

A CONFERENCE OF THE MENTAL HEALTH LEGAL ADVISORS COMMITTEE

MHLAC

TAKING THE CRIMINAL OUT OF CRIMINAL JUSTICE

Has the **Criminal Justice Reform Act** of 2018 kept its promises to Massachusetts residents with **mental health** needs who are at risk of **incarceration** or incarcerated?

Where should **advocates** look next to **reform** the juvenile/criminal justice **systems**?

*A look at people with mental health
needs in Mass. after the Criminal Justice Reform Act*

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**NOVEMBER 14,
2019**

8:45AM—5:00pm

MCLE

10 Winter Place

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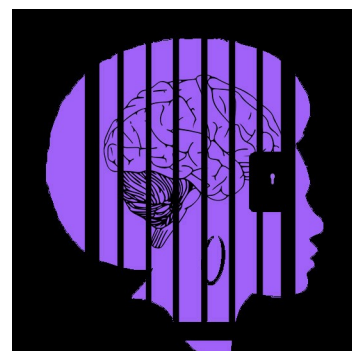
Adult Criminal

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CONFERENCE AGENDA

8:30 - 9:00 REGISTRATION & CONTINENTAL BREAKFAST

9:00 - 9:05 WELCOME

9:05 - 9:35 REFORMING THE JUVENILE AND ADULT JUSTICE SYSTEMS - AN INTRODUCTION TO THE TOPIC NATIONALLY AND IN MASSACHUSETTS

Our morning speaker will address current reform efforts for people with mental health issues involved in the juvenile justice and criminal justice systems on the national level and how Massachusetts can learn from those efforts.

Christine Cole, Executive Director, Crime and Justice Institute, Community Resources for Justice.

9:35 - 10:45 EARLY INTERVENTIONS FOR CHILDREN AT RISK OF JUVENILE JUSTICE SYSTEM INVOLVEMENT

What reforms can we make now to avoid the DCF to DYS to prison continuum? The panel will focus on meeting the mental health needs of youth, including those in foster care, who have experienced trauma.

Panelists:

Coco Holbrook, Esq., Mental Health Legal Advisors Committee, Facilitator

Lisa Newman-Polk, Esq., LCSW -- Speaking about advocating for parole for men convicted of murder by contextualizing their childhood difficulties and trauma.

Kate Lowenstein, Esq, MSW, Multisystem Youth Program Director, Citizens for Juvenile Justice -- Speaking about intervening in the pipeline to halt the disproportionate representation of youth in DCF and DYS custody in the carceral system.

Joseph Leavey, President and Founder, Communities for People -- speaking about CFP supports for foster children such as their teen community living programs, issues affecting foster children across MA—or acute points of need.

Sandra McCroom, President & CEO, Children's Services of Roxbury -- speaking about the multiple ways in which CSR services strive to disrupt and end the cradle to prison pipeline, such as the Youth Permanency Connections program in partnership with DCF and the youth development program and barriers to these efforts.

10:45 - 11:00 MORNING BREAK

11:00 - 12:10 SCHOOL-BASED REFORMS IN THE CJRA AND FUTURE ADVOCACY FOR ADOLESCENTS

The CJRA contains several provisions intended to reduce or eliminate schools' reliance on police when addressing school discipline matters. This panel will review the implementation of these reforms and discuss efforts to further redress Massachusetts' school-to-prison pipeline.

Panelists:

Matthew Cregor, Esq., Mental Health Legal Advisors Committee, Facilitator

Lisa Thureau, Esq., Founder & Executive Director, Strategies for Youth -- Providing a local and national perspective.

Angela Brooks, Esq., Assistant Attorney General, Office of the Attorney General of Massachusetts - Speaking about tracking implementation.

Bishop Talbert W. Swan, II, M.Div., President, Springfield NAACP -- Providing a local perspective.

12:10 - 1:00 **LUNCH BREAK**

1:00 - 2:00 **APPLYING THE ADA'S INTEGRATION MANDATE TO CRIMINAL JUSTICE REFORM EFFORTS IN MASSACHUSETTS**

Our midday speakers will discuss the application of the ADA's integration mandate to criminal justice reform, in theory and in Massachusetts specifically.

Robert Fleischner, Esq. will speak about the application of the *Olmstead* decision, interpreting the ADA's Integration Mandate, to the services offered (or not offered) to those involved in the juvenile and adult justice systems.

Danna Mauch, Ph.D., President & CEO, Mass. Association for Mental Health will speak about the extent to which Massachusetts is meeting its obligations under *Olmstead* in practice and where advocates should focus their attention to ensure further compliance.

2:00 - 3:10 **EXPANDING ADULT DIVERSION FROM THE CRIMINAL JUSTICE SYSTEM**

These panelists will discuss efforts across the state to expand diversion of people from the criminal justice system, at all the intercept points. Panelists will address the role of first responders confronting people with mental illness, the idea of creating a physical location to divert people with mental illness, and the work of Mass. Probation Services.

Panelists:

Jennifer Honig, Esq., Mental Health Legal Advisors Committee, Facilitator

Marisa Hebble, MPH, Manager, Mass. Community Justice Project (CJP), Mass. Trial Court -- Discussing the CJP which facilitates collaborations at the community level to better connect the criminal justice system and behavioral health treatment, healthcare, recovery and community support systems in order to reduce risk of justice-involvement and improve outcomes among persons with mental health and/or substance use disorders.

Sarah E. Abbott Ph.D. LSW, Jail Diversion Program Director at Advocates--Speaking about creating the first Co-Responder Training and Technical Assistance Center and about co-responder teams of police and clinicians across the state.

Danna Mauch, Ph.D., President & CEO, Mass. Association for Mental Health -- Addressing the Middlesex County Restoration Center Commission, which examined creating a physical place that people could be diverted to and served pre-arraignment.

Pamerson Ifill, Deputy Commissioner of Pretrial Services Division, Massachusetts Probation Services -- Describing the work of Mass. Probation Services in diverting pretrial detainees.

3:10-3:25 AFTERNOON BREAK

3:25- 4:40 DIVERTING ADULTS WITH MENTAL ILLNESS IN THE CORRECTIONAL SYSTEM FROM RESTRICTIVE HOUSING AND PROMOTING THEIR REENTRY INTO SOCIETY

These panelists will address the services that should be afforded incarcerated persons with mental illness in solitary confinement, when seeking parole, and during re-entry.

Panelists:

Phillip Kassel, Esq., Mental Health Legal Advisors Committee, Facilitator

Kristen Dame, MA, LMHC, Northeast Regional Supervisor for Social Service Advocates, Committee for Public Counsel Services -- Discussing, based on her observations as a clinician in the Departmental Disciplinary Unit in Walpole MA, the impact of prolonged solitary confinement, as well as what faces such people upon release.

Jennifer Honig, Esq., Mental Health Legal Advisors Committee -- Discussing recent litigation challenging the treatment afforded prisoners in the Bristol County House of Correction.

Bonita Tenneriello, Attorney, Prisoner's Legal Services -- Discussing the Criminal Justice Reform Act's origin, requirements, and, based on her experience on the newly created Solitary Confinement Oversight Committee, implementation issues.

Donald Perry, Local organizer, advocate and consultant for criminal justice reform-- Discussing the vulnerabilities of parolees with mental health issues to revocation and bad outcomes, as well as efforts to improve parole practices.

