

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

MINUTES FROM THE JULY 8, 2015 MEETING

Council Members In Attendance*: Chair Judge Charles Peters; Mary Abrams, Administrative Clerk for District I, District Court of Maryland; Warren Alperstein, Bar Association Baltimore City; Kimberly S. Barranco, CJCC Executive Director; Marilyn Bentley for Lavinia Alexander, Clerk of the Circuit Court for Baltimore City; Elizabeth Embry for Brian Frosh, Attorney General of Maryland; Wendell M. France for Stephen T. Moyer, Secretary, Department of Public Safety and Correctional Services; Elizabeth Julian, Baltimore City Public Defender; Marilyn Mosby, State's Attorney for Baltimore City; Walter Nolley, Central Region – Parole and Probation, Department of Public Safety and Correctional Services; Michel Pierson, Administrative Judge, Baltimore City Circuit Court; Paul Plymouth for Bernard C. "Jack" Young, President, Baltimore City Council; Stephanie Robinson for Stephanie Rawlings-Blake, Mayor of Baltimore City; Chris Shank for Lawrence J. Hogan, Jr., Governor of Maryland; Brenda M. Shell, Commissioner, Division of Pretrial Detention and Services, Department of Public Safety and Correctional Services; Tyrone Roper for Bernard J. McBride, President and CEO, Behavioral Health System Baltimore; Drew Vetter for Anthony Batts, Baltimore City Police Commissioner.

Others in Attendance*: Sulakshana Bhattacharya, MOCJ; Kristin Blumer, SAO; Margaret Boyd-Anderson, CJCC; Deirdre Gardner, Roberta's House; Councilwoman Helen Holton, Baltimore City Council; Commissioner Linda Lewis, Baltimore City District Court; Judge Devy Russell, Baltimore City District Court; Lewis Smith, BCHD; Eric Solomon, DJS; Shelly Spruill, SAO; Kate Wolfson, Safe and Sound.

***We request that all in attendance sign the attendance sheet which is available at each meeting.**

MEETING DIALOGUE

The meeting was called to order at 12:39 p.m. and Judge Charles Peters greeted the Council.

I. CHAIR'S REPORT – JUDGE CHARLES PETERS

Judge Charles Peters welcomed Council members and their representatives. He advised that there will not be a CJCC meeting in August and that the next scheduled meeting is September 9, 2015, at which time there will be a presentation by Adam Rosenberg, Baltimore Child Abuse Center. Judge Peters advised the Council that

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

there needs to be ratification of approval for funding of CJCC equipment, which had been approved via email on June 16, 2015 for the amount of \$1,418.00. He further advised that a memo and quote was in their packets. The Council ratified the approval. Judge Peters requested a motion to approve the April 8, 2015 meeting minutes and they were unanimously adopted.

II. EXECUTIVE DIRECTOR'S REPORT – KIMBERLY SMALKIN BARRANCO

Kimberly Barranco referred Council members to the updated contact lists in their packets with new contact information for Stephanie Robinson, Director of the Mayor's Office of Public Safety. She advised Council members that an electronic version would be disseminated shortly. Ms. Barranco further advised that a revised report rotation for 2015 was in the packets and that it reflected a few changes in scheduling for several members. Ms. Barranco shared that copies of the CJCC Comprehensive Annual Report for Fiscal Year 2015 were in Council members' packets. She further shared that this report documents the Council's history, committees, successes, and obstacles and she encouraged everyone to review it at their convenience. Ms. Barranco reported that the CJCC has accomplished a great deal this past year and she stated that in the interest of time, she would specifically refer Council members to pages 17 through 21, which highlights the Council's accomplishments from July 2014 through June 2015. Ms. Barranco said that she looks forward to continuing to assist the CJCC in working together to achieve even further progress.

