocate is a critical independent voice for ensuring state government is providing adequate and effective services for Massachusetts children in families. My priorities for the next Advocate would be taking on racial disparities in government services, ensuring quality services and protections for LGBTQ+ children, and building relationships with local government and community organizations doing important on the ground work across the Commonwealth.



# STATE AUDITOR

## Role of the State Auditor

The state auditor is an elected official who acts as the chief accountability officer for state agencies, monitoring their practices and spending set by the state legislature. The office's main task is to conduct audits of state agencies and programs in order to hold them accountable for their responsibilities and mandates. Performance Audits assess key areas where government programs are not meeting their mission. As the only statewide agency with the capacity to investigate state and local agencies, the auditor is an independent accountability agency. Their role is important because the state auditor is the key person holding youth serving agencies accountable to do their job correctly and meeting their mission to improve services and outcomes for young people.

The state auditor is in charge of the following tasks:

- Performance Audits: assessing if state government agencies and programs are doing what they are supposed to do and meeting their mission
- Financial Audits: monitoring the spending of state agencies
- Public information: ensuring transparency by creating and releasing audit reports to the public

## Candidates for State Auditor



**Anthony Amore**  
(Republican)



**Chris Dempsey**  
(Democrat)



**Diana DiZogio**  
(Democrat)

## Yes/No Questions

### Gun Violence Prevention

Gun Violence Prevention funds are spread across a myriad of state funding streams and state government agencies. Do you commit to an audit of these funds to ensure that gun violence prevention programming is meeting its mission to address gun violence and reaching the people and communities most impacted by gun violence?



**Anthony Amore**  
(Republican)



**Chris Dempsey**  
(Democrat)



**Diana DiZogio**  
(Democrat)



### School Data

Since the 2018 Criminal Justice Reform Act required the collection of data on school based arrests, summons and referrals to court, there has been widespread noncompliance from police departments and school districts. Would you be willing to audit DESE's policies and oversight of districts and whether they have taken a significant enough role in improving compliance with Massachusetts law?



**Anthony Amore**  
(Republican)



**Chris Dempsey**  
(Democrat)



**Diana DiZogio**  
(Democrat)



## Education

State and federal law guarantees that all students, including youth with an identified disability, receive a free and appropriate public education until their 22nd birthday. However, an analysis of the Department of Correction and county houses of corrections found that close to the majority of incarcerated 18- to 21-year-olds who have Individualized Education Plans (IEPs) are not identified and therefore do not receive the education they are legally entitled to. Do you commit to an audit of educational services in state prisons and county houses of corrections and a further [audit](#) of juvenile facilities (including DESE oversight) for their compliance with special education laws for incarcerated youth under age 22?



**Anthony Amore**  
(Republican)



**Chris Dempsey**  
(Democrat)



**Diana DiZogio**  
(Democrat)



## Child Welfare

Children involved in the [child welfare system](#) are more likely to become juvenile justice-involved, entering the juvenile justice system at a higher rate than children who are not involved. Black, Latino, Native American, and multiracial children are also disproportionately represented in both the child welfare and juvenile justice systems. Do you commit to audit DCF's services to youth and families, particularly the use of funds to preserve families, or reunify children with their families, and the services delivered to transition age youth who are at the highest risk of homelessness and criminal justice involvement?



**Anthony Amore**  
(Republican)



**Chris Dempsey**  
(Democrat)



**Diana DiZogio**  
(Democrat)



## Gang Databases

An [audit](#) of California's gang database found that the management, oversight and use of their gang database were problematic and rampant with inaccuracies, violations of privacy and significant racial and ethnic disparities. Would you support conducting a similar audit of the Boston Regional Intelligence Center (BRIC) and Commonwealth Fusion Center?



**Anthony Amore**  
(Republican)



**Chris Dempsey**  
(Democrat)



**Diana DiZogio**  
(Democrat)



## Narrative Questions

**Q1: What do you think is the role of the state auditor in ensuring that child-serving agencies are using funds to and implementing policies to actually keep young people safe in a way that is equitable and that ensures positive youth development? What are your top 3 audit priorities for child-serving state agencies?**



**Anthony Amore**  
(Republican)

Audit the DCF's plans for at-risk children who move outside of Massachusetts. Most recently we saw the case of Harmony Montgomery who disappeared in New Hampshire after the Massachusetts DCF failed to follow up. As Auditor I will focus on the steps taken by DCF works to correct this lapse in oversight. Audit State Police support for Boston's gang database. The city of Boston's gang diversion program has suffered from poor performance and lack of oversight. Courts have ruled that the city's gang database wrongly implicated young people as gang members. As Auditor, I will examine how the state police support this and where reforms can prevent young people, especially those of color and from low-income families, from having their lives derailed by such profiling. I concur with findings from an audit that found DPH must to increase access to WIC. I would build on these findings by partnering with lawmakers to increase funding for mobile clinics to reach mothers at the front end of emergencies, especially in homeless shelters and hospitals. I will also push for new legislation to allow for the T's "The Ride" program to offer discounted trips for women and children who must visit WIC-serving offices.



