

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

MINUTES FROM THE DECEMBER 9, 2015 MEETING

Council Members In Attendance*: Chair Judge Charles Peters, Circuit Court; Mary Abrams, District Court; Kimberly S. Barranco, CJCC Executive Director; Tammy Brown for Marilyn Mosby, State's Attorney for Baltimore City; Lt. Colonel Melissa Hyatt for Baltimore Police Commissioner Kevin Davis, Baltimore Police Department; Elizabeth Julian, Baltimore City Public Defender; Walter Nolley, Regional Administrator, Central Region - Parole and Probation, Department of Public Safety and Correctional Services; Ed Parker for Lawrence J. Hogan, Jr., Governor of Maryland; Paul Plymouth for City Council President Bernard "Jack" Young; Rod J. Rosenstein, U.S. Attorney for the District of Maryland; Thiru Vignarajah for Brian Frosh, Attorney General of Maryland; Judge Barbara Baer Waxman, Administrative Judge, District Court; and John S. Wolfe, Acting Commissioner, Division of Pretrial Detention and Services, Department of Public Safety and Correctional Services.

Others in Attendance*: Margaret Boyd-Anderson, CJCC; Patricia Deros, State's Attorney's Office for Baltimore City; Katie Dorian, Office of the Attorney General; Judge Martin Dorsey, District Court; Justin Fenton, Baltimore Sun; Deirdre Gardner, Roberta's House; James Haskell, Department of Veteran Affairs; Eboni Pearson, Circuit Court; Robert Weisengoff, DPSCS-Pretrial Services; and Sheryl Williams, Roberta's House.

***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 12:44 p.m. and Judge Charles Peters greeted the Council members and their representatives.

I. CHAIR'S REPORT – JUDGE CHARLES PETERS

Judge Peters requested a motion to approve the November 18, 2015 meeting minutes and they were adopted unanimously. Judge Peters advised that there was no January meeting due to the opening day of the General Assembly and he further advised that the next meeting would be held on February 10, 2016 at which time there would be a presentation on the Justice Reinvestment Initiative by Ed Parker from GOCCP.

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II. EXECUTIVE DIRECTOR'S REPORT – KIMBERLY SMALKIN BARRANCO

Kimberly Barranco advised members that a revised report rotation for 2016 was included in their packets, as well as a revised contact list reflecting Kathleen Westcoat as the new President and CEO of Behavioral Health System Baltimore. Ms. Barranco further advised that Ms. Westcoat would be formally introduced at February's meeting and that she would be presenting on BHSB. Ms. Barranco reported that she would send electronic versions of both the revised report rotation for 2016 and contact list to the Council. Ms. Barranco thanked members who responded to her email with the link to a scheduler regarding the Council retreat. She asked Council members who have not responded to the scheduler link to do so as soon as possible. Ms. Barranco reminded Council members to select each and every date that they could attend in order to find a date that is compatible to each member's schedule.

Ms. Barranco reported that earlier during the week, she coordinated a meeting to discuss Domestic Violence in the LGBTQ community. She further reported that as a workgroup of the CJCC's Domestic Violence Coordinating Committee, the meeting afforded an opportunity for representatives from LGBTQ legal, health care, and community providers to discuss Domestic Violence and its impact on the LGBTQ community with DV service providers and law enforcement. Ms. Barranco conveyed that vital connections were made in addition to many suggestions as to how the LGBTQ community in Baltimore can be better served that included having LGBTQ focused brochures about Intimate Partner Violence in Hospital emergency rooms; shoe cards with service provider contact information for law enforcement to hand out to victims; and ads in LGBTQ magazines. Ms. Barranco further conveyed that the House of Ruth Maryland suggested that they establish a standing date each month when they could attend the GLBT Community Center of Baltimore in order for victims of DV to know that they could meet with someone confidentially and privately if they have been abused. Ms. Barranco stated that the feedback received by the DV service providers and BPD from the LGBTQ community was very important and she further stated that she looks forward to the progress in establishing better relationships with all of the workgroup members. Ms. Barranco concluded by thanking Council members for their continued support.

Judge Peters thanked Ms. Barranco for her report.

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III. CENTRAL REGION REPORT – JOHN S. WOLFE, ACTING COMMISSIONER, DIVISION OF PRETRIAL DETENTION AND SERVICES

John Wolfe advised Council members that a copy of the Division of Pretrial Detention and Services Statistics Report was included in their meeting packets. Mr. Wolfe reported that the FY16 bookings processed during the month of October were 2,824. He further reported that Police warrants were 1,306; Bookings released on their own recognizance were 1046; and Detention Intakes from the booking floor were 1,587. Mr. Wolfe concluded his report by noting that the Incarceration Rate (per 100,000 population) for the month of October was 564.1.

Judge Peters thanked Mr. Wolfe for the Commissioner's report.

IV. BALTIMORE POLICE DEPARTMENT REPORT – LT. COLONEL MELISSA HYATT, CHIEF OF PATROL

Colonel Melissa Hyatt advised Council members that the Police Commissioner's Report was included in their packets. She reported that as of December 5, 2015 homicides year-to-date were at 323, which is an increase of 66% and that non-fatal shootings year-to-date were up 77%. She further reported that the total Part I crime is up 4%; the total violent crime in Baltimore City is up 11%; and the total Property Crime is up 2%. Colonel Hyatt identified that the Department has placed an extra emphasis on commercial robberies, which are up 31% year-to-date. Colonel Hyatt further identified that the Community Stabilization Initiative (CSI) is underway and that it is targeting three BPD Districts: Western, Southwest, and Northeast. She conveyed that the enforcement efforts would be in place through December 31, 2015.