Ms. Barranco reported that in June she met with each Council member and/or their designated representatives, except for one member who was not available, in order to discuss the state of the CJCC. Ms. Barranco thanked everyone for making themselves available to meet with her. Ms. Barranco shared that members generally felt that the CJCC in its present form is fine as it is and that there are benefits to attending the meetings; however, they recognize that tweaks and changes would improve the Council's function. Ms. Barranco stated that there was general agreement that the meetings provide good opportunities to receive information of value and to communicate with other members. She further stated that all agreed that the Council was a useful mechanism in which to make progress on criminal justice matters. Ms. Barranco informed that she asked each member the same set of questions and that most members had very specific issues which they would like to see addressed through the CJCC; however, they also recognized that the CJCC Committees as they presently exist are capable of already handling many issues of concern. She said that there was a consensus that the meetings are rote and that they do not provide an

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

opportunity for meaningful dialogue. She further conveyed that a retreat held annually was overwhelmingly viewed as a good idea and would provide a much needed forum for frank discussion on pressing issues. Ms. Barranco identified that the majority of Council members agreed that adding an agenda item on a particular topic of concern to the Council agenda would open dialogue and further the Council's mission. She further identified that the majority of Council members believe that the mission statement as written is still applicable, and although they recognize that it is broad, it needs to be in order to further the mission. Ms. Barranco reported that a number of members noted that case management is still an issue and should continue to be a focus of the Council. She further reported that several members suggested that community engagement should be included within the mission statement. Ms. Barranco advised that the majority of council members believe that the meetings should remain open to the public as a way to provide transparency, although they recognize a need for discussion and dialogue. She further advised that several members offered suggestions such as having a closed door executive session at the end of the meeting, or to have every other meeting in a closed format. She said that the majority of members do believe that discussion is lacking and would like to see the Council hold a retreat, which would provide an opportunity for frank discussions.

Ms. Barranco discussed how most members expressed satisfaction with the Council meetings as a good forum to share information through reports and presentations. She further discussed that they also appreciated the ability to have sidebar conversations with other members before and after the meetings. Ms. Barranco advised that there was a sense that the meetings are rote and formulaic due to a lack of discussion. She further advised that members want to hear trends on issues and how those issues affect their agencies. Ms. Barranco stated that Council members expressed that questions should be asked in order to facilitate the discussion. Ms. Barranco reported on the communication between members. She said that the members uniformly stated that the communications between members were good and that a great deal was accomplished just by being present. Ms. Barranco said that the majority of members commented that the email communication they receive from the CJCC staff was effective and they also noted that they are all aware of the appropriate point of contact when they need to address a particular issue. The Council members reported that they contact the CJCC in the event that they do not know who to contact to address a particular issue. Ms. Barranco discussed that a number of suggestions were made as to how to improve communication: have a members' only email listserv; have a retreat; and provide cell numbers for each

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

Council member in the CJCC contact list. Ms. Barranco mentioned that all Council members believed that the member attendance was very good and they noted that if a member could not attend, a standing representative attends.

Ms. Barranco shared that at its inception in 2001, the CJCC held a half day retreat to discuss the pressing issues at the time and formulate strategies to address them. She further shared that the overwhelming majority of the Council members agreed that a half-day retreat would be valuable. She discussed how several members have made suggestions that a good outside facilitator should be brought in. Ms. Barranco reported that the majority of members understand that the Committees were formed to do the “real work” and that they are very effective in doing so. She further reported that Council members recognize that the Committee framework allows better discussion, includes good representation by people who can make decisions, and that they have concrete agendas and problems which are addressed through the meetings. She conveyed that most members do not feel that any new committees need to be formed; however, Court delays and problems with postponements were mentioned by multiple members. Ms. Barranco said that she has discussed the possibility of re-forming the Postponement Committee with Judge Peters to provide an opportunity for stakeholders to communicate about this issue. Ms. Barranco reported members said that more discussion at the meetings would better advance the Council’s mission. She advised that they believe that the Council conversation should increase and that members need to comment more and talk about the reports presented.