**Chris Dempsey**  
(Democrat)

Everyone working in these areas is trying to help children, so I want my work to focus on directing all that energy in consistent directions and towards successful outcomes:

- (1) Ensure there is a theory of change for these programs, identifying the inputs they receive, what outputs they subsequently create, and how they change outcomes and long-term impacts for children and their families.
- (2) Make sure we have ways to monitor and measure the outputs, outcomes, and impacts of all projects and programs, especially with metrics that allow for objective and precise assessment of progress and shortcomings.
- (3) Encourage a culture of continuous improvement wherein when objectives are not met, or a strategy that has been pursued and implemented turns out not to serve our goals well, we adjust, continue working, and measure again, without a culture of blame.



**Diana DiZogio**  
(Democrat)

Being a childhood survivor of sexual abuse and domestic violence has informed my work on these issues in the legislature. I will bring not only my 10 years of legislative experience and work in youth-centered non-profits to the work of the Auditor's office, but also my lived experience. I will use my voice and the full power of the office to shine a light on issues impacting our most vulnerable. One example concerns the Department of Early Education and Care. The 2016-2018 audit found several problems directly impacting children. EEC failed to review or initiate investigations into reported child abuse and neglect. It did not always conduct background checks for those involved in caring for children, and it did not complete licensing investigations into care programs, or visit them in a timely manner. The sexual abuse I experienced as a child was, in part, at a home that provided child care. We must do everything in our power to ensure the protection of our children. The fact that these issues still remain is unacceptable. These problems disproportionately impact lower-income communities and communities of color. The legislature can't do it alone – they need a partner as our next State Auditor.

**Q2: How would you ensure that your programmatic audits utilize an anti-racism and equity lens?**



**Anthony Amore**  
(Republican)

When white supremacists marched in Boston earlier this year, it became clear that our law enforcement agencies need better intelligence-gathering capabilities to monitor the mobilization of hate groups. Any audit of the State Police or Office of Public Safety will incorporate an investigation of what the Commonwealth is doing to more closely monitor such incidents of hate. It seems to me that if municipalities such as Boston can host a database of alleged gang members that the Commonwealth it should include the young men who are drawn into these white supremacist organizations. More broadly I believe that state procurement processes are falling very short of hiring diverse contractors. If elected, I will investigate to what extent our onerous requirements are preventing small businesses from contracting with the state. I will audit the Office of Supplier Diversity and seek to recommend ways in which the office can be granted greatly flexibility in recommending minority-owned businesses for state procurement, especially as it relates to meeting the Pacheco Law's requirements for employee benefits. This will give minority-owned businesses the ability to provide more economic opportunities to youth in their communities.



**Chris Dempsey**  
(Democrat)

My auditor's office will be deeply concerned with fighting against ingrained and systemic racial and other biases within our government agencies and our society in this Commonwealth. We must identify all such systemic biases through thorough auditing and investigation. We will draw on reliable practices and expert advice to assist our investigations by making sure that goals of equity and inclusion are upheld in all parts of the process. For example, decisions by the state government on where to build new highways, where to allow new factories, and where to permit various forms of air and water pollution have resulted in disparate environmental impacts on vulnerable communities, especially low-income communities and people of color. As Massachusetts State Auditor, I will establish an Auditor's Environmental Justice Commission, composed of representatives from the communities hardest hit by the effects of climate change and local environmental pollution. The Commission will inform the work of the Auditor's Office before, during, and after state audits which cover agencies that impact climate, emissions, and pollution.



**Diana DiZogio**  
(Democrat)

I will bring to the Auditor's Office a commitment to social justice and equity so that no one — no matter their background, bank balance or zip code — receives different treatment on Beacon Hill. That is why I have released my 17-point Social Justice and Equity Audit Plan that focuses on the pressing challenges facing underserved and marginalized communities. Rather than post my comprehensive plan which addresses this question in the questionnaire, I invite you to check out the details here: [www.dianaforma.com/my-audit-plan](http://www.dianaforma.com/my-audit-plan)

**Q3: The previous administration conducted an audit on DCF's handling of [serious harm](#) to children on its caseload and another on the barriers to [educational success](#) of foster children. What do you expect to be your first audit of DCF and why?**



**Anthony Amore**  
(Republican)

As mentioned above, my first audit of DCF will focus on its new plans and processes for monitoring at-risk children who move in and out of Massachusetts. In addition, I believe the DCF is overdue for an examination of the caseloads of social workers. Governor Baker has done a commendable job of delivering additional, permanent funding to the agency and moving it towards a goal of 18 cases per worker on average. As Auditor I would examine how close the DCF has come to achieving that goal.



**Chris Dempsey**  
(Democrat)

Studies in recent years have found that Massachusetts DCF ranks poorly in terms of outcomes compared to many equivalent agencies across the United States. DCF data indicates that the percentage of foster care children in Massachusetts who have spent five years or more in foster care is considerably higher than the national average. In addition, the number of children in foster care longer than five years has been steadily increasing since 2017. Extended periods without a permanent placement are known to negatively affect child development and well-being. DCF provides only a limited picture of child well-being, as their main well-being measurement consists of only two metrics: timely completion of medical visits and school graduation rates. An audit focused on the foster care system's care of long-term participants, including those who have remained in the system for five years or more, would aim to improve this situation. The audit can identify the reasons for the high rate of retention in foster care, the reasons for the increase in the number of long-term participants, and the effects of defining well-being on the basis of a relatively narrow data-set. Conclusions of such an audit can outline a better way of measuring child well-being, and help DCF shape a plan for serving these foster care children more effectively.





