



# Youth Justice Barnstable County 2022 Voter Guide

## YOUTH VOTE MATTERS

- Vision for a More Just and Equitable Legal System
- Key Youth Issues Impacted by the Elections
- Your Voting Rights

## LEGAL SYSTEM OFFICES AND CANDIDATES

- District Attorney
- Governor's Council
- Sheriff
- Auditor
- Attorney General
- Governor

## 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. This guide compiles the responses to a detailed questionnaire of youth justice issues especially relevant to Massachusetts voters for candidates running for District Attorney, Sheriff, and Governor's Councilors. All candidates' responses are published here unedited. A supplemental guide will include the responses of 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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## 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).



# ELECTED OFFICIALS AND THEIR DECISION-MAKING POWER AT KEY LEGAL SYSTEM POINTS



**District Attorney**

- Decide whether or not to press charges
- Can recommend probation or incarceration pre-trial and during sentencing
- Refer to diversion
- Can object to expungement



**Sheriff**

- Hold defendants 18 years and older awaiting trial
- Operate county jails where individuals 18 and older are sentenced to incarceration
- Decide programming and conditions in county jails.



**Governor's Council**

Councillors approve or reject the Governor's nominations of Judges and Parole Board



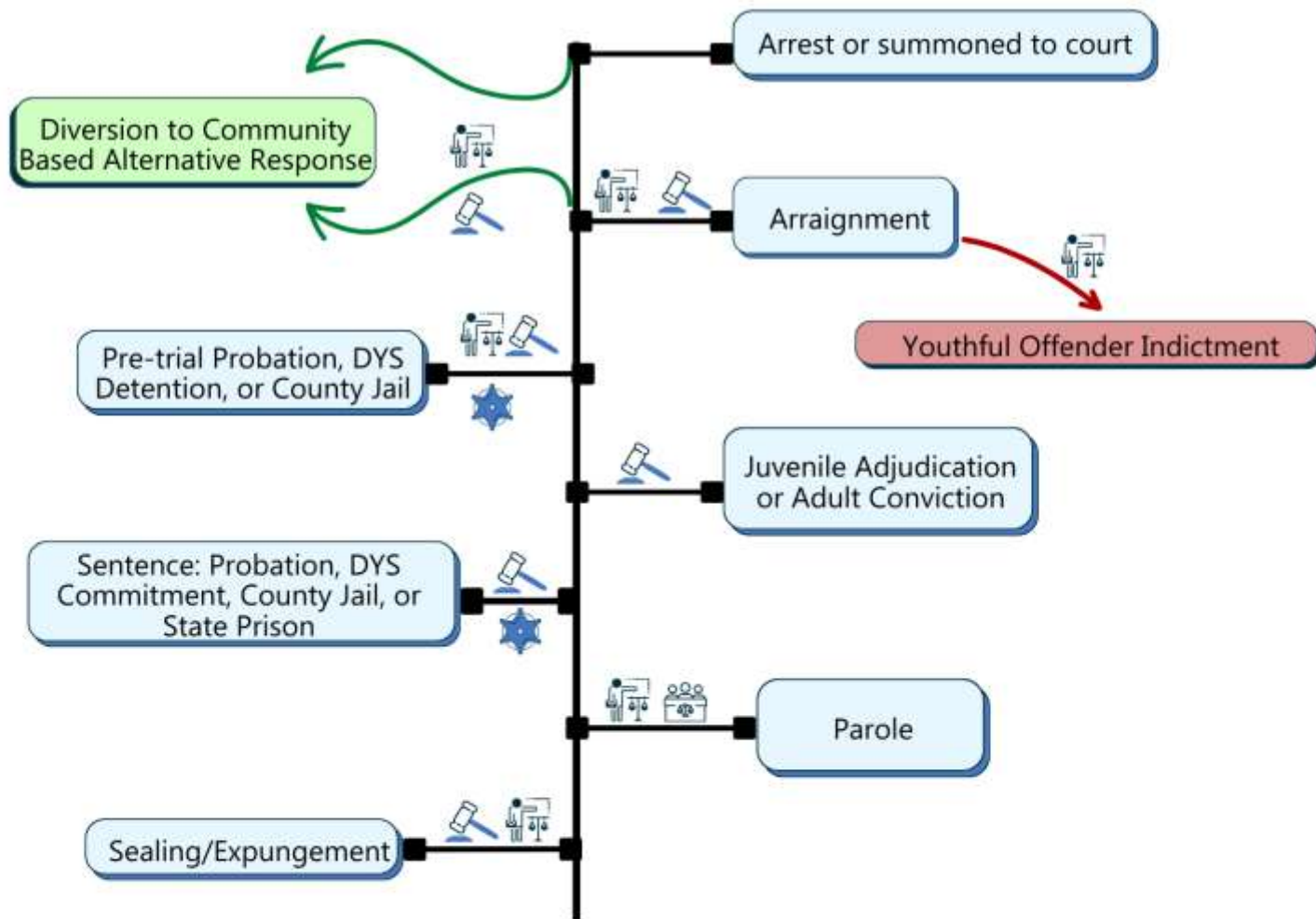
**Judges  
(appointed)**

- Refer to diversion
- Can order pre-trial detention
- Decide guilt of a defendant who waives a jury trial
- Responsible for sentencing decisions



**Parole Board  
(appointed)**

- Grant or deny parole requests
- Set conditions that parolees must comply with or risk re-incarceration



Each of these decisions result in social outcomes for individuals and communities.



## 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

## DISTRICT ATTORNEY

### Role of District Attorney

District attorneys are among the most powerful figures in the criminal legal system, as their decisions have a direct impact on case outcomes, mass incarceration, and recidivism rates. Elected to represent the state in criminal and juvenile delinquency proceedings, District Attorneys have the opportunity to be a force for change and reform in the legal system or they can uphold the status quo. Each county has one elected District Attorney, and while each of their jobs is the same, each office can prioritize issues they want to focus on.

- The District Attorney (DA) decides whether or not to prosecute a case (i.e., move a case into and through the formal court process). For example, one DA's office can refer a case to court, another DA's office can decide that certain minor offenses should not be prosecuted and a person will be diverted from court processing to a community-based alternative (known as "diversion", while still another DA's office can heavily rely on detaining young people while their case is pending trial.
- The DA always makes a recommendation to the judge as to what sentence a youth should get if they are found to have committed a delinquent act. This sentence could be a fine, probation, and/or incarceration.
- The DA may ensure the procedural integrity of law enforcement interactions with, and investigations of, young people by their decision to accept or reject evidence based on false or coerced confessions, illegal searches and seizures or through the use of force or other misconduct by law enforcement.