Opal Stone, MBA, Director of Reentry Services, Advocates -- Discussing problems specific to ex-prisoners and parolees with mental illness and successful efforts to assist prisoner reentry through the provision of intensive case management services.

Christine Cole, Executive Director, Crime and Justice Institute, Community Resources for Justice -- Setting Massachusetts work on these issues in a national context, comparing it to what other states have done and suggesting tactics that have worked elsewhere and could be incorporated here.

4:45 CLOSING REMARKS

Sarah Abbott

Sarah Abbott, Ph.D. LSW, serves in the role of Jail Diversion Program Director at Advocates. In 2003, Dr. Abbott helped the Framingham Police Department launch the first pre-arrest co-response Jail Diversion Program and worked as the embedded Framingham police clinician for several years. Dr. Abbott has since replicated the model in over 15 police agencies in Massachusetts and beyond. In 2018, Dr. Abbott secured Department of Mental Health funding to launch the country's first Co-Response Training and Technical Assistance Center. In addition to her work at Advocates, Dr. Abbott serves as an Associate Professor in the Justice Studies Department at Lasell University where her research focuses on measuring the impact of the jail diversion model on police officer attitudes towards individuals with a behavioral health disorder.

Angela Brooks

Angela Brooks is Director of the Child and Youth Protection Unit (CYPU) in the Massachusetts Attorney General's Office. In that role, she focuses on legal and policy issues related to child welfare, education, and juvenile justice, among others. Prior to the Attorney General's Office, Ms. Brooks was Deputy Director at the Massachusetts Budget and Policy Center, which conducts research and data analysis on policies impacting the lives of low- and middle-income Massachusetts residents. Before MassBudget, Ms. Brooks served first as Legal Counsel and then as Chief of Staff for Senator Sonia Chang-Díaz in the Massachusetts State House. After attending the Boston Public Schools, Ms. Brooks graduated from Bowdoin College and Harvard Law School.

Christine Cole

Christine Cole has worked over 30 years in the safety and justice sector -- in policing, institutional and community-based corrections, victim advocacy, community organizing and prosecution in the US, Africa, Europe, Asia, the Pacific, and the Caribbean. She has extensive experience as a collaborator and facilitator with practitioners, community members, and academics working as a change agent across a variety of topics and levels of government. Ms. Cole has contributed research and writing on reports and publications about police organization, leadership, oversight and the organization of first responders to mass casualty and active shooter events. Her current focus is on safety and justice reform that embraces data to understand the situation, design the right solution, and communicate the results of the work. Ms. Cole holds a MPA from Harvard University, John F. Kennedy School of Government, MA in Community Psychology from the University of Massachusetts, Lowell, and BA from Boston College. Ms. Cole is a Fellow at the Program on Crisis Leadership at John F. Kennedy School of Government's Ash Center.

Matthew Cregor

Matt Cregor, a staff attorney the Mental Health Legal Advisors Committee (MHLAC), focuses on the school-based exclusion, policing, and disciplining of students with mental health needs. Prior to joining MHLAC in 2018, Matt served as a staff attorney with the Southern Poverty Law Center, the coordinator of the NAACP Legal Defense Fund's Dismantling the School-to-Prison Pipeline Initiative, and as the Education Project Director for the Lawyers' Committee for Civil Rights in Boston. He is currently litigating a pair cases challenging schools' failure to implement Massachusetts' school discipline laws. He has authored or co-authored a number of reports on school discipline, including, most recently, Unfinished Business: Assessing Our Progress on School Discipline under Massachusetts Chapter 222 (2018) with Joanna Taylor, and has served on a number of school discipline-related boards, including the Core Group of the Dignity in Schools Campaign. He is a 2006 graduate of Georgetown Law and the 2018 recipient of the Boston Bar Association's James G. Brooks Legal Services Award.

Kristen Dame

Kristin Dame, MA, LMHC is the CPCS Director of Private Social Work Services. Her role is to assist Private Counsel Division Bar Advocates s by connecting them to private Social Services Expert Vendors. Prior to beginning her current position, Ms. Dame was with the Department of Developmental Services (DDS) as part of ABI-MFP team where her responsibilities included assessing and mitigating risk for individuals who had an acquired brain injury and progressive, degenerative diseases that affected mobility and cognition. Before her work at DDS she was the first CPCS Public Defender Division Regional Supervisor for Social Service Advocates. She was inspired to join CPCS after having been a clinician at MCI-Cedar Junction and the Clinical Coordinator of the Secure Treatment Program at Souza-Baranowski Correctional Center where she witnessed first-hand the devastating effects of solitary confinement. Ms. Dame is a graduate of Emanuel College receiving her B.S. degree in Developmental Psychology and Political Science. She subsequently graduated from Boston College with her M.A. in Psychology: Mental Health Counseling, and has been licensed as a Mental Health Clinician in MA since 2001.

Robert Fleischner

Bob Fleischner worked for more than 40 years at the Center for Public Representation, a public interest law firm with offices in Northampton, Newton, and Washington, DC. Since his retirement he has been a Senior Advisor to the Massachusetts Association for Mental Health and represents MAMH on the Restrictive Housing Oversight Committee, which was established by the Criminal Justice Reform Act. For Open Society Foundations, he is the coordinator of an international group of disability advocates working to conform criminal justice systems to the requirements of the UN Convention on the Rights of Persons with Disabilities. Mr. Fleischner graduated from BC Law School in 1973. He has litigated cases and argued appeals involving guardianship, prison and juvenile justice reform, civil commitment, the right to treatment, and

the right to community services in state and federal courts here and around the country. He has published a book on guardianship law and numerous articles and book chapters about disability law

Marisa Hebble

Marisa Hebble is the Manager of the Massachusetts Community Justice Project, an initiative of the Massachusetts Trial Court. The Massachusetts Community Justice Project is a statewide effort helping communities address the behavioral health needs of people in (or at-risk of) contact with the criminal justice system. The Project utilizes Sequential Intercept Mapping and collaborative action planning to promote recovery for people with behavioral health needs, enhance public safety, and support quality of life for all. Ms. Hebble is the former Director and current Executive Council member of the Opioid Task Force of Franklin County. She is also a member of the Board of Directors for Behavioral Health Network and serves on multiple state and regional workgroups and committees. Ms. Hebble holds a Master's degree in Public Health with a concentration in Community Health from the University of Massachusetts Amherst and an undergraduate degree in Political Science from Rutgers University.

Coco Holbrook

Coco is a staff attorney at MHLAC, prior to that position she was a Boston University Law N. Neal Pike Disability Fellow. As staff attorney she works on issues affecting those living with mental health conditions in MA and advocates against the discrimination of employees and incarcerated persons because of their mental health. Prior to working at MHLAC, she has worked on issues of reproductive justice, consumer debt issues, and institutional injustice issues. She is a board member of Nightingale Ensemble in Chicago.

Jennifer Honig

Jennifer Honig, Senior Attorney at Mental Health Legal Advisors Committee, focuses on institutional advocacy and community rights of persons with mental health issues. She graduated from Georgetown University Law Center in 1991 and subsequently represented clients of methadone treatment clinics. She has been at MHLAC since 1992. Most recently, she has been pursuing litigation on behalf of individuals confined to jails and prisons in Massachusetts.