**Diana DiZogio**  
(Democrat)

Among the critical strategies for increasing the safety, permanence and well-being of children and families involved with child welfare is tailoring services to unique needs by building upon strengths. As child welfare agency administrators and policymakers continually strive to improve services and outcomes for children and families, establishing child welfare policies and practices that promote and facilitate an individualized, strengths-based approach is essential. Policy is crucial to sustaining these practices because without it, they may be inconsistently applied and diminished with staff turnover. As Auditor, I will seek to do a quantitative performance audit of the Department of Children and Families because social workers within the organization and others need the resources to be able to do their jobs effectively. I believe the Auditor can play a critical role to fill gaps in the system. I will use my experience as vice chair of the Joint Committee on Children, Families and Persons with Disabilities, and my strong working relationship with the Office of the Child Advocate to bring the Auditor's Office to the next level.

**Q4: DESE's oversight of education - including special education in institutional settings - is lacking in that they have set up a regulatory structure that offloads responsibility to other agencies, and lacks transparency in their data collection and sharing. DESE knows that HOCs under-identify youth with IEPs in place and that school districts do not provide special education services to incarcerated youth up to age 22, and yet DESE provides minimal oversight. What would the State Auditor's Office do under your leadership to hold DESE accountable for its mandate to ensure equitable education in institutional settings?**




**Anthony Amore**  
(Republican)

I find it troubling that the Auditor's Office has never before investigated this issue. This is part of a larger problem faced by the office: for too long, the Office of the State Auditor has failed to meet its legal obligation to audit every one of the Commonwealth's 209 state agencies. I believe the office is desperately underfunded compared to other states with similar-sized budgets. Of the DESE audits completed, the findings are narrowly tailored in such a way that it paints an incomplete picture of the agency's strengths and shortcomings. For example, audits of DESE have focused on anti-hazing laws, English language learning, and adult education. As Auditor I will begin focusing audits on comprehensive overights to include issues such as the one you mentioned. I commit to regular meetings with youth justice advocates to better understand DESE's shortcomings around education in institutional settings and incorporate those discussions into future audits of DESE.



The state auditor's office must ensure that the education to which young people are entitled under the law is in fact being provided by the state. It is evident from national studies on special education for incarcerated students that shortcomings in the quality of their education are not uncommon. It is also apparent that unfortunately, the education system in our state does not always live up to its obligations towards incarcerated special education students. An audit of DESE will assess DESE's ability to provide

<p><b>Chris Dempsey</b> (Democrat)</p>	<p>sufficient oversight for and provision of special education services to incarcerated youth. In addition, this audit will determine if, when, and why DESE and HOCs have not been able to provide the services, identify what changes need to be made, and set up a mechanism for tracking the agencies' progress in implementing these changes. This may include identifying a need for greater funding, more staff, or updated legislation to make roles and responsibilities more clear than they are today.</p>
 <p><b>Diana DiZogio</b> (Democrat)</p>	<p>I worked with teens and emerging adults before seeking office, serving in a teen home and working at the United Teen Equality Center whose "promise is to ignite and nurture the ambition of our most disconnected young people to trade violence and poverty for social and economic success." This is personal to me. I have a similar perspective regarding reentry: education and workforce participation are key to preventing recidivism. I would examine the availability and effectiveness of programs that provide incentives and security to employers that provide second chance employment opportunities for emerging adults from the juvenile justice system, as well as those that provide educational/vocational training opportunities. I will also determine how effective their outreach is, if it exists at all. Holding DESE accountable for their mandate to ensure equitable education in institutional settings will be a key part of my examination.</p>

**Q5: The Child Advocate is appointed jointly by the State Auditor, the State Attorney General and the Governor. What are your top 3 priorities for the next Child Advocate to focus on?**



**Anthony Amore**  
(Republican)

- Monitoring of at-risk children into and from Massachusetts. I would audit the DCF's new for following up with at-risk children who move into and from Massachusetts. While an audit is only a snapshot in time, I would encourage the Child Advocate to focus on continual monitoring of these changes.
- Incorporate child disabilities into audits. In March the OCA issued 26 recommendations for state agencies to better monitor how a child's disability may affect that child, how evaluation of risks and warning signs of abuse and neglect should take a child's disabilities into account, and how caregiver capacity should be evaluated considering the individualized strengths and needs of children. While the OCA is ultimately responsible for ensuring implementation of these programs, follow-up audits in the coming months are needed to provide an independent, third-party review.
- Monitor implementation of new mental health bills. On August 1st the Legislature sent to the Governor's desk expansive new proposals to increase mental health services for children and young adults under the age of 22. I will be vigilant in seeing that the OCA assists in constructing a new portal for health-care providers to access real-time data about young people waiting boarding, residency or state services.



**Chris Dempsey**  
(Democrat)

- Be proactive about promoting new systems to help improve the delivery of services to children and families, particularly in the wake of the impacts of the pandemic on the provision of child care, educational and residential programs, and especially correctional facilities.
- Commit to thorough and fair investigative reviews of all reports of abuse and neglect of children, including following up on the recommendations of the 2019 audit by Auditor Bump outlining the need for better provision of information to the OCA regarding sexual abuse cases.
- Provide a complete and transparent report on all injuries and fatalities of children who are receiving care from any state agency.



**Diana DiZogio**  
(Democrat)

- Mental Health Crisis
- Lack of adequate staff/resources/services at DCF
- Expanding the services of DDS and DMH to provide services for children and families

# GOVERNOR

## Role of the Governor

The Governor is the highest state elected official in Massachusetts. They are responsible for appointing commissioners leading education, child welfare, and juvenile and criminal legal system state agencies. The governor's stance on youth justice issues sets the precedent and political tone for other state offices and stakeholders. Their role determines many factors about the youth justice system, such as:

- Appointments of officials to serve in child and youth serving state agencies such as the Department of Children and Families, Department of Youth Services, Department of Elementary and Secondary Education
- Nominations of Juvenile, District and Superior Court judges
- The governor nominates the Chief Justice -> the Chief Justice appoints the Probation Commissioner, the office responsible for overseeing probation departments that supervise justice-involved youth across the state
- The implementation of state laws, including the criminalization or decriminalization of certain offenses
- The governor has as the authority to approve or veto bills that impact young people and can make adjustments to the state budget that impact the operations of child-serving systems
- Can directly reduce the penalties of a crime (power to approve clemency and commutations).

## Candidates for Governor



**Sonia Chang-Diaz**  
(Democrat)



**Geoff Diehl**  
(Republican)



**Chris Doughty**  
(Republican)



**Maura Healey**  
(Democrat)

## Statement About Governor's Race Ballot



**Sonia Chang-Díaz**  
(Democrat)

On June 23, 2022, Sonia Chang-Díaz announced that she was no longer actively campaigning for Governor. Having previously met the requirements, her name will still remain on the ballot

## Yes/No Questions

### Raise the Age

In 2013, Massachusetts raised the age of juvenile court to keep 17-year-olds out of the adult system, excluding murder cases. Since then, juvenile crime has declined by 64%, and has seen faster declines in violent and property crime rates than the national average. Young people ages 18 – 20 are highly amenable to rehabilitation, and keeping them in the juvenile system, where they must attend school and participate in rehabilitative programming will lower recidivism. Would you commit to supporting gradually raising the age of juvenile jurisdiction to include 18-, 19-, and 20-year-olds in order to ensure more young people mature as responsible and productive adults in our communities? If not for all of those ages, what age would you agree to support as the upper threshold of the juvenile system?



**Geoff Diehl**  
(Republican)



**Chris Doughty**  
(Republican)



**Maura Healey**  
(Democrat)



## Positive Youth Development

Massachusetts' Department of Youth Services has been transformed over the past two decades and is a national model in some of these reforms. These reforms are driven by orienting the agency towards a Positive Youth Development approach that builds on young people assets and recognizes that public safety is best serve by connecting young people to the interventions that prioritize their development and maturity and minimizing certain punishments and collateral consequences that present barriers to that development. These reforms included the Juvenile Detention Alternatives Initiative, a LGBTQ policy that is a national model, prohibition on solitary confinement and chemical restraints, universal education, prioritizing family engagement at all stages of DYS-involvement. Do you commit to continuing progress made (and not roll back) DYS reforms?



**Geoff Diehl**  
(Republican)



**Chris Doughty**  
(Republican)



**Maura Healey**  
(Democrat)



## Narrative Questions

**Q1: What do you identify as the most pressing issues facing young people and their families involved with the state's education, child welfare and legal systems? What steps would your administration take to address these inequalities, particularly for LGBTQ youth, parents and children with disabilities and parents and youth of color?**



**Geoff Diehl**  
(Republican)



**Chris Doughty**  
(Republican)



**Maura Healey**  
(Democrat)



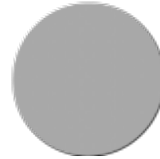
**Q2: Every previous governor has vowed to “fix” our child welfare system, but Massachusetts continues to fall behind almost all states in its outcomes for children in the system, particularly in their education and in factors that are tied to legal-system involvement. Based on a study of DCF-involved youth who are held in DYS, youth in our child welfare system who: (1) have DCF involvement before age 6, (2) are removed from their families, (3) bounce from foster home to foster home, and (4) are placed in group homes/congregate care are most at risk of juvenile justice involvement. What would you do to address each of these problematic areas where Massachusetts trails almost all other states?**



**Geoff Diehl**  
(Republican)



**Chris Doughty**  
(Republican)



**Maura Healey**  
(Democrat)



**Q3: Massachusetts data shows that students of color and students with disabilities are persistently disproportionately disciplined at school, excluded from school, and arrested at school. What role does the Governor have in reducing the school to prison pipeline for students, especially students of color and students with disabilities?**



**Geoff Diehl**  
(Republican)



**Chris Doughty**  
(Republican)



**Maura Healey**  
(Democrat)



**Q4: Educational access and attainment are among the most important factors for young people to meet their full potential. What are your top three priorities to ensure that young people, particularly those from marginalized communities, thrive in their schools, and access internships, employment and affordable college opportunities?**