### Barnstable, Dukes and Nantucket Counties District Attorney Candidates



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)

## Racial, Ethnic and Other Disparities

District Attorneys have a major gatekeeping role in who enters and who is excluded from the legal system. Most DAs have diversion programs for young people, but there is no information publicly available to show if these diversionary programs are offered fairly so they don't exacerbate racial, ethnic, and other disparities - including those impacting LGBTQ young people and youth living with disabilities - in the juvenile system. Safe, confidential data collection, including SOGIE (Sexual Orientation Gender Identity and Expression) data, is especially important.

- Would you commit to publicly releasing non-identifying diversion and prosecution data, including race/ethnicity, gender identity and expression, and sexual orientation of defendants in misdemeanor and felony charging decisions, adjudications and convictions and declinations to charge, to address this gap in transparency?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)



- Do you commit to submitting this data to the state's Juvenile Justice Policy and Data Board?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)



## **Diversion**

Most District Attorneys divert young people charged with first-time offenses, or with low-level offenses. [Research](#) indicates that diversion is less costly to taxpayers and more effective in reducing youth crime than prosecution in court, even for youth with more serious offenses. Will you commit to expanding formal diversion to community-based rehabilitation programs as an alternative to prosecution for youth beyond those with low level or first-time offenses?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)

## **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?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)

## Law Enforcement Interrogations

Would you support legislation that would make the presence of an attorney during an interrogation a non-waivable right for juveniles?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)



## Prosecution of consensual teen sexual activity

Massachusetts remains one of only 4 states in the country that criminalizes teenagers engaging in consensual sexual activity, subjecting teenagers to prosecution, incarceration, being placed on a sex offender registry and a lifetime ban on having their record ever expunged. The law is disproportionately used against boys, even if both youth are under age, and especially against boys in same sex relationships. Do you commit to declining to prosecute or diverting youth whose relationship is consensual?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)



## Racial Disparities

The [Harvard Law School](#) analysis of racial disparities in Massachusetts' criminal legal system found that "One factor—racial and ethnic differences in the type and severity of initial charge—accounts for over 70 percent of the disparities in sentence length" for adults. While the study did not look at Juvenile Court data, these disparities hold true for young people too. What steps will you take to address racial disparities in charging decisions, bail recommendations, diversionary program placements and plea negotiations?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)

