

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133

By His Excellency

MICHAEL S. DUKAKIS
GOVERNOR OF MASSACHUSETTS

EXECUTIVE ORDER NO. 280

ALTERNATIVES TO JUVENILE LOCK-UP DETENTION

WHEREAS, the Commonwealth has historically acknowledged that juvenile offenders should be treated separately from adult offenders; and

WHEREAS, it is the policy of the Commonwealth that juveniles should not be detained in police lock-ups for a status offense; and that juveniles should not be detained in a police lock-up for more than six hours for an alleged delinquency offense; and

WHEREAS, a balance must be struck between the statutory objective of not holding juveniles in jail cells or lock-up areas beyond the six hour temporary holding period permitted for alleged delinquent offenders and not allowing juveniles in temporary law enforcement custody to disrupt police operations or to leave a police, sheriff or municipal facility without authorization; and

WHEREAS, law enforcement personnel must be provided with a list of emergency services that will be available on a local and statewide basis;

NOW, THEREFORE, I Michael S. Dukakis, Governor of the Commonwealth, by virtue of the authority vested in me as supreme executive magistrate, do hereby order that all necessary steps be taken to ensure that juveniles are appropriately detained in non-secure custody by local police. These steps include:

Section 1. The Massachusetts Committee on criminal Justice is hereby directed to spend, the majority of its Juvenile Justice and Delinquency Prevention Act grant money towards alternatives to police lock-up detention.

Section 2. The Massachusetts Committee on Criminal Justice will award a grant to the Executive Office of Human Services to fund four to five regional coordinators throughout the state. The coordinators will be hired, at the minimum, for one year to eighteen months as part of an effort to create a strong network between police departments and shelter care providers. The network will provide police with alternatives to juvenile lock-up detention.

Section 3. The Massachusetts Committee on Criminal Justice

shall sponsor a statewide conference in April 1989 for police chiefs, social service providers and other professionals who work with status offenders and juvenile delinquents. The aim of the conference is to provide both groups with information concerning the appropriate placement of status offenders.

Section 4. As part of the planning for the conference, a comprehensive manual will be developed which will include a uniform assessment mechanism designed to provide police, on a twenty-four basis, with knowledgeable assistance in determining the appropriate courses of action in a particular case. This mechanism will include a written checklist for police to consult in initially processing a runaway. A listing of specifically trained persons who have indicated their willingness to assist in the process and who will be available to police in order to provide an informed assessment of the runaway will also be included.

Section 5. The Massachusetts Committee on Criminal Justice and Executive Office of Human Services are hereby directed to collaborate on the drafting of legislation to address the issue of alternatives to lock-ups so that Massachusetts can comply with Section 223 (a) (14) of the Juvenile Justice and Delinquency Prevention Act. Legislation will be filed by April 1, 1989.

Section 6. The Executive Office of Public Safety will play an integral role in supporting, promoting and assisting local law enforcement officials in complying with all programs directed towards achieving compliance with section 223 (a) (14) of the Juvenile Justice and Delinquency Prevention Act.

Given at the Executive Chamber in Boston
this 20th day of January
in the year of our Lord one thousand
nine hundred and eighty-nine, and of
the Independence of the United States
of America two hundred and thirteen.

Michael S. Dukakis
Governor
Commonwealth of Massachusetts

Michael Joseph Connolly
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS