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## Expunge youth criminal records

In the midst of national unrest and an unprecedented call for justice system reform, Massachusetts is poised to demonstrate national leadership by expanding record expungement for justice involved youth.

In doing so, the Commonwealth stands to not only give youth the greatest opportunity to thrive, but also to advance racial justice and begin to address the harm systemic racism has historically inflicted on communities of color.

Research consistently shows that communities of color disproportionately experience poverty, poorer academic, professional, and social outcomes and disproportionately interact with law enforcement and the justice system. This is especially true for youth of color, who are significantly more likely to find themselves involved with law enforcement, child welfare and/or juvenile justice systems.

Nationally, youth of color make up approximately two-thirds of incarcerated youth, but only one third of the general adolescent population. In Massachusetts, youth of color make

up about 33 percent of the youth population but they represent 60 percent of those arraigned, 66 percent of pretrial detainees and 68 percent of DYS (Department of Youth Services)-committed youth. Research on racial and ethnic disparities in juvenile courts has found that practices are both directly and indirectly influenced by racial bias, which is more likely to occur earlier in system processing, and that racial disparities often worsen as youth move through the system.

Eighty-five percent of youth arraigned in Massachusetts are accused of low-level, nonviolent crimes.

However, juvenile justice involvement may follow a youth well into adulthood, beyond their initial contact or dismissal from the justice system. A criminal record can pose a significant barrier to future academic, professional and social success, and can contribute to future justice system involvement.

Moreover, the presence of these records all too often means that decisions and mistakes made as teenagers can unfairly im-

pact the rest of these individuals' lives.

Research shows that adolescent brain development is a complex process lasting through a youth's early to mid-20s, often resulting in impulsivity, risk taking and poor decision making without considering long-term consequences. It is therefore more likely for adolescents to engage in behaviors considered delinquent, resulting in interactions with the juvenile justice system and the development of a corresponding criminal record.

This need not be the case. Many people make mistakes in their youth and go on to lead healthy, productive lives. However, for many vulnerable youth this hope for a better future is limited by the color of their skin, their ethnic background and their socioeconomic status. Mistakes that might be

overlooked or remediated for some, are criminalized for others, resulting in a criminal record that follows them through their lives.

Record expungement is a tool to give at-risk youth a second chance, and serves to begin to address

the damages caused by systemic racism that initially led to their justice involvement.

Culturally competent system reform coupled with best practice prevention and intervention efforts supported by research can lead to improved outcomes for youth, greater diversion from system involvement, bolstered community strengths and resources, and significant return on investment and overall cost savings.

By developing strategies rooted in Positive Youth Development to build on strengths, promote emotional, cognitive, behavioral and moral competencies, foster a belief in the future, and provide opportunities for pro-social involvement, we can provide our youth with the best chance of a healthy and productive future.

Criminal records can derail healthy development and undermine the essential restorative premise of the Massachusetts juvenile justice system.

As the Commonwealth considers justice system reform and practice improvement, focusing on

law enforcement alone is not enough. Pathways to healing and restoration for youth who have experienced justice system involvement also warrant consideration.

Record expungement, under appropriate circumstances, can give individuals an opportunity to move beyond the transgressions of their youth and lead a happy and productive life in the future.

If you'd like to learn more about Juvenile Justice and Mental Health, please see our 2019 Policy Brief: Promoting Positive Outcomes for Justice-Involved Youth (hyperlinked; printed copies available on request).

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