## Equity and Inclusion

For youth, their race, ethnicity, gender identity, sexual orientation, and experiences as people with disabilities form important aspects of their identities. How would you make certain that your office will utilize an intersectional lens, taking into account young people's identities and experiences to develop and change your office's policies and practices that are gender-affirming, grounded in [positive youth development](#) and trauma-informed in order to meet the needs of all youth?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)

## School-to-Prison Pipeline

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 students](#) in Massachusetts report experiencing high rates of abuse and harassment. Nationally, 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,



as LGBTQ youth of color face higher rates of police involvement in middle and high school and higher rates of suspension and expulsion from school. How do you plan to utilize diversion or other tools at your disposal to prevent young people, especially vulnerable students with unmet social-emotional, behavioral, and academic needs as well as students with disabilities, from entering into the school-to-prison pipeline?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)



### Foster Care-to-Prison Pipeline

At any one point, **approximately 40% of youth in DYS detention and 30% of newly committed youth are concurrently DCF-involved. Girls in DYS are twice as likely as boys to be DCF-involved.** Massachusetts data has shown that over 70% of youth committed to DYS were either currently or previously DCF-involved. Despite our responsibility to protect and support children in state custody, the DCF to DYS pathway persists, particularly for Black and Latino children and remains unaddressed. What prosecutorial decisions do you commit to pursue to disrupt the foster care to prison pipeline?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)



## Mental Health

Research has shown that as much as 70% of youth in juvenile detention are diagnosed with a mental health condition and/or trauma, and the levels of trauma exposure during the pandemic have risen considerably, how would your office approach this issue when interacting and making decisions about juveniles in court?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)



## Pre-Trial Conditions/E-Carceration

District Attorneys' recommendations about pretrial conditions are overwhelmingly adopted by judges. These conditions include whether an accused person should be detained by DYS or jailed pre-trial, or subjected to house arrest or other restrictions such as wearing an electronic monitor/ankle bracelet. Electronic monitoring as a condition of probation, both pretrial and post-disposition, is also increasing (though the data are not publicly available). [E-carceration](#) is sometimes seen as a lesser evil to incarceration, but it carries with it many concerns, including logistical, mental health, surveillance, and can reflect and further (rather than address) racial disparities. Do you plan to limit this office's use of recommending electronic monitoring and otherwise mitigate the concerns that its use has for many youth? Please explain.



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)



## Record Expungement

The newly enacted criminal justice law creates some opportunities for the expungement of juvenile and criminal records created before the age of 21 (as long as their sentence is completed and they have not re-offended). This ensures that young people are afforded the opportunity to develop into healthy and successful adults without being held back by a prior record, particularly when those records do not serve a public safety benefit. [Research](#) has shown that individuals with a record who have not reoffended within three to four years are at no greater risk of offending than the general population. Yet these records can bar young people from housing, employment, college, and the military. The new law gives district attorneys the opportunity to object to a petition to expunge an otherwise eligible record. Do you support this expungement law? Under what circumstances would you object to expungement of records and why?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)

## Young Adult Recidivism

Young adults (18-24 years old) have the highest recidivism rates of any age group in the justice system. What reforms in the juvenile and the criminal legal systems do you support to improve outcomes for young people so they are better situated to mature into a more positive adulthood and with lower rates of recidivism?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)

## **Law Enforcement Interrogations**

The legal cases, *Frazier v. Cupp* and *Commonwealth v. DiGiambattista* permits the use of deceit during interrogations of juveniles. Legislation overturning this has been enacted by [Oregon](#), [Illinois](#), and is currently moving in [Colorado](#) and [Maryland](#). If legislation that bans the use of deception in juvenile interrogations and mandates the presence of counsel during any juvenile interrogation is not passed in Massachusetts, will you commit to a rebuttable presumption that your office will not move to introduce into evidence any statements obtained through false or deceptive interrogation practices?



**Melissa Alden**  
(Republican)



**John Carey**  
(Republican)



**Robert Galibois**  
(Democrat)



**Daniel Higgins**  
(Republican)

## **GOVERNOR'S COUNCIL**

**(listed on the ballot as "Councillor")**

### **Role of Governor's Council**

Judges are key players in the juvenile legal system. While judges in Massachusetts are not elected, the Governor nominates judges to be confirmed by an eight-member elected Governor's Council. The Governor's Council is responsible for investigating, confirming, or rejecting nominees for judgeships and for the parole board. The Council approves or rejects the Governor's recommendations for pardons and reductions of someone's sentence. The Council serves an important role in preventing the Governor from having sole power to control who becomes a judge. Because judges and parole board members are key decision makers in the legal system, Governor's Councilors' decisions impact key youth justice issues:

- The perspectives of nominated judges on youth development as it applies to young people in Juvenile, District and Superior courts
- Judges' decisions on racial equity in pre-trial detention and sentencing
- Judges decide if a young person is diverted to avoid a juvenile record; whether a young person is incarcerated pre-trial; the credibility of witnesses; and if a young person will be sentenced and remain in the community, will be incarcerated in the Department of Youth Services or in adult prisons and jails.
- Parole board members' perspectives on rehabilitation and youth development for individuals who were sentenced in their youth

Councillors are elected by State Senate districts, therefore some counties will be represented by one Councillor district, while other counties may be split between multiple Councillor Districts. Counties split between more than one district will include the listing of towns and cities to better identify which Councillor race will appear on your ballot.