Ms. Barranco advised that members provided suggestions and ideas as to how the CJCC could leverage its power to collaboratively improve the criminal justice system. Ms. Barranco further advised that these suggestions reflect issues which directly affect each individual member and that there was little overlap on any of the suggestions provided. She stated that the majority of members agreed that adding an agenda item to the CJCC agenda regarding an issue the CJCC should tackle as a project was a good idea and that some members suggested that this agenda item should be discussed and agreed upon at the Council retreat. Ms. Barranco noted that several members suggested that more funding was needed for the CJCC and that she has recommended to Judge Peters that she seek additional funding for the CJCC from the State through GOCCP for the next fiscal year and beyond. She further noted that additional funding would support a number of member requested initiatives which include increasing public relations and community engagement and updating the website to provide community resources.

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

Ms. Barranco advised members she will be reaching out to them in order to determine a half-day when everyone can meet. Ms. Barranco said that she is looking forward to working with all of the Council members on this important work.

Judge Peters thanked Ms. Barranco for her report.

III. CENTRAL REGION REPORT – BRENDA M. SHELL, COMMISSIONER, DIVISION OF PRETRIAL DETENTION AND SERVICES

Brenda M. Shell, Commissioner, Division of Pretrial Detention and Services advised Council members that a copy of the Central Region Statistics Report was provided in the meeting packets for the Council's review. Commissioner Shell reported that the bookings processed for FY15 year-to-date are 34,082; the Police warrants for FY15 year-to-date are 14,003; the intakes for FY15 year-to-date are 17,709; and that the releases for FY15 year-to-date are 18,890. Commissioner Shell further reported that the overall average detention capacity for FY15 year-to-date is 4,179, and that they are currently at an average daily occupancy rate of 72.7% due to a decrease in the inmate population. She noted that they are looking into processes as part of the Justice Reinvestment Initiative and that she is in the process of reviewing policies and procedures. She advised that they have begun construction on the new Juvenile Detention facility which will be able to house a total of 60 juveniles and provide educational space.

Judge Peters thanked Commissioner Shell for her report.

IV. BALTIMORE POLICE DEPARTMENT REPORT – DREW VETTER, DIRECTOR OF GOVERNMENT AFFAIRS

Drew Vetter, Director of Government Affairs advised Council members that Commissioner Batts was unable to attend the meeting. He further advised that the Police Commissioner's Report was included in their packets. Mr. Vetter reported that as of July 4, 2015 homicides had increased year to date 46%. He also noted that non-fatal shootings increased 92% year to date. He further reported that violence continues to spike in the city and total Part I crime is up 1%; the total violent crime in Baltimore City is up 6%; and the total Property Crime is down 1%. Warren Alperstein discussed concerns arising from the civil unrest in April. He further discussed BPD's engagement within the community and noted that he has represented BPD officers before and after the April riots. Mr. Alperstein conveyed that he is concerned about the reduction in arrests and the morale of some BPD officers. He recognized how

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

crime affects every CJCC Council member and their representatives and he questioned what could the CJCC, as a collective body, do to repair this morale problem. Mr. Vetter acknowledged Mr. Alperstein's concerns and he replied that it will take some time to recover from April's events. Mr. Vetter shared that moving forward, BPD is counting on their officers to do the work that they are assigned to do, which is to protect the citizens in Baltimore. He stated that officers need to hear support from the CJCC and all stakeholders. He explained that it was a chaotic situation during the civil unrest and that paperwork was not properly filled out. He advised that in service training is in progress and they are taking the necessary steps to ensure officers are properly trained.

Judge Peters thanked Mr. Vetter for his report.

V. PRESIDENT OF THE CITY COUNCIL'S REPORT– PAUL PLYMOUTH, LEGISLATIVE ASSISTANT

Paul Plymouth informed that City Council President Bernard C. "Jack" Young was attending a funeral and therefore could not be at the meeting. Mr. Plymouth reported on the City Council activities related to criminal justice in Baltimore City. He stated that the City Council created legislation to address problems reported at previous CJCC meetings. He further stated that in October 2014 the CJCC discussed Human Trafficking in Baltimore and subsequently the City Council passed Ordinance 14-0464, which prohibits hotels from renting out rooms for periods of less than half a day and requires all hotel employees to be trained on identifying human trafficking activities. Mr. Plymouth shared that Ordinance 15-0524, which also passed, provides whistleblower protection for employees that report suspected human trafficking against their employers. Mr. Plymouth outlined that hearings on resolutions allow the council to communicate with the Police Department and residents in a public forum and that these hearings provide the council with opportunities to engage the public and the police department while simultaneously increasing transparency and strengthening accountability to residents of Baltimore.