Pamerson Ifill

Pamerson Ifill is the Deputy Commissioner of Pre-Trial Services, a statewide division of the Massachusetts Probation Service. Prior to being appointed Deputy Commissioner, Mr. Ifill was the Regional Supervisor for Region One which included Barnstable, the Cape and the Islands, Bristol, and Plymouth counties, and has over 25 years of experience working to serve Massachusetts. My. Ifill crafted the the Massachusetts Trial Court's Cultural Proficiency model,

including the introduction of Cultural Proficiency Champions, or volunteers, who attend trainings to learn how to help individuals in underserved communities navigate the court system, and has tirelessly worked to bring events that center on culture, race, and gender diversity, inclusion, and equity in the courts and communities the courts serve. Ifill earned a Bachelor of Arts degree from Stonehill College where he majored in Political Science. He holds a Master's Degree in Management of Human Services from Brandeis University's Florence Heller Graduate School.

Phillip Kassel

Phillip Kassel is a longtime poverty law advocate. Before coming to MHLAC in January 2012, Phil worked for more than 30 years on behalf of the most vulnerable segments of the poor-person populations of the states of Massachusetts, Minnesota, and Washington, serving in a host of capacities and specialties. He has litigated, lobbied, and negotiated key reforms for a wide variety of clients, including persons with mental health concerns; for example, *Haverty v. Commissioner of Corrections*, 437 Mass. 737 (2002), which established a right to due process under the Massachusetts constitution prior to the imposition on prisoners of indefinite solitary confinement.

Joseph Leavey

Joseph M. Leavey founded Communities for People (CFP) in 1976. He has held several distinguished positions in the field of child and youth welfare services in Massachusetts, including Director of the Placement Division of Child Guardianship, Commissioner of the Department of Youth Services, President of the Massachusetts Council of Human Service Providers, Chairman of the Children's League, Chairman of the Special Commission on Foster Care, and President of the State Advisory Board for the Department of Children and Families (DCF). Today Communities for People is offering a continuum of care through foster care services, residential and independent living programs, and home-based services in both Massachusetts and Rhode Island.

Kate Lowenstein

Kate Lowenstein has a J.D/M.S.W from the Catholic University of America. She joined Citizens for Juvenile Justice in December 2014 and is currently the Multisystem Youth Project Director. For the 13 years prior to coming to CfJJ, she was co-director of Murder Victims' Families for Human Rights where she had extensive experience organizing and advocating for victims and murder victims' family members. Prior to that she worked in the abuse and neglect system in D.C.. She co-authored an *amicus curiae* brief on behalf of victims' family members to the Supreme Court in the high-profile case *Roper v. Simmons*.

Danna Mauch

Danna Mauch, Ph.D. is President and CEO of the Massachusetts Association for Mental Health (MAMH). Dr. Mauch's prior service in the private sector includes ten years as Senior Fellow/Principal Associate at Abt Associates, Inc. Prior to joining Abt, Dr. Mauch was Chief Administrative Officer for Comprehensive NeuroScience, Inc., Founding President and Chief Executive Officer for Magellan Public Solutions, Inc., and Founder and President of Integrated Health Strategies, Inc. Her work addresses the needs of a broad range of at-risk and vulnerable groups of children, adults and elders, including persons with autism spectrum disorders, behavioral health conditions, HIV/AIDS, multiple chronic conditions, criminal justice involvement, military and veteran status, and homelessness. Dr. Mauch is a published author of government and foundation reports, book chapters and journal articles on the organization, financing and delivery of care to vulnerable populations. Dr. Mauch holds a Ph.D. in Social Policy from the Heller School at Brandeis University.

Sandra McCroom

Sandra McCroom is the president and chief executive officer of Children's Services of Roxbury (CSR). She is a proud alumna of Spelman College in Atlanta, where she graduated with a B.A. in Psychology. Her career includes work in both the nonprofit sector and in state service, and she also was a U.S. Peace Corps Volunteer in Thailand for three years. Ms. McCroom has worked for the Department of Corrections, for the Sex Offender Registry Board, for the Parole Board, as the Executive Director of Roxbury Youthworks Inc., as the Senior Development Coordinator for the Safe Neighborhood Initiative, and as the Undersecretary for Criminal Justice in the Executive Office of Public Safety and Security.

Lisa Newman-Polk

Lisa Newman-Polk, Esq., LCSW, is a lawyer and social worker in private practice. She currently represents over a dozen men seeking parole who were convicted of murder as teenagers. Ms. Newman-Polk formerly worked as a public defender with the Committee for Public Counsel Services in the district, superior, and drug courts. She also has a masters degree in social work and worked as an outpatient therapist providing treatment to men and women on probation and parole, and as a mental health clinician at Souza-Baranowski Correctional Center.

Donald Perry

Donald "Don" Perry holds a B.A. Degree from UMASS Amherst. In September 2018, Mr. Perry graduated from JustLeadershipUSA at John Jay College of Criminal Justice in New York. Donald uses his "lived experiences" as a former addict and justice-involved individual to advocate to greater meet the needs of people with similar experiences. Donald has worked in human services for 15 years to feed the hungry, house the homeless, provide services for people with

substance misuse disorders and helped formerly incarcerated people reintegrate back into the community. Mr. Perry is the founder of Project Operation Change, a statewide campaign in Massachusetts advocating for parole reform. Donald is currently a consultant for the Behavioral Health Justice Initiative Navigator Trainings at UMASS Medical in Shrewsbury, MA.

Opal Stone

Opal Stone, MBA, is the Director of Reentry Services at Advocates, a behavioral health service provider that supports more than 20,000 individuals annually in Central and Eastern Massachusetts. She oversees Advocates Reentry Services programs, including having led the *Worcester Initiative for Supported Reentry* a project that achieved a 47% reduction of recidivism among medium to high risk citizens returning to the community from prison and jail. She has also directed three federally-funded reentry and specialty court projects, work which incorporated Risk Needs Responsivity principles and partnered closely with the courts, Probation, Parole, Sheriff's Offices, and the Department of Correction. She has presented at local and national behavioral health and drug court conferences about building criminal justice and behavioral health collaborations to achieve effective, integrated programming. She has been actively involved in Massachusetts criminal justice policy reform and program design and has consulted on strategic and operational analysis projects in jails.

Bishop Talbert Swan

Bishop Talbert W. Swan, II is the pastor of the Spring of Hope Church of God in Christ in Springfield, MA. He serves the International Church Of God In Christ as Assistant General Secretary, Senior Advisor to the Presiding Bishop, and Clerk to the General Board. He is the Jurisdictional Prelate of the Nova Scotia Ecclesiastical Jurisdiction. Bishop Swan is the President of the Greater Springfield NAACP, President and CEO of COGIC Family Services, and host of the Spoken Word Radio Broadcast. He holds a Bachelor of Science in Computer Science from Western New England University, a Bachelor of Science in Religious Studies from Charter Oak State College, a Master of Arts in Theology from Hartford Seminary, and a Master of Divinity in Urban Ministry from Gordon Conwell Theological Seminary. Bishop Swan also holds graduate certificates from Hartford Seminary in Black Ministries and Harvard Divinity School in Faith Based Economic and Community Development. He has completed all academic requirements toward a Doctor of Ministry from Piedmont International University.

