

Bail for juveniles

Learn about the bail process for minors (children between 12 and 18) after being arrested or detained. Juveniles are entitled to bail, with some exceptions.

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When a minor is arrested or detained

CONTACT

State Bail Administrator

When a minor is arrested and detained in Massachusetts:

- Police will immediately notify at least 1 of the child's parents, or, if there is no parent, the guardian or custodian who the child lives with or the Department of Children and Families (DCF) if the child is in their custody.
 - **During court hours** — Police must complete the booking process and then bring the juvenile to the Juvenile Court.
 - **After court hours** — The Officer in Charge (OIC) of the station will decide whether to release or detain the

juvenile.

- If a juvenile between 14 and 18 has been arrested on a warrant or if the OIC of the police station requests in writing for the juvenile to be detained, the OIC will contact the Bail Magistrate/Bail Commissioner.
- The Bail Magistrate/Bail Commissioner will set bail and/or terms and conditions of release based on the juvenile's current charge(s), circumstances of the arrest, criminal history and/or as directed by the arrest warrant.

"No bail" offenses

An arrested juvenile will be held without bail if the juvenile:

- Has violated the terms and conditions of their probation, resulting in a warrant being issued for their arrest
- Has a default warrant for a crime with a potential penalty of over 100 days in jail, (see [how bail is set \(/info-details/learn-how-bail-is-set\)](#)) or
- Has been charged with murder or violating a restraining order

Recommending bail or release

For other offenses, during court hours, probation will evaluate whether to recommend release. If release is recommended, the police will contact the parent/guardian to arrange for them to pick up the child and will direct them when and where to appear in Juvenile Court.

If the juvenile already has an assigned probation officer, the police may also contact that probation officer if the police can't locate the parents or guardians, if the parents/guardians don't want to take the child, or if releasing the child would cause them to return to a dangerous situation at home.

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directions

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