Mr. Plymouth discussed how the City Council has been working diligently to improve public safety in the wake of the death of Freddie Gray and that they have introduced Resolution 15-0225R, which looked into the costs incurred and potential costs to be incurred by the civil unrest. He reported that once the hearing was held, the City Council worked to pass Ordinance 15-0539, a supplemental appropriation that transferred \$20 million to pay for the city's portion of expenses from the civil unrest. Mr. Plymouth further reported that Resolution 15-0225R investigated the current state of police wagon safety and the Police Department's future plans and budget for new

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

police wagons. Mr. Plymouth noted that Resolution 15-0223R calls for the allocation of federal criminal seizure funds to pay for future police wagons and the police body camera program. He communicated that the City Council is working to bring much needed assistance to Baltimore's youth and that they have also introduced Resolution 15-0232R and Resolution 15-0235R. Mr. Plymouth advised that Resolution 15-0232R will work to teach non-violent conflict resolution to youth in Baltimore City schools. He further reported that Resolution 15-0235R will work to introduce trauma counseling for children affected by violence. Mr. Plymouth conveyed that Ordinance 14-0443- the Body Camera bill, has been of particular importance to City Council President Young due to its importance in improving the damaged relationship between the Police Department and the public. He further conveyed that this bill has sparked serious conversation around equipping Police with body cameras and that the City Council will continue to hold hearings and legislative oversight to ensure that the body cameras are implemented in a timely and effective manner.

Mr. Plymouth concluded his report by discussing Resolution 15-0231R, which explores reinvigorating the Officer Friendly community-policing initiative to repair the relationship between the Police Department and citizens of Baltimore. He discussed how revisiting this program, and similar community policing efforts, would be effective steps towards restoring communication and trust between the Police Department and the citizens.

Judge Peters thanked Mr. Plymouth for his report.

VI. BAR ASSOCIATION OF BALTIMORE REPORT– WARREN S. ALPERSTEIN

Warren S. Alperstein announced that Robert D. Anbinder is currently serving as President of the Bar Association of Baltimore City and that Gregory K. Kirby is President-Elect. Mr. Alperstein shared that since the implementation of Richmond, from the attorneys' perspective, things have been working smoothly. He further shared that Mr. Anbinder is eager to expand the pro bono attorneys program. Mr. Alperstein acknowledged Wendell M. "Pete" France, Deputy Secretary of Operations for the Department of Public Safety and Correctional Services for always being available to address any issues that may arise. Mr. Alperstein discussed the upcoming 2015 Fall Baltimore Bar Association programs. He stated that the Criminal Law Committee of the Bar Association is working with Judge Peters on Arraignment Court reform.

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

Judge Peters thanked Mr. Alperstein for his report.

VII. COMMITTEE REPORT– POST-ARREST PRACTICES COMMITTEE REPORT – DEVY RUSSELL, CHAIR

Judge Devy Russell reported that the Post-Arrest Practices Committee was formed in November 2010 by CJCC Chair Judge M. Brooke Murdock to study and address issues regarding bail, pretrial release and other post-arrest concerns. She further reported that the Committee was previously co-chaired by former CJCC Chair Judge John M. Glynn and former Administrative District Court Judge Keith Mathews, and that Judge Peters appointed her in February. She stated that the Committee members includes representatives from the Office of the Public Defender, the Office of the State’s Attorney, the Baltimore Police Department, the Court Commissioners Office, the private defense bar, the Mayor’s Office on Criminal Justice, the Department of Public Safety and Correctional Services and the Governor’s Office of Crime Control and Prevention. Judge Russell thanked the Council and their committees’ representatives for the terrific work that they are doing.