Bonita Tenneriello

Bonita Tenneriello has been an attorney with Prisoners' Legal Services of Massachusetts since 2004, where much of her work has focused on litigation and advocacy on solitary confinement. She is currently a member of the Restrictive Housing Oversight Committee, established by the MA legislature. She is a graduate of the University of Michigan law school and previously worked a clerk for a federal judge, a Skadden Fellow serving migrant farmworkers in Michigan,

and an attorney with the National Voting Rights Institute.

Lisa Thureau

Lisa Thureau is the founder and Executive Director of Strategies for Youth (SFY), a national nonprofit organization dedicated to improving police/youth interactions and reducing disproportionate minority contact. SFY offers interdisciplinary approaches to adoption of developmental competence practices and policies by law enforcement agencies, offers outreach programming for youth, and conducts original research on structural factors that affect police/youth interactions. SFY provides its services in 20 states around the country, including Massachusetts where its work began.

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November 14, 2019

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LUNCHEON PRESENTATION – APPLYING THE ADA’S INTEGRATION MANDATE TO CRIMINAL JUSTICE REFORM EFFORTS IN MASSACHUSETTS

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Panel 3 – EXPANDING ADULT DIVERSION FROM THE CRIMINAL JUSTICE SYSTEM

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PANEL 4 – DIVERTING ADULTS WITH MENTAL ILLNESS IN THE CORRECTIONAL SYSTEM FROM RESTRICTIVE HOUSING AND PROMOTING THEIR REENTRY INTO SOCIETY

MENTAL HEALTH IN JAILS AND PRISONS

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Strategies for Youth
CONNECTING COPS & KIDS™

**School-Based Reforms in the CJRA
and Future Advocacy for
Adolescents:
Special Focus on Police/Student
Interactions**

MHLAC Conference
November 2019

1

Strategies for Youth
CONNECTING COPS & KIDS™

Strategies for Youth

A national, nonprofit policy and training organization dedicated to equipping officers with best practices for working with youth and reducing disproportionate minority contact.

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Strategies for Youth
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- Training Law Enforcement
 - Policing the Teen Brain*
 - Policing the Teen Brain in School*
- Outreach to Youth:
 - Juvenile Justice Jeopardy*
- Policy & Research
 - *If Not Now, When?*
 - *Where's the State?*
 - *Parents' Checklist for SROs*
 - *\$2 Billion Later*

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Changing LE Interactions with Youth

Use **brain science** to demonstrate that youth conduct is:

- NOT Always intentional >> mostly reactive
- Youth are NOT “cooked” by 15
- Peer pressure is magnified
- Youth respond better to honey than vinegar
- Many youth lack skills

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Current SRO Training Requirement

Chapter 71 Section 37(P)

“...(vii) training for SROs, including but not limited to continuing professional development in child and adolescent development, conflict resolution and diversion strategies...”

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How well are law enforcement officers and agencies
trained and equipped
to work with youth
in Massachusetts?

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Findings of *If Not Now, When?* Study (2013):

- Average time: 6 hrs
- 1% of academy time on JJ
- Topics: Juvenile Code/Law/Rules
- **Mental Health: 9 (?)**
- **DMC: 8 (?)**


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Officers Are Not Trained In:

- Adolescent Development
- Developmental Competence
- Implicit Bias
- Mental Health
- Alternatives to Arrest
- Community Resources


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Findings of *Where's the State?* Study (2017)

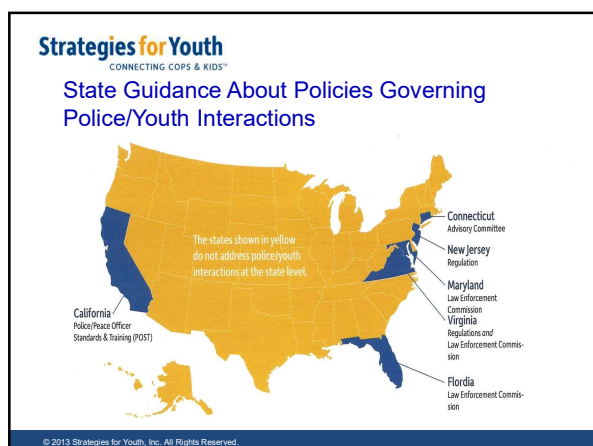
State Level:

- No standards
- No statutes
- No regulations

Where's The State?
Creating And Implementing State Standards For Law Enforcement Interactions With Youth


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Findings of **\$2 Billion Later** Study (2019)

- 22 States require SROs to be trained
 - 2 states encourage it
- 26 have no laws
- 20 states enacted laws in last 5 years

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Findings from **\$2 Billion Later**


- 3 states meet SFY's D.A.T.I.R.E. standard
 - Kansas, Nebraska, Virginia
- 9 include adolescent development
- 7 include mental health
- 5 include trauma

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Arrest is Greatest Source of Disparity



Using white youth as the reference, RRI indicate that the largest point of disparity for black males and females is at arrest or the “referral” stage.

Source: Puzzanchera, C. and Hockenberry, S. (2015). National Disproportionate Minority Contact Databook.

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Where are Officers Deployed?

Inclusionary discipline measures:
– Affluent white youth

Exclusionary discipline measures:
– Youth of color and poor youth


Source: Kupchik, Aaron & Ward, Geoff (2013). Race, Poverty, and Exclusionary School Security: An Empirical Analysis of U.S. Elementary, Middle, and High Schools.

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Biggest Disparities in Schools

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Implicit Bias in real-life

- Boys of color as young as 10 are more likely to be mistaken as older, perceived as guilty and experience use of force.
- Boys of color are more often viewed as "responsible for their actions at an age when white boys still benefit from the assumption that children are essentially innocent."



Phillip Altaba Goff: *The Essence of Innocence: Consequences of Dehumanizing Black Children*
Journal of Personality and Social Psychology

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Implications of Lack of Training

- Youth assumed to be like adults
- No D.A.T.I. informed approach necessary
- Officers bring all personal perceptions to interactions with youth
- Assume intentionality
- Racism plays special role
 - *Essence of Innocence* & Aging Up YOC

