

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

MINUTES FROM THE SEPTEMBER 9, 2015 MEETING

Council Members In Attendance*: Chair Judge Charles Peters; Mary Abrams, Administrative Clerk for District I, District Court of Maryland; Lavinia Alexander, Clerk of the Circuit Court for Baltimore City; Warren Alperstein, Bar Association of Baltimore City; Kimberly S. Barranco, CJCC Executive Director; Tammy Brown for Marilyn Mosby, State's Attorney for Baltimore City; Jay Cleary for Sam Abed, Secretary, Department of Juvenile Services; Major Samuel Cogen for Sheriff John Anderson, Sheriff's Office; Interim Baltimore Police Commissioner Kevin Davis, Baltimore Police Department; 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; Ed Parker of the Governor's Office of Crime Control and Prevention for Lawrence J. Hogan, Jr., Governor of Maryland; W. Michel Pierson, Administrative Judge, Baltimore City Circuit Court; Paul Plymouth for Bernard C. "Jack" Young, President, Baltimore City Council; Rod J. Rosenstein, U.S. Attorney for the District of Maryland; and Brenda M. Shell, Commissioner, Division of Pretrial Detention and Services, Department of Public Safety and Correctional Services.

Others in Attendance*: Mark Behlert, DPP; Carlos Bivens, DPSCS; Margaret Boyd-Anderson, CJCC; Judge Emanuel Brown, Baltimore City Circuit Court; Linda Cottie, DPSCS; Kelly R. Hurtt, DPSCS-Community Services; Charles Innes, Liaison to HBMA Police; Don Leatherwood, DPSCS; Alonzo Robertson, MCVRC; and Adam Rosenberg, Baltimore Child Abuse Center.

***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 12:38 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 the next CJCC meeting is October 14, 2015, at which time there will be a presentation of the Domestic Violence Fatality Review Team's 2015 Recommendations. Judge Peters requested a motion to approve the July 8, 2015

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meeting minutes and they were unanimously adopted.

II. EXECUTIVE DIRECTOR'S REPORT – KIMBERLY SMALKIN BARRANCO

Kimberly Barranco advised Council members that there was an updated contact list included in their packets, which contained new contact information for Interim Police Commissioner Kevin Davis. She further advised that an electronic version would be disseminated shortly. Ms. Barranco stated that she reported on a possible CJCC Retreat at the last Council meeting in July. She further stated that there was an overwhelming majority of Council members that agreed that a half-day retreat would be valuable, and several members recommended that an external facilitator take part in the retreat. Ms. Barranco informed that she is in the process of securing a facilitator to assist with the retreat as well as securing a location. She stated that although there will be challenges with coordinating everyone's schedule, she will be communicating with Council members shortly to determine a date for the half-day retreat.

Ms. Barranco further conveyed that she attended the first Baltimore City District Court Veteran's Docket on Tuesday, September 8, 2015. She said that the docket is the result of a tremendous amount of hard work and collaboration on the part of all stakeholders and service providers involved and that the project has been spearheaded by District Court Judge Halee Weinstein, who is also a veteran. Ms. Barranco further stated that veterans will be identified upon booking and through the initial appearance process. She identified that upon screening for eligibility, these cases will be specially set on the 2nd and 4th Tuesday of each month on the afternoon docket of the Early Resolution Court at Eastside District Court. Ms. Barranco further identified that the individual service plan will be determined by the needs of the veteran, the type of offense, the criminal history, input from the victim, and recommendations from the State, the defense, and the VA. Ms. Barranco conveyed that the appropriate services will be provided by the Veteran's Administration if the veteran is VA eligible. She stated that the Homeless Persons Representation Project has organized local treatment providers to provide treatment services to the veterans who are not VA eligible. Ms. Barranco further stated that veterans will report regularly to the Court for status hearings to monitor their progress and compliance. She discussed that each veteran will have a mentor who is also a veteran to assist them in successful completion of their particular requirements. Ms. Barranco further discussed that the CJCC is funding incentive challenge coins for the Veterans upon their graduation, in a similar fashion to Drug Court graduates. Ms. Barranco thanked all of the stakeholders and service providers who worked tirelessly for months to establish this docket and she stated that it has been very exciting to witness this come

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to fruition. Ms. Barranco thanked everyone for their support and she said that she looked forward to sharing future Committee accomplishments with the Council at upcoming meetings.

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 FY16 bookings processed during the month of July were 2,965. She further reported that Police warrants were 1,423; Bookings released on their own recognizance were 982; Detention Intakes were 1,719; and Detention Releases were 1,634 for the same period. Commissioner Shell advised that the Incarceration Rate (per 100,000 population) for the month of July was 404.5. Commissioner Shell shared information regarding the closing of the Baltimore City Jail. She identified that defendants have been moved to the Women's Detention Center, the Jail Industries Building, and to the Metropolitan Transition Center, which are now referred to as the Baltimore Pretrial Detention Complex. Commissioner Shell reported that there was an incident that occurred last Sunday; however, she further reported that the population was stable.

Judge Peters thanked Commissioner Shell for her report.

IV. BALTIMORE POLICE DEPARTMENT REPORT – KEVIN DAVIS, INTERIM POLICE COMMISSIONER,

Interim Police Commissioner Kevin Davis advised Council members that the Police Commissioner's Report was included in their packets. He reported that the Joint Information Center, a gathering place for public information officers from local businesses, hospitals, and the faith based community to share factual information and enable the rapid delivery of emergency announcements, was fully operational. He stated that BPD managed a recent peaceful protest well and that MOUs were in place and that communication with other law enforcement agencies is better. Interim Commissioner Davis reported that as of September 5, 2015 homicides year-to-date are at 229, which is an increase of 52% and that non-fatal shootings year-to-date were up 79%. He further reported that the total Part I crime is up 3%; the total violent crime in Baltimore City is up 12%; and the total Property Crime is up 1%. He reiterated that since last Thursday there have been too many homicides and he informed that the crime fighting strategies utilized in 2014 were still in place but that they are utilizing

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more sophisticated processes.

Judge Peters thanked Acting Police Commissioner Davis for his report.

V. DEPARTMENT OF JUVENILE SERVICES REPORT– JAY CLEARY, CHIEF OF STAFF

Jay Cleary referred Council members to the PowerPoint handout which was included in their packets. He reported on the Baltimore City Juvenile Services long-term trends. Mr. Cleary stated that Baltimore City's overall juvenile population increased 4% since FY05 and that Baltimore City juvenile complaints referred to DJS declined 66% over the same period. He mentioned how Baltimore City Juvenile complaints declined in all categories except crimes of violence. Mr. Cleary further mentioned that juvenile non-violent misdemeanors make up the greatest portion of offenses and how they have dropped 67% between FY05 and FY14. Mr. Cleary informed that juvenile crimes of violence have increased slightly 6% from FY05 to FY14. He further informed that cases referred to the Juvenile Court by DJS Intake have significantly declined in the last ten years and that the number referred to the States Attorney's Office for formal petition decreased 54%. Mr. Cleary discussed that the number of cases received declined 89%, and the number informally adjusted decreased 66%. Mr. Cleary reported that the proportion of Baltimore City complaints referred to court has increased. He further reported that 83.9% of Baltimore City complaints were referred to court by DJS intake in FY14, which was 21.8% more than in FY05. He conveyed that Statewide 53% were referred to court, which is up 10% since FY05. Mr. Cleary further conveyed that 6.1% of Baltimore City complaints were diverted to an informal DJS pre-court case and is essentially unchanged from FY05. Mr. Cleary identified that Statewide 18% were diverted to an informal DJS pre-court case. He further identified how the Baltimore City committed youth population has declined and how the overall daily population of Baltimore City youth committed by the juvenile court to out of home placement declined 33% over ten years, from 243 in FY05 to 163 in FY14. Mr. Cleary noted that the statewide average committed population declined 26% over the same period.

Mr. Cleary reported that DJS priorities for the future include a developmental approach for Juvenile Justice Reform, which includes implementing Juvenile Justice Reform through the National Research Council of the National Academies. He further reported that hallmarks of the developmental approach to Juvenile Justice Reform include accountability without criminalization, alternatives to justice system involvement, individualized response based on assessment of needs and risks, confinement only when necessary for public safety, a genuine commitment to fairness, sensitivity to disparate treatment, and family engagement. Mr. Cleary concluded his report by

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discussing DJS's Accountability and Incentive Management (AIM) Graduated Responses Program, which was implemented statewide on July 1, 2015. He further discussed that the primary goal of AIM is to reduce detention admissions and commitments for technical violations, when consistent with public safety. Mr. Cleary advised that AIM involves the use of sanctions and incentives, using guidelines developed by DJS in order to promote a youth's compliance with the terms of the Court and the youth's case plan.

Judge Peters thanked Mr. Cleary for his report.