**Geoff Diehl**  
(Republican)



**Chris Doughty**  
(Republican)



**Maura Healey**  
(Democrat)



**Q5: Massachusetts' what, if anything, do you want to replicate of DYS's Positive Youth Development approach for young people incarcerated in the adult legal system?**



**Geoff Diehl**  
(Republican)



**Chris Doughty**  
(Republican)



**Maura Healey**  
(Democrat)



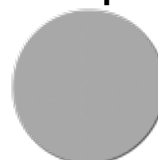
**Q6: What policy and practice changes will you institute to improve educational access and attainment (including post secondary education) for all young people under the age of 26 in the custody of the Department of Corrections?**



**Geoff Diehl**  
(Republican)



**Chris Doughty**  
(Republican)



**Maura Healey**  
(Democrat)





**Q7: The Child Advocate is appointed jointly by the State Auditor, the State Attorney General and the Governor. What are your top 3 priorities for the next Child Advocate to focus on?**



**Geoff Diehl**  
(Republican)



**Chris Doughty**  
(Republican)



**Maura Healey**  
(Democrat)

**Q8: How do you plan to incorporate administration-wide equity and inclusion into your child-serving agencies with a focus on the inequity experienced by children and their families served by these agencies? How do you plan to evaluate the equity and inclusion impacts of your administration's agencies? How will you ensure that the staffing and management of your administration's agencies is reflective of the population it serves?**



**Geoff Diehl**  
(Republican)



**Chris Doughty**  
(Republican)



**Maura Healey**  
(Democrat)

## IMPORTANT VOTER INFORMATION

### Am I eligible to vote?

You must be **at least 18 years old**, a **US citizen on election day** and **registered to vote** at least 10 days before the election.

### I have a felony conviction, can I still vote?

**YES!!** In Massachusetts, only individuals currently incarcerated for an adult felony conviction are ineligible to vote. You **CAN VOTE** even if you have a criminal record, are incarcerated pre-trial or for a misdemeanor conviction, are committed to the Department of Youth Services, are in foster care or are homeless.

### I don't have a stable place to live – I live in a foster home, group home, on the streets, or couch surfing with friends – how can I register and vote?

Your vote is YOUR right and YOUR voice is vitally important. Plan where the best place is for you to receive mail and which location is convenient to you to vote. Polling locations are generally close to the address that you choose. You can register to vote online. You can use the last permanent address you had, an address where you are frequently at even if you don't live there or even a street corner. Registration allows you to vote close to that area. The address where you register and where you receive your mail do NOT have to be the same. All voters have the option to vote by mail. If you have a reliable mailing address, such as at a shelter, voting by mail may be a convenient option to you. If you do not have a reliable mailing address, check if your city or town offers early voting. You may go to the elections department or any early voting polling location and vote at a date and time convenient to you.

### I don't have an ID. Will that stop me from voting?

Most voters are not asked for an ID to vote. However, there are limited circumstances that a poll worker can ask for your ID, for example, this is your first time voting ever, or there is a discrepancy in their records.

You will NEVER need to present a picture ID. Any legal document showing your name and address would suffice – these include a letter from a shelter, a utility bill, a bank statement, a letter from a government agency could all work. If you do not have that document, you may ask for a "provisional ballot" and return with the appropriate paperwork.

No one except a poll worker is allowed to ask for identification. Not a private person acting as an "observer" or someone dressed in a suit standing on the sidelines. No one can challenge you because you "look" like you are not allowed to vote or because you speak a language other than English.

### **I have a Green Card / Legal Permanent Resident status in the US. Can I vote?**

No. Only US citizens can legally vote in all federal and state elections, and most municipal elections. If you are not a US citizen, attempting to or even registering to vote is not allowed. However, newly naturalized citizens can vote. Though several cities voted to allow non-citizens to vote in local elections, such as for school committee, the state legislature has never approved it to move forward. Legislation to open voting to non-citizens for local elections, such as for the school committee, is being considered in the State House, but has not passed yet.

### **Am I registered to vote?**

You can find your voter registration status at [RegisterToVoteMA.com](https://www.RegisterToVoteMA.com). Once you are registered to vote, you do not need to register again unless you change your address, political party, or name.

### **Can I register to vote if I am younger than 18?**

If you are at least 16 years old, you can pre-register to vote. If you are at least 18 years old, you can register to vote. You can register or pre-register online at [RegisterToVoteMA.com](https://www.RegisterToVoteMA.com)

### **Why are there two elections so close to each other?**

A **Primary Election** allows voters to choose candidates from one of two political parties (Democratic or Republican). The primary election winners from each party will face off in a **General Election**. The winners of the General Election will take office in January 2023.

### **Who should I vote for? Can I see a sample ballot before I vote?**

The Secretary of State publishes sample ballots online to preview the ballot you will receive for the primary and general elections. Enter the address where you are registered to vote at [WhereDoIVoteMA.com](https://www.WhereDoIVoteMA.com). You can download a copy of the ballot with the Democratic or Republican candidates. You can only vote using the ballot of the political party to which you are registered to vote. If you are "Unenrolled", you may choose either one of these ballots to vote on.

### **Where do I vote?**

You can find your polling location for in-person or early voting at [WhereDoIVoteMA.com](https://www.WhereDoIVoteMA.com).

