

SENATE No. 1050

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to enhance fairness and increase positive outcomes for children.

PETITION OF:

NAME:

Cynthia Stone Creem

DISTRICT/ADDRESS:

Norfolk and Middlesex

SENATE No. 1050

By Ms. Creem, a petition (accompanied by bill, Senate, No. 1050) of Cynthia Stone Creem for legislation relative to electronic monitoring of juveniles. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act to enhance fairness and increase positive outcomes for children.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 119 of the General Laws is hereby amended by inserting after section 58B the
2 following section:-

3 Section 58C Global positioning system device worn by juveniles

4 (a) If electronic monitoring is ordered by a judge for a period greater than 30 days, the
5 court shall hold a hearing every 30 days, unless waived by the juvenile, to ensure that the
6 juvenile does not remain on electronic monitoring for an unreasonable length of time. In
7 determining whether a length of time is unreasonable, the court shall consider whether there are
8 less restrictive conditions that would achieve the purpose of the bail statute and the rehabilitative
9 purpose of the juvenile court. If less restrictive conditions are warranted, the court shall order
10 removal of the global positioning system device or modify the terms of the electronic monitoring
11 order to achieve the less restrictive alternative.

(b) A juvenile shall be entitled to have one day credited against the juvenile's maximum term of confinement for each day, or fraction thereof, that the juvenile is subject to electronic monitoring by court order to wear a global positioning system device, or any comparable device.

(c) The juvenile court department shall collect data regarding the use of electronic monitoring of juveniles and shall report statistical data annually by December 31st to the governor, the house and senate chairs of the joint committee on the judiciary, the house and senate chairs of the joint committee on public safety and homeland security, the house and senate chairs of the committee on children, families and persons with disabilities, the chief justice of the supreme judicial court and the chief justice of the trial court. The report, which shall be made public pursuant to reporting recommendations of the Juvenile Justice Policy and Data Board as required by section 89 of chapter 119, shall include the annual number of juveniles subject to electronic monitoring, including all of the following information for each juvenile:

(1) The total number of days in a calendar year that the juvenile was subject to electronic monitoring.

(2) The total number of days in a calendar year that the juvenile was detained for a violation of a term of the juvenile's electronic monitoring order not amounting to a new violation of law.

(3) The categorical reason the juvenile placed on electronic monitoring:

(i) A new violation of law;

(ii) A violation of a court order not amounting to a new violation of law; or

(iii) A reason not covered by subparagraph (i) or (ii).

33 (4) The case status of the juvenile (indicating whether the youth is placed on electric
34 monitoring pretrial or post adjudication.

35 (5) Whether the juvenile's electronic monitoring order included a home confinement
36 order, exclusionary zones, or any other restrictions limiting the juvenile's liberty to a time or
37 place.

38 (6) All of the information described in paragraphs (1) to (5), inclusive, shall be provided
39 in such a way as to allow cross tabulated analysis by demographic subgroups including, at a
40 minimum, age at the time of offense, sex/gender, gender identity and expression, racial or
41 ethnicity category, sexual orientation, charge type and level, geographic location such as county
42 or court location, with consideration of the juveniles' self-reporting of such categories based on
43 data reporting standards issued by the Juvenile Justice Policy and Data Board as required by
44 section 89 of chapter 119. cross-referenced with information about the age, gender, ethnicity, and
45 offense of the juveniles subject to these court actions.