VI. ATTORNEY GENERAL OF MARYLAND'S REPORT– ELIZABETH EMBRY, DIRECTOR OF THE CRIMINAL DIVISION

Elizabeth Embry referred Council members to the PowerPoint handout which was included in their packets. She reported on the Fraud and Corruption Task Force, Organized Crime Task Force, Environmental Crimes Task Force, and Crimes of Exploitation Task Force; the four general priority areas within the Criminal Division. Ms. Embry further reported that the task force initiatives allow local prosecutors to work on cases within these four areas within the Criminal Division. She outlined how there are 30 prosecutors assigned to the four priority areas within the Criminal Division. Ms. Embry identified that the Fraud and Corruption Task Force prosecutes white collar crimes such as procurement fraud, Medicaid fraud, insurance fraud, tax fraud, and securities fraud in addition to prosecuting cases that deal with state employee misconducts. She further identified that the Organized Crime Task Force focuses on gang violence, prison corruption, narcotics trafficking, and gun trafficking. She detailed that there was funding made available through GOCCP for two additional prosecutors to work on prosecuting prison corruption cases. Ms. Embry further detailed that the Environmental Crimes Task Force is dedicated to enforcing Maryland's environmental laws against individuals who pollute the air, land, and water, as well as release hazardous waste and commit natural resources crimes. She concluded her report conveying that the Crimes of Exploitation Task Force prosecutes abuse and neglect of vulnerable adults and human trafficking cases in addition to prosecuting wage theft, consumer protection, and identity theft cases.

Judge Peters thanked Ms. Embry for her report.

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VII. COMMITTEE REPORT– TRANSPORTATION COMMITTEE REPORT –JUDGE EMANUEL BROWN, CHAIR

Judge Emanuel Brown reported that the Transportation Committee was formed in May 2009 at the request of a number of members to address issues concerning the transportation of individuals from the Department of Public Safety and Correctional Services (DPSCS) and Baltimore City Detention Center (BCDC) facilities as well as movement within the courthouses. He further reported that the Committee was previously chaired by Judge John Hargrove and Judge Barry Williams. Judge Brown noted that he has served as Chair since January 2012. He further noted that the Committee meets approximately four times a year to provide a forum to discuss policy and procedure as it relates to inmate transportation in addition to identifying areas in which improvement is needed. Judge Brown shared that the Transportation Committee is comprised of representatives from the Judiciary, the Circuit Court Clerk's Office, the District Court Clerk's Office, the State's Attorney's Office, the Office of the Public Defender, the private bar, the Sheriff's Office, the Baltimore City Department of Transportation and Parking Authority, and the Department of Public Safety and Correctional Services. He further shared that the Committee was again instrumental this year, by facilitating improvements to prisoner transportation and assisting in fostering greater communication between member agencies.

Judge Brown reported that the Transportation Committee continues to address concerns with delays in the transportation of inmates to Circuit Court and District Court. He further reported that the Committee most recently met in late August and that he was pleased to report that there have been few problems with the transportation of inmates from the Pretrial Detention Complex now that BCDC has closed. Judge Brown informed that in the past year, the Committee monitored the success of a protocol to remove indicted defendants from the preliminary hearing transportation list. He further informed that the meetings have provided an opportunity to coordinate the receipt of transportation lists from the DPSCS Transportation Unit to the Office of the Public Defender in order to allow them to confer with their clients more rapidly. Judge Brown conveyed that as a result of Transportation Committee meetings, members facilitated the creation of a protocol which allows BCDC Records staff to currently identify where inmates are located, resolving issues regarding the lack of transportation for inmates due to security reasons. Judge Brown further conveyed that the Committee continues to monitor the effectiveness of the weekend reporting protocol and has distributed a memo to all judges clarifying the parameters of the protocol. Judge Brown discussed how the Committee has also facilitated better communication among the stakeholders concerning the writ process for Federal prisoners. He further discussed that the Committee also

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monitored issues regarding the transportation of the Circuit Court Mental Health docket defendants and has suggested improvements in this area. Judge Brown concluded his report by stating that the Transportation Committee continues to address issues regarding challenges with contraband in the lock-up and protocols surrounding inmates' courtroom clothing. He further mentioned that the Committee is also addressing issues with booting and ticketing of public safety vehicles. Judge Brown said that the Committee will continue to collaboratively work on solutions to shared concerns and provide an opportunity for members to meet regularly with updates and information of interest and importance. Judge Brown thanked the Council and their representatives' collaboration for their continued support and efforts with the Committee.