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www.strategiesforyouth.org

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Info@strategiesforyouth.org

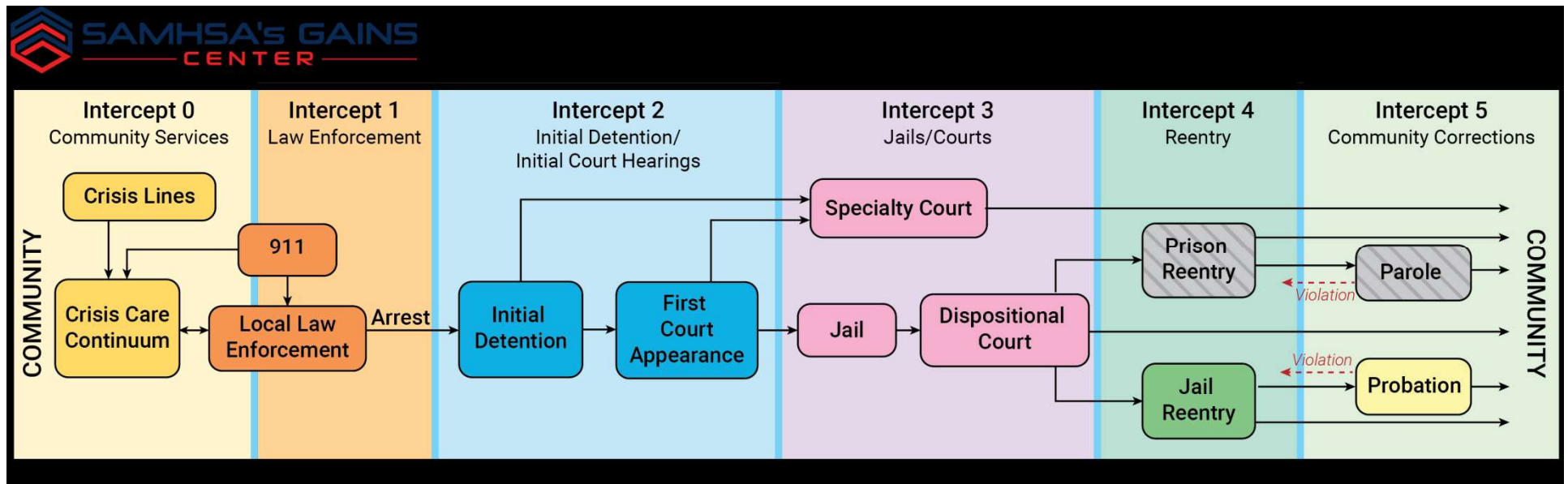
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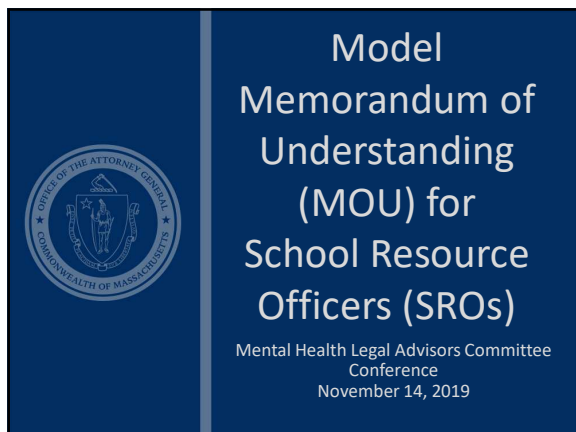
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Massachusetts Association for Mental Health



Sequential Intercept Model





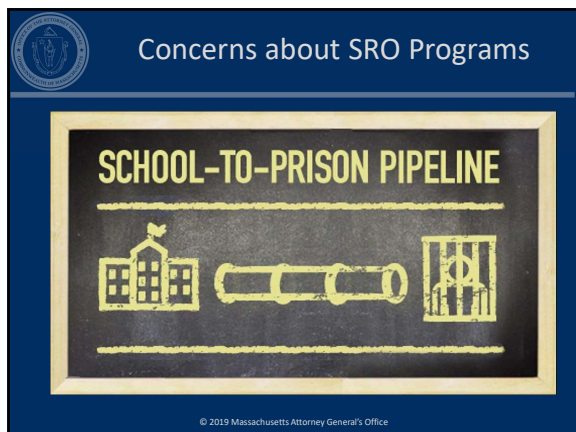
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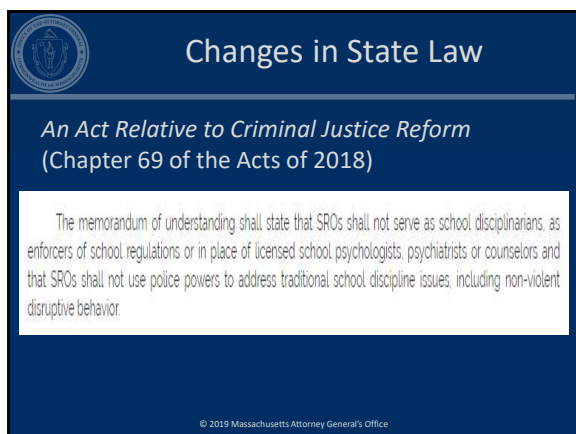
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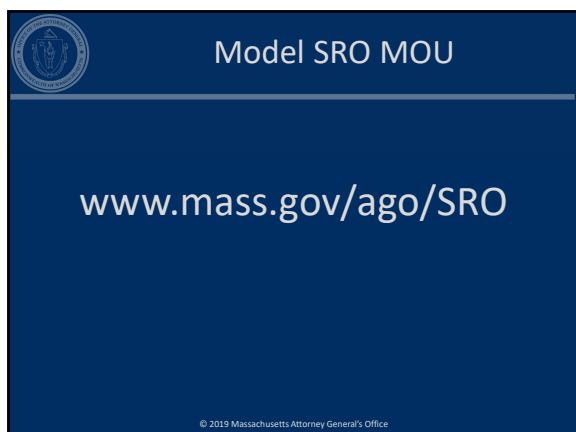
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Model SRO MOU

- Mission Statement, Goals, and Objectives
- Structure and Governance
 - Selecting an SRO
 - Supervision of the SRO and Chain of Command
 - Integrating the SRO
 - Complaint Resolution
 - Annual Review
- Roles and Responsibilities of the SRO and the School in Student Misbehavior
- Information Sharing
- Data Collection and Reporting
- SRO Training
- Accompanying Standard Operating Procedures (SOPs)

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SRO MOU Mission Statement

II. Mission Statement, Goals, and Objectives

The mission of the Program is to support and foster the safe and healthy development of all students in the District [or at the School] through strategic and appropriate use of law enforcement resources and with the mutual understanding that school participation and completion is indispensable to achieving positive outcomes for youth and public safety.

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Structure and Governance

III. Structure and Governance

The Parties acknowledge the importance of clear structures and governance for the Program. The Parties agree that communicating these structures to the school community, including teachers and other school staff, students, and families, is important to the success of the Program.

A. Process for Selecting SRO


The Parties acknowledge that the selection of the SRO is a critical aspect of the Program and that it is important for the Parties and the school community to have a positive perception of and relationship with the SRO.

In accordance with state law, the Chief shall assign an officer whom the Chief believes would foster an optimal learning environment and educational community and shall give preference to officers who demonstrate the requisite personality and character to work in a school environment with children and educators and who have received specialized training in child and adolescent cognitive development, de-escalation techniques, and alternatives to arrest and diversion strategies. The Chief shall work collaboratively with the Superintendent in identifying officers who meet these criteria and in selecting the officer who is ultimately assigned as the SRO. [Note: regional school districts should tailor this paragraph to specify how chiefs of different towns should work together, and with the Superintendent, to select the SRO.]

The Chief shall consider the following additional factors in the selection of the SRO:

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Roles and Responsibilities in Student Misbehavior


IV. Roles and Responsibilities of the SRO and School Administrators and Staff in Student Misbehavior

The Parties agree that school officials and the SRO play important and distinct roles in responding to student misbehavior to ensure school safety and promote a positive and supportive learning environment for all students.

Under state law, the SRO shall not serve as a school disciplinarian, as an enforcer of school regulations, or in place of school-based mental health providers, and the SRO shall not use police powers to address traditional school discipline issues, including non-violent disruptive behavior.