### **Can I vote before election day?**

Yes, you can vote early by mail. Every Massachusetts city and town must provide early voting options for state primary and general elections.. Check [EarlyVoteMA.com](https://www.EarlyVoteMA.com) for locations and hours of early in-person voting locations. See "Important Election Dates" for voting by mail information.

### **Can I vote by mail before election day?**

Yes, you need to download a form asking for your ballot at [www.MailMyBallotMA.com](http://www.MailMyBallotMA.com) and mail it to your local election department. See "Important Election Dates" for more details.

### **Can I receive a ballot in languages other than English?**

Some cities and towns offer bilingual ballots:

- Voters can access election materials in Spanish in: Boston, Chelsea, Holyoke, Lawrence, Lowell, Lynn, Revere, Southbridge, Springfield, Worcester.
- Voters can access election materials in Chinese in: Malden (Traditional), Quincy (Mandarin).
- Voters can access election materials in Khmer in: Lowell.

### **I received my mail-in ballot but I didn't mail it by the deadline? Can I still vote?**

Yes. You can only vote once in each election, either by mail or in-person. If you received a ballot but did not mail it, you can go in-person to your regular polling location to vote.

## IMPORTANT ELECTION DATES

### Primary Election

#### Voter Registration Deadline

August 27, 2022

#### Early Voting Dates (In-Person)

August 27 - September 2

Hours and locations of early voting for all cities/towns will be available at [EarlyVoteMA.com](https://www.earlyvotema.com) no later than August 22<sup>nd</sup>.

#### Deadline a vote-by-mail ballot application must be received\*\*

August 29, 2022

#### Primary Election Day\*\*

Tuesday, September 6, 2022

### General Election

#### Voter Registration Deadline

October 29, 2022

#### Early Voting Dates (In-Person)

October 22 - November 4

Hours and locations of early for all cities/towns will be available at [EarlyVoteMA.com](https://www.earlyvotema.com) no later than October 17<sup>th</sup>.

#### Deadline a vote-by-mail ballot application must be received\*\*

November 1, 2022

#### General Election Day\*\*

Tuesday, November 8, 2022

**\*\* Deadline dates are when your local election department receives the application and ballots (not the date you mail the envelope). Due to delays by mail, give yourself plenty of days before the mailing deadlines to apply for voting by mail, and for mailing your ballots. \*\***

## VOTE BY MAIL

Due to the VOTES Act, all voting in elections may now be done by mail or in-person. This is a new law, so you need to make sure you do it correctly to make your vote count.

### STEP 1: Ask for a ballot by mail

- Fill out the application that was sent in the mail (the size of a postcard).
- If you don't have that application, you can apply online at [MailMyBallotMA.com](https://www.MailMyBallotMA.com).
- Make sure your information is up to date, especially if you moved since the last election!
- Check the box to request ballots for **ALL 2022 Elections**. This will ensure that you receive ballots for both the September Primary Election and the November General Election.
- **If you are "unenrolled"**, but would like to vote in the primary, select which primary ballot you would like to receive. This will not enroll you in the party.
- **Sign and date your application.** If your application is not signed it will not be processed, so make sure to sign before you send!
- **Tear off and drop it in the mail AS SOON AS POSSIBLE! NO POSTAGE REQUIRED.**
- Your local election agency must receive the application no later than August 26<sup>th</sup>.

### STEP 2: Your local elections official sends you a ballot by mail.

- Look for a large yellow envelope with the words "State Election Ballot Enclosed"
- You must vote with the mail-in ballot.

### STEP 3: You fill out the ballot and return it to your election official by mail or drop-off early in-person

- Vote on the ballot
- Place your ballot in the **yellow** envelope and seal that envelope.
- Sign the yellow envelope and print your name and address below your signature.
- Place the signed envelope inside the white envelope and seal that envelope.
- You can return the ballot by mail or in-person. No postage required.

### How do I know if my ballot made it? What if I can't mail my ballot?

- You can track your mailed ballot at [TrackMyBallotMA.com](https://www.TrackMyBallotMA.com)
- If for any reason you were unable to mail your ballot or changed your mind, or your ballot did not make it to your local election department by election day, you can still vote in-person at your regular polling place.

## A VISION FOR A MORE JUST AND EQUITABLE LEGAL SYSTEM

While this guide focuses on key decision points in our child welfare, education and legal systems, it is important to recognize that the policies and practices set by elected and appointed officials at these decision points all add up towards achieving a vision of “justice.” This guide is driven by shared values of the organizations partnering in the development of this guide with a vision of a youth justice system that:

- is fair and equitable in holding young people accountable in a way that helps them get back on the right track
- focuses on advancing community and public safety as a primary goal as opposed to a punishment-centered response
- dismantles the legal system's legacy of institutional racism that is built on slavery, Jim Crow laws, and [ongoing barriers](#) to being a full member of society.
- centers rehabilitation and positive youth development in both the youth and adult legal systems
- minimizes the use of the legal system to achieve this vision, and values prevention over punishment

### Equity and Inclusion

The advancement of youth of all races, ethnicities, sexual orientations, gender identities, or disabilities is foundational to achieving equity in our Commonwealth. Youth-serving agencies in Massachusetts need to address inequities both internally and in their policies and provision of services. These agencies – specializing in child welfare, education, policing and juvenile justice – express a commitment to the principles of diversity and racial equity. Despite this, there are documented disparities impacting young people at nearly **every** stage where decisions are made about youth in these systems. Addressing these disparities isn't always easy, but there are numerous proven strategies to help reduce or even eliminate them. Addressing the school-to-prison pipeline; supporting families so that children can remain home; reducing pre-trial detention; investing in community-based supports; improving race and ethnicity data collection and analysis are all potential steps that agencies and elected officials can take to address racial bias and inequity in our youth-serving agencies.