Judge Peters thanked Judge Brown for his report.

VIII. PRESENTATION ON THE BALTIMORE CHILD ABUSE CENTER- ADAM ROSENBERG, ESQ., EXECUTIVE DIRECTOR

Adam Rosenberg gave a PowerPoint presentation on the Baltimore Child Abuse Center and their goal of reducing trauma for children. He reported that the Children's Advocacy Center (CAC) provides a comprehensive, culturally competent, multidisciplinary team response to allegations of child abuse in a dedicated child friendly setting. Mr. Rosenberg further reported that their goal is to reduce a child's trauma in addition to reducing a child's exposure to having to deal with 12-14 different agencies. He noted that the CAC serves as a one-stop shop and that there are six full-time licensed social workers who are trained to conduct forensic type interviews. Mr. Rosenberg described that a team's response to allegations of child abuse may include forensic interviews, medical evaluations, therapeutic intervention, victim support and advocacy, case review, and case tracking. He further described how CAC provides an impartial, trauma focused forum for children to state what happened to them and for teams to collaborate.

Mr. Rosenberg referred Council members to the National Children's Alliance Standards for Accredited Members handout. He advised that a child/appropriate child-friendly setting and a multidisciplinary team are essential for accomplishment of the mission of Children's Advocacy Centers and for accredited membership in the National Children's Alliance. Mr. Rosenberg further advised that there are more than 770 accredited children's advocacy centers and multidisciplinary teams around the country, but there is only one Children's Advocacy Center like the Baltimore Child Abuse Center in Maryland. He explained that the Baltimore Child Abuse Center serves 1,000 children a year; however, that number has declined within the last year. Mr. Rosenberg further explained that from July 1, 2014 through June 30, 2015 there were 641 forensic interviews and risk assessments,

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with 35% having been conducted outside of normal business hours and 81% of the interviews resulting in a definitive answer. Mr. Rosenberg elaborated that 353 children received a referral for mental health services, 131 received forensic medical examinations, and that 27 received mental health services at BCAC. He further elaborated that during this same period, there were 21 girls in the DIVAS teen program and that transportation was provided for 144 families. Mr. Rosenberg reported that the highest numbers of children seen by the agency are victims of sexual abuse and that 25% of the children seen last year were abused by juveniles. He further reported that during FY2015, 782 professionals attended classes at BCAC, 1,800 camp counselors and staff were trained at summer camps, and 531 community members attended prevention programs. He mentioned that training and outreach topics have included mandated reporting obligations; recognizing, responding and reporting abuse; darkness 2 light's stewards of children; understanding Hispanic/Latino clients; LGBTQ issues; human trafficking; and custom training.

Mr. Rosenberg reported on BCAC's substantial financial efficiencies and savings of \$1000 per case, and he captured how the FY14 revenue was divided into these groups; 30% fee for service, 25% government support, and 45% philanthropy. He further reported on the BCAC forensic interviews and identified that there are 6 LGSWs or LCSWs who are on the BCAC staff. Mr. Rosenberg outlined how these interviews are digitally recorded and are completed at the request of an agency and not by a parent or attorney. He further outlined that medical examinations are conducted to respond to trauma and for STD testing, and in order to seek consistent evidence of a lack of evidence. He noted that they are staffed by Board Certified Child Abuse Pediatricians and Nurse Practitioners. He stated that they receive support from LifeBridge and Sinai Hospital and that the BCAC services the most children from the neighborhoods of Sandtown-Winchester, Park Heights, Penn-North, Upton/Druid Heights, and Greater Mondawmin. He advised that the top three neighborhoods are in Baltimore City zip codes 21215, 21216, and 21217. Mr. Rosenberg concluded his report by referring Council members to BCAC's Annual Report, *The 2013/2014 Gratitude Report, YOU Make Great Things Happen*.

Judge Peters thanked Mr. Rosenberg for his report.

Judge Peters adjourned the meeting at 1:29 p.m. The next meeting will be held on Wednesday, October 14, 2015 at 12:30 p.m., Courthouse East, Room 510.

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MEETING HANDOUTS

- 1) Minutes from the July 8, 2015 meeting
- 2) Central Region Statistics Report
- 3) Baltimore Police Department Report
- 4) Department of Juvenile Services Report- PowerPoint
- 5) Attorney General of Maryland's Report- PowerPoint
- 6) Baltimore Child Abuse Center – PowerPoint & 2013/2014 Annual Report

Respectfully submitted,

Kimberly Smalkin Barranco
CJCC Executive Director