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Roles and Responsibilities in Student Misbehavior

The principal or his or her designee shall be responsible for student code of conduct violations and routine disciplinary violations. The SRO shall be responsible for investigating and responding to criminal misconduct. The Parties acknowledge that many acts of student misbehavior that may contain all the necessary elements of a criminal offense are best handled through the school's disciplinary process. The SRO shall read and understand the student code of conduct for both the District and the school.

The principal (or his or her designee) and the SRO shall use their reasoned professional judgment and discretion to determine whether SRO involvement is appropriate for addressing student misbehavior. In such instances, the guiding principle is whether misbehavior rises to the level of criminal conduct that poses (1) real and substantial harm or threat of harm to the physical or psychological well-being of other students, school personnel, or members of the community or (2) real and substantial harm or threat of harm to the property of the school.

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Information Sharing

V. Information Sharing Between SROs, School Administrators and Staff, and Other Stakeholders

The Parties acknowledge the benefit of appropriate information sharing for improving the health and safety of students but also the importance of limits on the sharing of certain types of student information by school personnel. The Parties also acknowledge that there is a distinction between student information shared for law enforcement purposes and student information shared to support students and connect them with necessary mental health, community-based, and related services.

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Data Collection, Training, and Standard Operating Procedures

- Data on school-based arrests, citations, and court referrals to be reported to DESE, disaggregated by race, gender, disability status, and more.
- Training on child and adolescent development, conflict resolution, and diversion strategies.
- SOPs to cover uniform, use of force, students' legal rights, chain of command, performance evaluation standards, diversion and referrals to services, and information-sharing.

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Model SRO MOU

www.mass.gov/ago/SRO

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CJ Bill Model MOU Mandate

"The executive office of public safety and security, in consultation with the department of elementary and secondary education, shall make available to all communities examples of model memoranda of understanding...."

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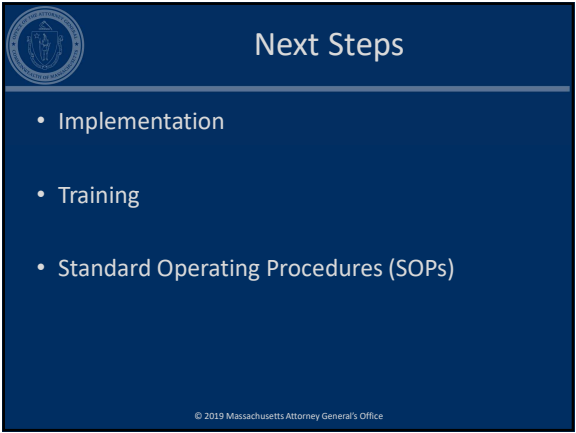
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Contact Information

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The Criminalization of the Black Student: Feeding the School to Prison Pipeline

Bishop Talbert W. Swan, II, M.Div.
President, Greater Springfield NAACP

1

ARRESTED FUTURES REPORT

- EXAMINED SCHOOL BASED ARRESTS IN BOSTON, WORCESTER AND SPRINGFIELD
- EVALUATED WHICH STUDENTS WERE BEING ARRESTED AND WHY
- FOUND THAT BLACK STUDENTS WERE BEING ARRESTED FOR MINOR MISBEHAVIOR

2

DISPARITIES IN AMERICA

- BLACKS AND LATINOS ARE 30% OF THE POPULATION BUT ALMOST 70% OF PRISONERS
- 1 in 13 BLACKS CANNOT VOTE BECAUSE OF A FELONY CONVICTION
- BLACKS AND LATINOS ARE MORE LIKELY TO BE STOPPED, ARRESTED, AND CHARGED WITH CRIMES BECAUSE OF RACIAL PROFILING

3

CRIMINAL JUSTICE REFORM ACT

- SCHOOL RELATED EVENTS EXEMPTED FROM LAW PROHIBITING DISRUPTION OF AN ASSEMBLY
- BIAS FREE POLICING MANDATED
- MANDATORY TRAINING ON PRACTICES AND PROCEDURES RELATED TO BIAS FREE POLICING

4



5

RECOMMENDATIONS


- CALLING POLICE SHOULD BE A LAST RESORT
- DEVELOPING OF POLICIES AND PROGRAMS TO IMPROVE SCHOOL CLIMATE
- ADDRESS DISPROPORTIONATE USE OF ARRESTS OF BLACK AND NON WHITE STUDENTS

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Middlesex County Restoration Center Commission

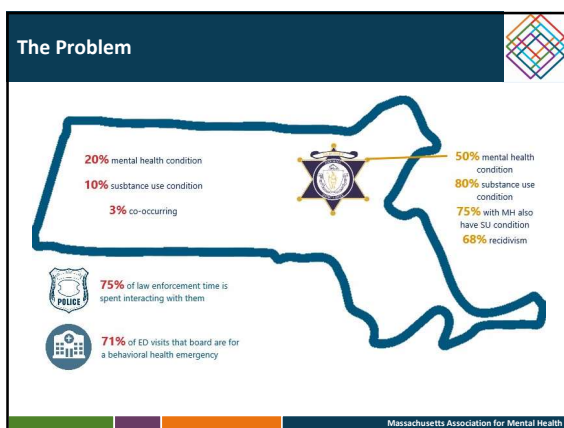
Taking the “Criminal” Out of “Criminal Justice”

11/14/19

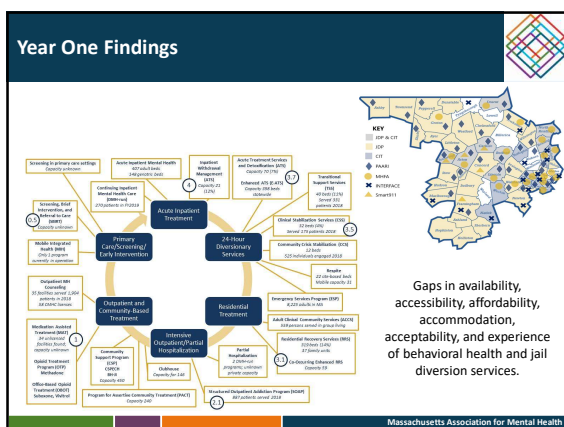


Danna Mauch, PhD
President and CEO
Massachusetts Association for Mental Health

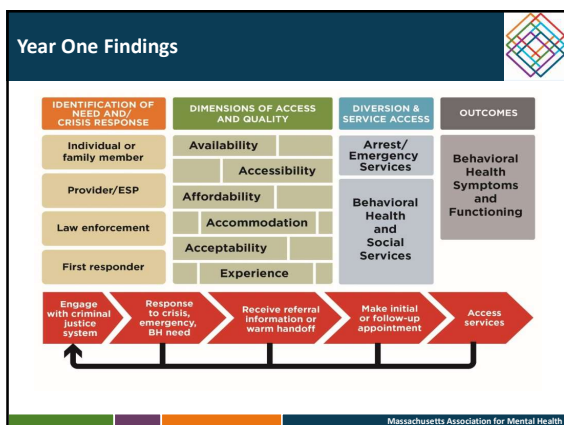
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Current Year

Design a Restoration Center that delivers the following services:

- Assessment and triage
- Medical clearance
- Crisis stabilization
- Behavioral health urgent care
- Respite
- Mobile crisis teams
- Case management
- Sober support unit
- Psychopharmacology