Judge Russell shared that from November 2010 through June 2012, the Post-Arrest Practices Committee studied a number of reports and met with interested parties offering suggested improvements, and also reviewed statistical information to formulate data driven recommendations. She further shared how the Committee investigated and discussed suggestions to shorten pre-trial incarceration time and promulgated a report with recommendations which was presented to the Council in July 2012. Judge Russell stated that since that time the Committee has met bi-monthly to address implementation of the recommendations and has continued to identify system wide gaps and deficiencies and suggest improvements to the post-arrest process. Judge Russell conveyed that a significant amount of the Committee’s time in 2014 was utilized to address implementation of the Richmond mandate for state furnished counsel at initial appearances. She further conveyed that a Richmond workgroup was formed and that they met many times to discuss the issues in addition to mapping out agreed upon protocols and a process workflow chart. Judge Russell identified that since the effective date of July 1, 2014, Committee members have monitored the process, including the rate of waivers of counsel by defendants. She further identified that the Committee continues to provide a forum for discussion on post-arrest issues of concern to the stakeholders. Judge Russell reported that at the most recent meeting Committee members discussed post-arrest issues during the period of civil unrest in an effort to improve processes in the future. She further reported that during and after the legislative session, the Committee monitored legislation regarding bail and other post-arrest issues of interest.

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

Judge Russell stated that the Committee has continued to work on advancing its recommendations and reviewed the progress of the homeless court docket in addressing misdemeanor offenses and open warrants as well as its success in providing access to services. She further mentioned that the Committee also receives regular reports regarding the issuance of civil and criminal citations. Judge Russell stated that moving forward, the Post-Arrest Practices Committee will continue to address the challenges created by the Richmond decision as well as further implementation of the Committee's recommendations, and will encourage stakeholders to continue to work collaboratively on solutions to shared concerns. She concluded her report by stating that the Committee will continue to serve as an effective mechanism allowing the CJCC to fulfill its mission to advance the fair and timely disposition of cases, and to ensure justice for those accused of crimes and the victims of crimes.

Chris Shank asked what the waiver rate is in Baltimore City for initial appearances and Commissioner Linda Lewis replied that it is approximately 50% at the present time.

VIII. PRESENTATION ON THE MAYOR'S OFFICE OF CRIMINAL JUSTICE'S YOUTH VIOLENCE PREVENTION INITIATIVES – SULAKSHANA BHATTACHARYA, PROGRAM COORDINATOR AND THE BALTIMORE CITY HEALTH DEPARTMENT'S YOUTH VIOLENCE PREVENTION PROGRAMS – LEWIS SMITH, DIRECTOR

Sulakshana Bhattacharya reported on the Mayor's Office on Criminal Justice, Juvenile Justice Initiatives. She further reported that these initiatives include Prevention – Youth Connections Centers; Intervention- Diversion; and Enforcement- the HYPE Coalition. She elaborated that the Youth Connections Centers are in partnership with the Department of Recreation and Parks, MOCJ, School Police, and BPD and serves as a one-stop resource center for youth and their families. Ms. Bhattacharya further elaborated that these centers are envisioned as a safe haven for all youth of the City and they are staffed by the Department of Recreation and Parks and seven part-time Youth Connectors. Ms. Bhattacharya discussed Intervention and Diversion which was established for youth arrested for misdemeanor offenses with no significant delinquency or criminal history. She further discussed that these diversion options include Teen Court, Community Conferencing, Aggression Replacement, Substance Abuse Treatment, and Mental Health Treatment and that they are all alternatives to the formal juvenile justice system. Ms. Bhattacharya advised that between 2010 and 2012, there were a decrease in both short-term (6 months after completing the program) and long-term (6-12 months after