## Positive Youth Development

The adoption of [Positive Youth Development](#) by all youth serving agencies and elected/appointed officials is key to advancing youth justice in the Commonwealth. Positive Youth Development is a framework to improve public safety and child outcomes by focusing on providing developmentally appropriate supports and interventions to help young people transition positively into adulthood. For youth involved in state systems, research demonstrates that young people need interventions that:

- are developmentally appropriate, based on age and level of ability;
- require youth to develop positive decision-making and concrete skills, further their education (including vocational) and engage with their families and other positive adult role models are far more likely to result in better youth outcomes and reduce youth interactions with the legal system;
- engage youth in effective, developmentally-appropriate therapy or treatment when necessary;
- avoid the use of institutional placements or incarceration unless necessary for public safety; and
- avoid exposing youth to the adult criminal legal system



Graphic courtesy of [D.C. Department of Youth Rehabilitation Services](#)



## THE KEY ISSUES

### Child Welfare to Prison Pipeline

Children involved in the [child welfare system](#) are more likely to become juvenile justice-involved. They are entering the juvenile justice system at a higher rate than children not involved, and that minority children are disproportionately represented in both the child welfare and juvenile justice systems, particularly those who are:

- Removed from their homes in their early teens (ages 12-15)
- Removed multiple times from their homes
- Placed in congregate/group residential care
- Experience high rates of placement instability (bouncing from placement to placement)

Foster youth are too often not afforded the kinds of stabilizing support systems that are essential for their healthy growth and well-being. This puts them at high risk of developing reactive behaviors that, particularly for youth of color, lead to punitive responses resulting in their arrest and entry into the juvenile justice system. Involvement in the juvenile justice system is tied to academic failure, future arrests and other long-term consequences. In a [study](#) of 262 individuals incarcerated in House of Corrections facilities in Massachusetts, responses showed that nearly one-third of survey participants were removed from their homes as children, with higher rates among Latinx and Black participants. That study also found significant differences in home removal rates between heterosexual respondents and LGBTQ respondents. 37% of LGBTQ respondents had experienced a home removal, while only 25% of heterosexual respondents reported a home removal.



### Racial Inequities in the Juvenile and Criminal Legal Systems



Massachusetts has one of the worst racial disparities for youth incarceration in the country despite more than a decade of reforms. While youth of color make up only 26% of the youth population in Massachusetts, they represent 73% of those arrested and 72%-74% of those who are detained or committed to the Department of Youth Services (DYS). Nationally, LGBTQ youth are twice as likely to [enter the juvenile system](#) as their non-LGBTQ peers and LGBTQ youth of color face even [starker disparities](#) comprising a staggering estimated 85% of LGBTQ youth in the justice system. Transgender individuals are nearly twice as likely to have been incarcerated as other LGBQ people, with transgender people of color reporting a rate of [past incarceration](#) four times higher than other LGBQ people.

These disparities cannot be adequately explained by differences in youth behavior; instead, inequities stem from different policing and court processing practices in communities of color. Massachusetts currently fails to report crucial data at most of the significant decision points in the juvenile justice system by race, ethnicity, gender identity and sexual orientation. As a result, we know that Black, Latinx and LGBTQ youth are incarcerated at higher rates, but we lack any transparency into data on the decision points from arrest to

incarceration. By using data – rather than hiding it –system leaders could see disparities where they occur and identify and evaluate policies or practices that drive youth deeper into the system.

### **Shrinking the School-to-Prison Pipeline**

The “school-to-prison pipeline” refers to school discipline and policing practices and policies that drive students out of the classroom, away from a pathway to success, and towards or into the juvenile or criminal legal system.

- The first pipeline involves frequent suspensions and expulsions that remove students from their classrooms and disconnect them from their school community, increasing their risk of legal system involvement and dropping out of school. Once outside of school, these students are more than twice as likely to be arrested during periods when they are suspended or expelled from school.
- The second pipeline involves arrest in school for behaviors better resolved through alternative approaches. Students are arrested and sent into the system for levels of disruptive behavior that in many cases could be handled through restorative or therapeutic approaches, leading to system involvement rather than addressing the underlying needs of that behavior.