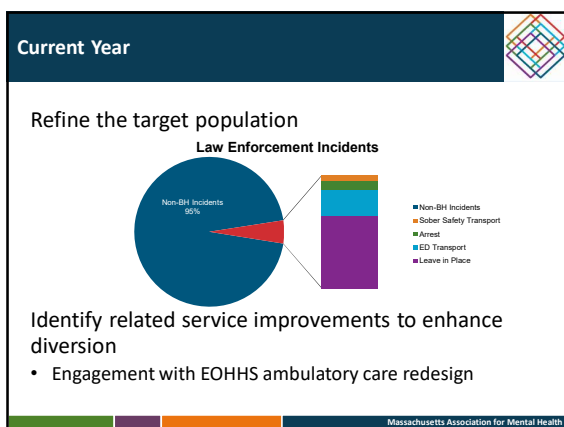
In the following way:

- With rapid, timely intake
- With no refusal based on insurance status or payer
- Integrates mental health and substance use services
- Accepts both police drop-offs and walk-in clients
- Integrates with existing services and programs through DPH, DMH, MassHealth, and community partners
- Is in a high-need, high-population density, service-poor community

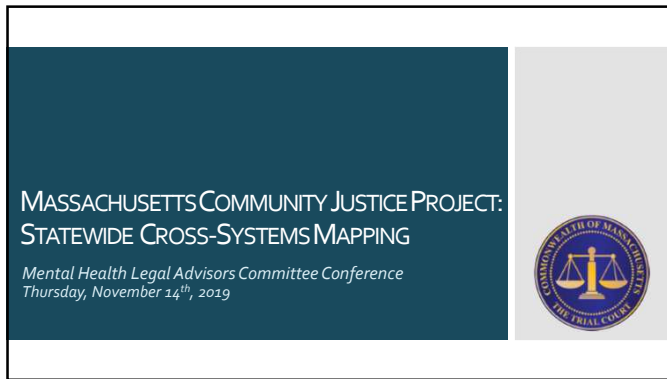
To provide a clinically competent, viable alternative to emergency department, arrest, or involuntary commitment.

Massachusetts Association for Mental Health

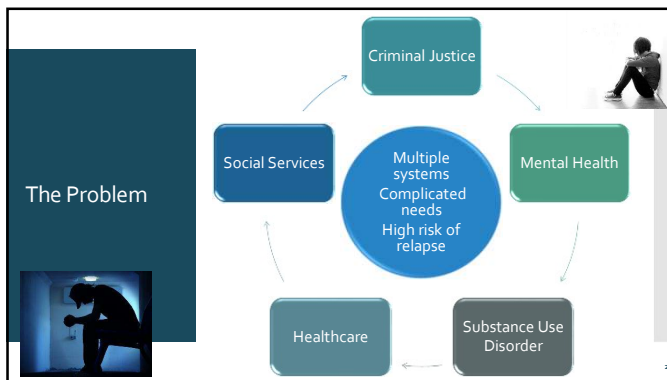
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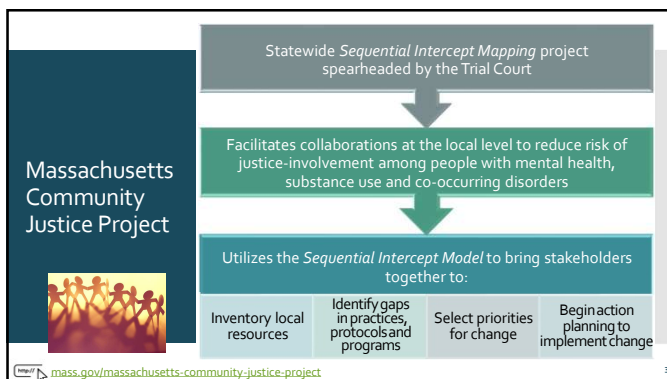
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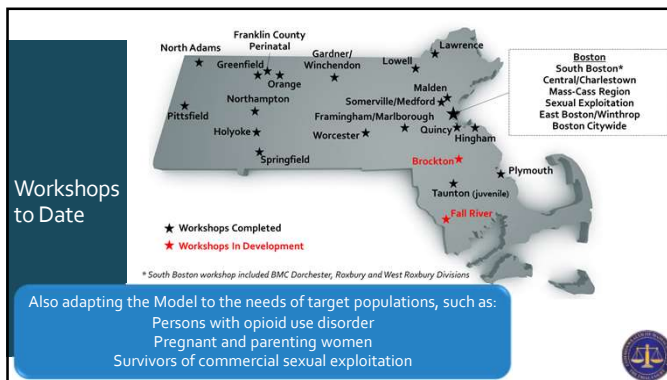
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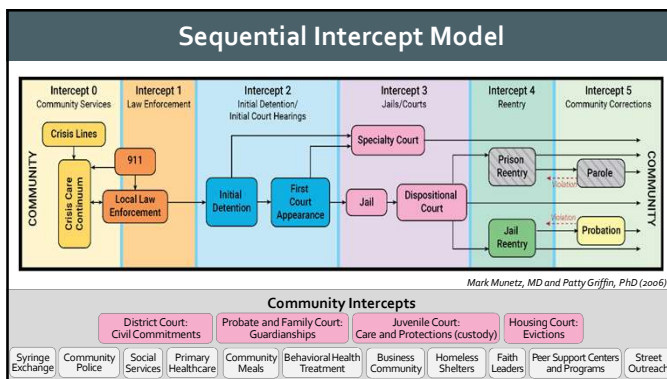
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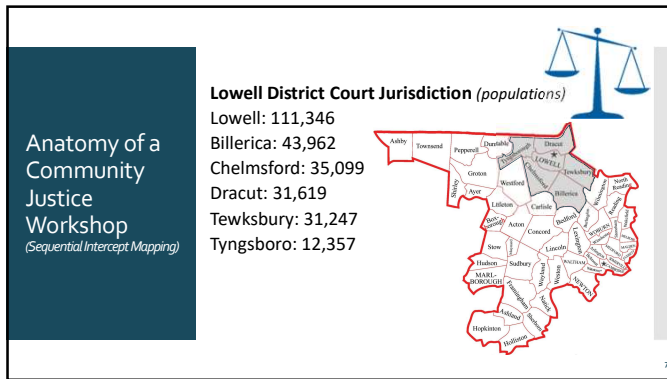
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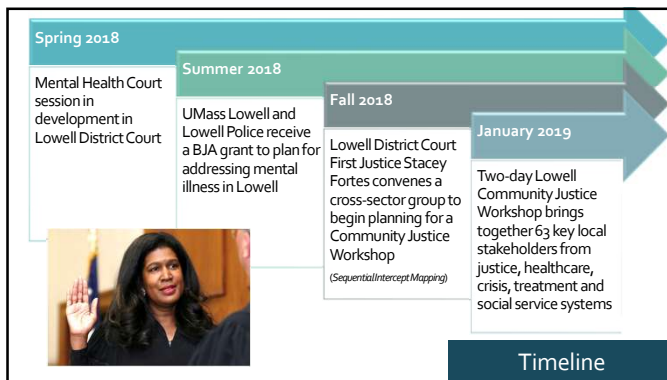
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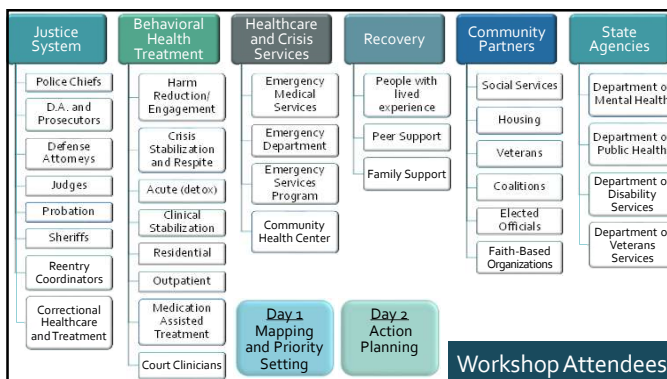
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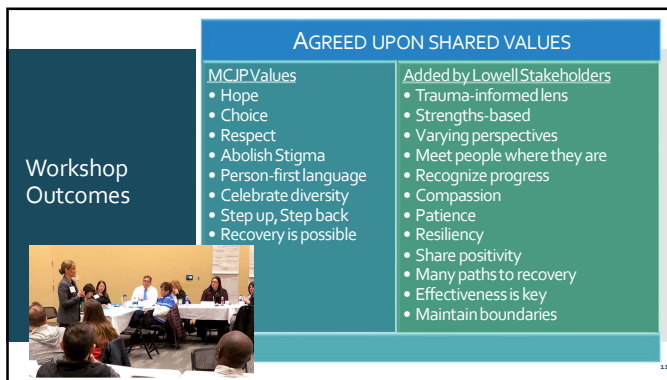
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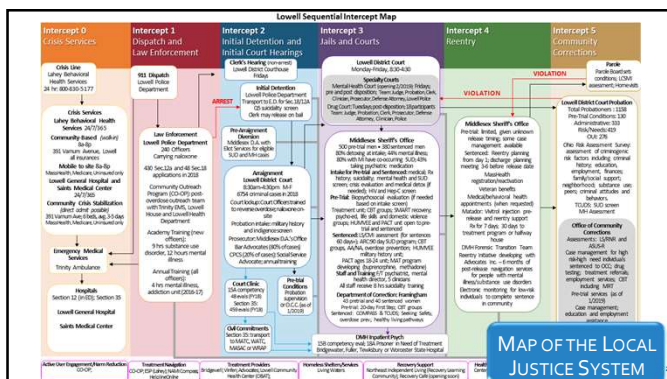
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RESOURCES AND GAPS AT EACH INTERCEPT		
Workshop Outcomes	Intercept 1: Dispatch and Law Enforcement	
	RESOURCES	GAPS
	<ul style="list-style-type: none"> Dispatch is under Lowell P.D. Data: Annual homeless count conducted Data: Police have a CAD code for mental health calls NAMI Compass helpline: navigation support with a person; police can refer Crisis service will take walk-in/drop-off by police Community Opioid Crisis Program: outreach within 48 hours post-overdose; multidisciplinary team including police 	<ul style="list-style-type: none"> Training for dispatch on mental illness Police department – no mobile crisis collaboration on mental health calls No Crisis Intervention Training for police No Co-responder (embedded social worker) in police department CAD code doesn't get updated as mental health call, after the call – data need Predictable turn-around time at ER for police department – police-friendly processes Awareness about crisis drop-off among police Resources for high services utilizers Sobering facility (outside of E.D. or P.D.)