### **Barnstable County Councillor Candidates**



**Joseph Ferreira** (Democrat)

## Cities and Towns in District 1

**Barnstable County:** all cities and towns

**Q1:** Why do you want to run for Governor's Council?



**Joseph Ferreira**  
(Democrat)



**Q2:** What qualities will you look for in assessing juvenile court judge nominations and parole board nominations? Why?



**Joseph Ferreira**  
(Democrat)



**Q3:** The Governor's Council is the least understood elected body and one of the least transparent in terms of its proceedings, and its decisions on judicial and parole board nominees. How do you propose to improve transparency of the Governor's Council's work?



**Joseph Ferreira**  
(Democrat)



**Q4:** Disparities are pervasive in court proceedings and sentencing, including in juvenile court delinquency and child welfare proceedings. Youth of color, youth with disabilities and LGBTQ youth are over-represented at each stage of these systems. What are the problems you identify as factors for these disparities? How do you plan to use your role to mitigate these harms?



**Joseph Ferreira**  
(Democrat)



**Q5:** What role does the Governor’s Council play in disrupting the “school to prison pipeline?” How will you use your position to combat this?



**Joseph Ferreira**  
(Democrat)

**Q6:** How do you plan to vet nominees’ knowledge of and commitment to positive youth development principles such as avoiding the use of institutional placements or incarceration unless necessary for public safety; avoiding the exposure of youth to the adult legal system; and providing alternative opportunities for appropriate therapy or treatment?



**Joseph Ferreira**  
(Democrat)

**Q7:** There is a persistent lack of racial/ethnic diversity as well as lack of diversity in backgrounds of judicial and parole board nominees that are presented to the Governor’s Council. How would you use your position to address lack of diversity in the nominations presented to the Council by the Governor and the [Judicial Nominating Committee](#)?



**Joseph Ferreira**  
(Democrat)

# SHERIFF

## Role of Sheriff

County sheriffs are responsible for the operation of county jails that hold adult defendants awaiting trial (such as those held on bail) and the operation of house of corrections, to which individuals are sentenced to serve two and a half years or less. County Sheriffs are key stakeholders on several youth justice issues:

- Sheriffs are responsible for young defendants and sentenced individuals as young as 18 years old and are key stakeholders in support of or opposition to the “Raise the Age” campaign.
- The Massachusetts Sheriffs Association has come out [publicly opposing](#) the protection of student confidentiality by limiting the information schools and law enforcement can share from surveillance, investigations, and conversations with school police.
- Sheriffs are also important players on immigration policy. Some county sheriffs have federal contracts to detain immigrants; sheriffs are legally authorized to enter agreements with the federal Department of Homeland Security to deploy local correctional staff as federal immigration officials (referred to as “[287\(g\) agreements](#)”) to enforce immigration law in the community.
- Responsible for programming for and education of young people in their custody and conditions of confinement including solitary confinement or providing healthcare. A recent [report](#) found that Massachusetts youth between the ages of 18 to 21 who are incarcerated in the adult criminal system face significant barriers to actually accessing educational programming and services. As a result, only a small fraction of those eligible for special education receive any specialized instruction or related services when incarcerated at adult correctional facilities.

## Barnstable County Sheriff Candidates



**Donna Buckley**  
(Democrat)



**Tim Whelan**  
(Republican)



## Education

Older teens who are incarcerated before graduating high school have a right to continue their education. However, youth completing their high school education in county jails do not receive [high school credits](#) towards graduation.

**Q1:** Do you commit to working towards having your county's jail accredited as an educational institution to ensure students can earn high school credit for work done?



**Donna Buckley**  
(Democrat)



**Tim Whelan**  
(Republican)



**Q2:** Do you commit to creating Educational Liaisons positions to work closely with local school districts in your county on individual students' transitions between schools and jail?