### **The School-to-Prison Pipeline Disproportionately Impacts Black, Latinx and LGBTQ Youth.**

According to a [study](#) of school-based arrests in Massachusetts’ three largest school districts, most arrests of students are reflective of youthful misbehavior, and predominantly not public safety risks. Additionally, the study found that Black and Latino children and children with disabilities are more likely to be arrested for behavior for which their white peers and non-disabled peers would not be arrested. LGBTQ youth, particularly transgender youth and youth of color, report experiencing high rates of abuse and harassment; are especially likely to face risk factors such as truancy out of fear of attending school, being involved in bullying and fight; and experiencing homelessness, all of which are drivers of justice systems involvement. While Massachusetts data is not available, national data reveals that LGBTQ students are disproportionately suspended and expelled in comparison to their heterosexual and cisgender peers. This disparity is particularly true for LGBTQ youth of color who face higher rates of police involvement in middle and high school and higher rates of suspension and expulsion from school.

## Raise the Age of Juvenile Jurisdiction Past Age 18



Massachusetts taxpayers spend the most on young people in the adult legal system, with the worst outcomes of any age group. Adolescents are highly amenable to rehabilitation as they grow and mature. However, older teens in Massachusetts are prosecuted as adults – and subject to the adult system’s focus on punishment and more severe collateral consequences. As a result, older teens have the highest recidivism rate of any age group, and double the rate for similarly situated younger teens in the juvenile system. The proposal to [raise the age](#) of juvenile jurisdiction past the 18th birthday would shift older teens into the juvenile justice system, where they must attend school and participate in rehabilitative programming that will improve youth outcomes and lower recidivism.

## Expanding Expungement Eligibility

There is overwhelming evidence of racial disparities against Black individuals at every stage of the legal system – from policing and profiling, court proceedings to sentencing, and every stage in between. A record can present unjust, lifelong barriers for housing, employment, and education and it’s our goal to make sure that as many people as possible have an opportunity for a clean slate. Over the past four year, Massachusetts passed legislation that created an opportunity to [expunge](#) juvenile and adult criminal records for people whose offense was charged prior to their 21st birthday. While this law is a tremendous step forward, the law created significant limitations: there is lifetime ban on expungement eligibility of these records if the person has more than two cases on their record or if they have even one of over 160 offenses on their record (regardless of case outcome). Expanding expungement eligibility allows (1) all non-convictions to be eligible for expungement; and (2) limits the list of offenses ineligible for expungement to only those resulting in serious bodily harm.



Learn more about the issues at [cfjj.org/the-issues](https://cfjj.org/the-issues).

## GLOSSARY

**Adjudication:** A final decision on a case where a child is found either delinquent or not delinquent.

**Arraignment:** The formal start of a legal case in court, at which point a juvenile or criminal record is created.

**DCF:** Department of Children and Families, the state agency responsible for child welfare and foster care services.

**Delinquent:** The juvenile justice system's equivalent of a "guilty" case outcome.

**Detention:** Incarceration of a young person pre-trial to ensure they will return for their next court date, as decided by the judge.

**Disposition:** The sanction or punishment imposed on a juvenile defendant who is found delinquent or not delinquent (similar to a sentencing in the adult system). It can include a continuance without a finding, being found delinquent and placed on probation, committed to the Department of Youth Services for incarceration or other supervision or penalties in the adult system including incarceration in adult prisons or jails as a youthful offender.

**District Courts:** Courts that handle misdemeanor and low-level felony cases for adults and can sentence someone to up to 2½ years in the house of corrections.

**Diversion:** Any practice by which the police, district attorney Clerk Magistrate, or judge redirects a young person's case from the formal justice system to an alternative form of handling. This prevents further involvement in the juvenile justice system. Diversion practices are used to avoid arrest, getting a juvenile record or incarceration, depending on the decision point.

**DYS:** Department of Youth Services, the state agency responsible for holding young people in detention pre-trial or as committed to their custody during a juvenile court adjudication.

**Expungement:** The total destruction of a juvenile or criminal record, so that no one may access the record.

**Indictment:** A decision made by a Grand Jury to formally charge a person with a serious crime allowing for longer sentences of incarceration. An adult would have their case moved to the Superior Court and may result in a state prison sentence. For a juvenile, an indictment is a

decision by the Grand Jury to charge a youth as a "Youthful Offender" that while remaining in the Juvenile Court, opens up longer sentences in DYS and/or adult incarceration.

**Juvenile Courts:** The court responsible for child-related cases, including child welfare (called care and protection), Child Requiring Assistance, and juvenile justices cases. The court cases are overseen by judges who are nominated by the Governor and approved by the Governor's Council.

**Probation:** The supervision of a defendant by the courts pre-trial or as a sentence, in lieu of detention or incarceration.

**Prosecutor:** The attorney representing the state government in juvenile and criminal cases. The elected District Attorney oversees, supervises and sets policy for all the prosecutors, or Assistant District Attorneys, in their county.

**Recidivism:** A return to offending behavior by someone who was previously involved in the legal system. Recidivism is sometimes measured as a re-arrest, re-conviction, or re-incarceration for a new crime.

**Sealing:** A process by which a juvenile or criminal record is given greater privacy by limiting which entities (ex. employers or landlords) may access the record.

**Superior Courts:** Courts that handle very serious felony cases for adults, and can sentence defendants to state prison.

**"Youthful Offender" (YO) indictment:** A type of juvenile court case of serious felonies, where a prosecutor can ask for a case to be heard by a Grand Jury. A young person adjudicated as a "Youthful Offender" is subject to a longer sentence to DYS, a sentence of adult incarceration or a combination of both.

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