13

RESOURCES AND GAPS AT EACH INTERCEPT		
Workshop Outcomes	Intercept 2: Initial Detention and Initial Court Appearance	
	RESOURCES	GAPS
	<ul style="list-style-type: none"> Court officers – trained to reverse overdose and stocking naloxone CPCS attorneys have access to social workers/clinicians for disposition planning 15a evaluation – court clinic 	<ul style="list-style-type: none"> Screens in police holding by crisis team Training for Court Officers – trauma, mental illness, addiction No mental health screen at probation intake Training about mental illness for attorneys – prosecution, CPCS, bar advocates CPCS information on next morning arraignments to allow for planning/assessing mental health needs Post-release case management for Section 35 Alternative treatment options for Section 35 at court Information exchange/releases of information for Section 35 (for post-release support) Post 15a planning – people found not competent (Bermuda triangle), guardianships? Utilization of the Office of Community Corrections for pre-trial⁴

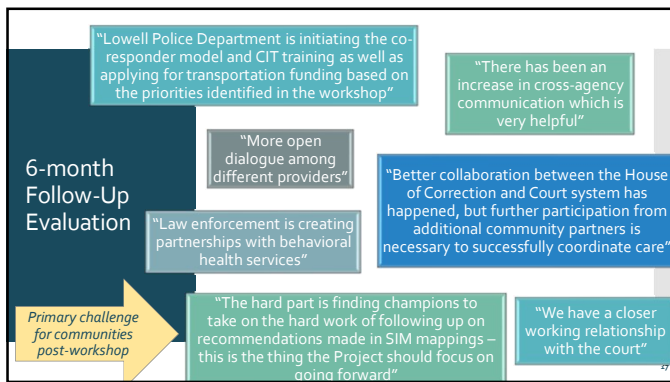
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COLLECTIVELY AGREED UPON PRIORITIES FOR CHANGE	
<ol style="list-style-type: none"> Resources for law enforcement – CIT, Co-Response, ESP evaluations Transportation – to programs, court, treatment Timely access to evaluation and treatment in the community – Rx continuity and urgent Rx access Information exchange issues – probation, HIPAA, providers, during and post Section 35 Lowell justice-behavioral health roundtable Crisis/sobering drop-off center/programs Health insurance issues Issues for people found not competent – Bermuda triangle Continuity of care Reentry support – I.D.'s, post-release caseworkers, insurance Overdose prevention screening, training and naloxone at the jail and House of Correction Case management pre and post crisis Mental health and addiction training for partners – attorneys, court officers, community Pre-trial release continuity – insurance, date and coordination Data collection processes – police, court, crisis, high-utilizers Mental health/addiction screens at police, court intake 	

15

ACTION PLAN DEVELOPMENT					
Priority: Resources for Law Enforcement – CIT, Co-Responder, ESP evaluations					
OBJECTIVE	ACTIVITIES/TASKS	RESOURCES	TIMEFRAME	BARRIERS	RESPONSIBILITY
CIT training	Apply for DMH funding Identify 25% of police force	Need Lowell P.D., DMH, NAMI	~ 2 years to get 20% of force	Funding Slots available in the training	LPD and DMH
Mental Health First Aid training	Apply for DMH funding Coordinate with in-service trainings	Need Lowell P.D., DMH, NAMI, Lowell House, Greater Lowell Health Alliance	1 year of in-service (2019/2020)	Fitting it into in-service schedule	LPD, DMH, NAMI
Utilize Lahey/Crisis team in cell block	Meeting with LPD and Lahey	Existing	Immediate	Cell block set-up	LPD and Lahey
Crisis stabilization center	MSO project	MSO, Lowell P.D., other Middlesex County P.D.'s?	Year 1: ID gaps Year 2: pilot Yr 3: implementation	Timeframe Location	MSO
Co-Responder model	DMH and federal funding opportunities	LPD, DMH, UMass Lowell, Lahey, Trinity, GHLA(?)	Dependent on funding opportunities	Funding Hiring process for clinicians	LPD and Lahey

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Questions?

Comments?

SUGGESTIONS?

THANK YOU

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