**Donna Buckley**  
(Democrat)



**Tim Whelan**  
(Republican)



**Q3:** State and federal law guarantees that all students, including youth with an identified disability, receive a free and appropriate public education until a young person's 22nd birthday. However, an analysis of county houses of corrections found that around 75% (statewide average) of incarcerated 18- to 21-year-olds who have Individualized Education Plans (IEPs) are not identified by and do not receive the education they are entitled to. Do you agree to establish a data sharing mechanism between your agency and the Department of Elementary and Secondary Education (DESE) to quickly identify youth in your care 18-21 that have an IEP in place to provide special education services within one week of entering the facility?



**Donna Buckley**  
(Democrat)



**Tim Whelan**  
(Republican)



**Q4:** Do you support enrolling every youth (age 18-21) in your custody in either high school classes (credit bearing toward graduation), HiSet, or higher education/community college that is not limited by classifications of housing status?



**Donna Buckley**  
(Democrat)



**Tim Whelan**  
(Republican)



**Positive Youth Development**

**Q5:** Positive Youth Development is a framework that builds upon and centers youth’s assets to improve educational opportunities, disciplinary strategies, and family/community engagement. Would you commit to adopting a Positive Youth Development framework, and seeking guidance and technical assistance from the Department of Youth Services to ensure proper adoption of the model, with youth ages 18-25 to respond to and prevent youth re-offending?



**Donna Buckley**  
(Democrat)



**Tim Whelan**  
(Republican)



**Family Engagement**

**Q6:** Will you commit to investing in enhanced family engagement, i.e. where family members are involved in case planning and transition planning (not just visits and phone calls) for every young person in your custody not just a select few in specialized units?



**Donna Buckley**  
(Democrat)



**Tim Whelan**  
(Republican)



**Restorative Justice**

**Q7:** Restorative justice is a victim-centered conflict resolution measure formed through a collaboration of community members to promote accountability and healing from offenders and victims. Do you commit to prioritizing the utilization of restorative justice as an alternate solution to disciplinary action?



**Donna Buckley**  
(Democrat)



**Tim Whelan**  
(Republican)



## Candidacy Goals

**Q8:** Why are you running for Sheriff?



**Donna Buckley**  
(Democrat)



**Tim Whelan**  
(Republican)



## Solitary Confinement

**Q9:** Given the harms of solitary confinement and the use of restrictive housing for discipline or protection on the development of youth incarcerated in adult correctional facilities, will you commit to alternatives to the use of restrictive housing? If so, how and if not, why not?



**Donna Buckley**  
(Democrat)

Yes. Inmates, especially incarcerated youth, benefit greatly from evidence based behavioral management programming, mental health counseling and educational opportunities are proven methods to address correction, rehabilitation and treatment of incarcerated youth. I will offer treatment and counseling as the primary options and move away from using restrictive housing or solitary confinement.



**Tim Whelan**  
(Republican)



### Young Adults

**Q10:** Youth as young as 18 are subject to incarceration in county jails that are designed for adults. What do you see are necessary reforms to adult corrections to ensure a focus on the growth, development and prevention of re-offending for all incarcerated young people (not just those in specialized units), particularly as it pertains to education, family engagement, pediatric physical and mental healthcare, conditions of confinement and civic engagement).



**Donna Buckley**  
(Democrat)

Incarcerated youth will be housed separately from adults and have programming and services designed specifically to maintain and build upon education - including special education services - family engagement, pediatric physical and mental healthcare, conditions of confinement and civic engagement. Correctional staff as well as clinicians and medical staff will be specifically trained to work with incarcerated youth. As Sheriff I will ensure that connections to school and community providers are maintained during incarceration and opportunities for supervised release, if appropriate, will be included.



**Tim Whelan**  
(Republican)



### Health and Safety

**Q11:** Given the particular vulnerability of young people, particularly LGBTQ youth, to victimization in custody, do you commit to protecting young people from sexual violence in your custody without using any form of segregated confinement or isolation or by utilizing community placements? Please explain how you will do so.



**Donna Buckley**  
(Democrat)

Yes. The most effective method of ensuring the safety of LGBTQ+ youth is to ensure proper training of all staff within the facility as well as providing programming and alternative placements.



**Tim Whelan**  
(Republican)



## Education

**Q12:** 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 your custody?



**Donna Buckley**  
(Democrat)

As Sheriff, I will ensure that educational opportunities, including special education services, are offered to all incarcerated youth through in-house education programming as well partnerships with local schools, colleges and vocational school. If possible, incarcerated youth should have the opportunity to continue their education with the school of record.



**Tim Whelan**  
(Republican)



## 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://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://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.

## 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.

# YOUTH JUSTICE VOTER PROJECT PARTNERS



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