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

completing the program) recidivism. She further advised that the short-term rate dropped from 7.6% to 5.39% and the long-term rate dropped from 19.15% to 12.28%. Ms. Bhattacharya conveyed that these diversion initiatives help the City of Baltimore address the issues of disproportionate minority contact within the juvenile justice system by diverting youth of color away from the formal justice system while holding them accountable for their actions. Ms. Bhattacharya further conveyed that the HYPE Coalition addresses high incidents of juvenile crime in Baltimore City by aggressively tracking juvenile offenders utilizing an intelligence integration model of multi-agency collaboration with state, and local law enforcement agencies, public safety agencies, and community partners. She reported that the HYPE Coalition addresses youth depending on their record of crimes of violence, use/possession of a handgun, serious arson and animal cruelty charges, and their age. Ms. Bhattacharya further reported on juvenile homicides and non-fatal juvenile shooting victims from 2003-2014. Ms. Bhattacharya discussed that in 2007, there were 101 non-fatal juvenile shootings and 27 juvenile homicide victims. She further discussed how the statistics of non-fatal juvenile shooting victims and juvenile homicides have both significantly declined and in 2014 there were 15 juvenile homicide victims and 13 non-fatal juvenile shooting victims.

Lewis Smith reported on the Office of Youth Violence Prevention and youth health and wellness. He informed that all young people in Baltimore City are valued and protected in thriving communities and a safe city, where there is an abundance of opportunities for young people to dream and to realize their dreams. Mr. Smith outlined that a current initiative includes the National Forum/Unity City, which is a development of a citywide plan for the prevention of youth violence. He noted that Baltimore joined this program in October 2014 and is one of 14 cities participating. He further outlined that this forum includes five goals, which are: Early childhood is safe and nurturing; Families are supported, connected and empowered; All young people are connected to a trusted adult; Neighborhoods engage young people in positive opportunities; and People and neighborhoods have economic opportunities. Mr. Smith elaborated that the first goal, early childhood is safe and nurturing will be driven by the City's Maternal Health Workgroup. He stated that they are trying to address the third goal by utilizing existing services in the City such as the Big Brother program. Mr. Smith also discussed Baltimore's Homicide Review, informing that it is collaboration with Johns Hopkins University. He advised that the Law Enforcement Review and Community Review have been patterned after

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

Milwaukee's Homicide Review Commission, which strives to reduce homicides and non-fatal shootings through a multi-level, multi-disciplinary and multi-agency homicide review process. Mr. Smith outlined that the Law Enforcement Review will review current/open cases and that the Community Review will only review closed cases.

Mr. Smith shared that the Youth Violence Prevention Programs include the Safe Street program, which is based on the Cure Violence Model and is a community-based outreach and conflict mediation to prevent shootings. He reported that Safe Streets is currently operating in four sites: McElderry Park, Cherry Hill, Mondawmin, and Park Heights. He stated that Safe Streets is obtaining funding for additional sites and is maintaining current reductions. Mr. Smith also discussed Operation Safe Kids, which is collaboration between the Health Department and the Department of Juvenile Services and provides intensive case management to high-risk juveniles from DJS' Violence Prevention Initiative. He advised Operation Safe Kids' goals are a reduction in recidivism, preventing shooting victimization and perpetration, and provision of crucial services and referrals. Mr. Smith also discussed the Dating Matters program, which is a CDC funded research and educational program for teen dating violence being implemented in 12 middle schools in Baltimore City. He stated that Dating Matters serves more than 1,000 students and 100 parents in the Baltimore City neighborhoods of Upton, Westport, Curtis Bay, Franklin Square, Milton Montford, Cherry Hill, Sandtown-Winchester, and Middle East and there is a high rate of parental engagement among all Dating Matters sites.

Judge Peters thanked Ms. Bhattacharya and Mr. Smith for their presentations. Judge Peters adjourned the meeting at 1:30 p.m. The next meeting will be held on Wednesday, September 9, 2015 at 12:30 p.m., Courthouse East, Room 510.

MEETING HANDOUTS

- 1) Minutes from the May 13, 2015 meeting
- 2) Central Region Statistics Report
- 3) Baltimore Police Department Report
- 4) CJCC Comprehensive Annual Report
- 5) Request for Funding Memorandum
- 6) Baltimore City Council's Report
- 7) Mayor's Office of Criminal Justice's Youth Prevention Initiatives- PowerPoint
- 8) Baltimore City Health Department's Youth Violence Prevention Programs- PowerPoint

THE BALTIMORE CITY
CRIMINAL JUSTICE COORDINATING COUNCIL

Respectfully submitted,

Kimberly Smalkin Barranco
CJCC Executive Director