Judge Peters thanked Lt. Colonel Hyatt for the Police Commissioner's report.

V. CENTRAL REGION PAROLE AND PROBATION REPORT- WALTER NOLLEY, REGIONAL ADMINISTRATOR, CENTRAL REGION- PAROLE AND PROBATION, DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Walter Nolley gave a PowerPoint presentation on the Department of Public Safety and Correctional Services Central Region Parole and Probation. Mr. Nolley reported on the Violence Prevention Initiative (VPI). He further reported that as of October 31, 2015 there were 1,029 active cases with 37 agents. Mr. Nolley identified that there were 575 violation warrants issued in FY 2015 and that 566 cases were revoked in FY 2015 for either technical violations or for committing a new offense. Mr. Nolley further identified that there were 17,779 offenders currently under General Supervision for

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offenses that include drinking and driving cases. Mr. Nolley stated that supervision currently patterns a zero tolerance model for VPI offenders and that they want to find different ways to address how violent offenders are supervised. He further stated that the Family Assault Supervision Team (FAST) has 745 active cases and 12 agents. Mr. Nolley informed that members of FAST serve on the CJCC's Domestic Violence Coordinating Committee (DVCC), the Domestic Violence Fatality Review Team (DVFRT), and the Mayor's Office Domestic Violence Stat Team. He further informed that FAST collaborates with the House of Ruth Maryland, Harbel Prevention and Recovery, BPD Family Violence Unit, and the Baltimore City State's Attorney's Office.

Mr. Nolley reported on the Drug Treatment Court and Felony Diversion Initiative (FDI). He advised that as of October 31, 2015 there were 209 active drug treatment court cases with eight agents and 103 active FDI cases with five agents. Mr. Nolley further advised that in FY 2014, 75% successfully completed drug treatment court and he elaborated on the cooperative efforts between the courts, the Baltimore City State's Attorney's Office, the Office of the Public Defender, DPSCS, and Behavioral Health Systems Baltimore. Mr. Nolley conveyed how there was a 78% completion rate with the Felony Diversion Initiative in FY 2014 and he again elaborated on cooperative efforts between the above mentioned stakeholders. Mr. Nolley further conveyed how DPSCS is observing how the numbers of eligible defendants for Drug Treatment Court are declining but that they continue to have success in their graduation rate. Mr. Nolley discussed how there are 426 active cases and 9 agents with the Reentry Unit and Public Safety Compact. He shared that the Reentry Unit partnerships include Alternative Directions, Catholic Charities, Christopher Place, Marian House, Living Classrooms, Mayor's Office of Employment Development, and the recreation centers. Mr. Nolley further shared that Public Safety Compact partnerships include the Safe and Sound Foundation and Jericho and he explained how these partnerships provide case management and post release services.

Mr. Nolley reported on the Collaborative Offender Management and Enforced Treatment (COMET). He further reported that there were 601 active cases with 16 agents. Mr. Nolley described how child sex offenders would be given the "No Candy" signs to post on October 31st by noon and he further described how a Halloween letter would be distributed to offenders during report day and home verifications during the month of October in which agents conduct home visits on child sexual offenders with the Baltimore Police Department. Mr. Nolley detailed the curfew provisions for offenders on Halloween; Saturday, October 31st from 12:00 p.m. until Sunday, November 1st at 6:00 a.m. Mr. Nolley advised that there were 1,107

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active cases and five monitors with the Drinking Driver Monitor Program. He further advised that DPSCS is dealing with staffing issues and is reviewing different ways to service offenders and monitor their compliance in the community. Mr. Nolley further advised that special conditions imposed includes breathalyzer testing, drug testing, alcohol treatment, ignition interlock compliance, AA meetings, MD Shock Trauma tours, and victim impact panels.

Mr. Nolley stated that there were 1,032 investigations completed in FY 2014 and that there are 15 investigators. He further stated that Investigations consists of Pretrial, Pre-sentence, Post-sentence, Special, Post-sentence life, Pre-parole jail, Home and employment, Executive Clemency, Interstate background, Interstate home and employment, and Special Divisional. Mr. Nolley shared that recent collaborations include the "Knock and Talk" Initiative, Aim to B'More, Baltimore City Veterans Treatment Docket, eVOP Pilot and Ceasefire. He further shared that visits are made to non-violent offenders' homes to make them aware that they are working with BPD in addition to continued encouragement in succeeding. Mr. Nolley identified that there is one agent assigned to the Aim to B'More program and that there are 23 participants under supervision in the program. He further identified that collaboration is with the Center for Urban Families, STRIVE, private sector employers, Baltimore City Community College, Greater Homewood Community Association, and the Baltimore City State's Attorney's Office. Mr. Nolley reported that the Baltimore City Veterans Treatment Docket began in September and Parole and Probation is collaborating with the Homeless Persons Representation Project, District Court for Baltimore City, Baltimore City State's Attorney's Office, Baltimore City Community College, U.S. Department of Veterans Affairs, Maryland State Bar Association, United Way of Central Maryland, and Bob Parsons Veterans Advocacy Clinic. Mr. Nolley further reported that collaborators with the eVOP Pilot include the Circuit Court for Baltimore City, Office of the Public Defender and State's Attorney's Office and that collaborators with Ceasefire include BPD, U.S. Attorney's Office, Baltimore City State's Attorney's Office, and Baltimore City Housing.

Mr. Nolley concluded his report by discussing re-entry and why it matters. He shared that the number of people released from prison in the United States has increased 350% over the last 20 years. He further shared that three out of four have a substance abuse problem but only 10% in state prisons have had formal treatment prior to release. Mr. Nolley conveyed that two out of three lack a high school diploma and 40% have neither a diploma nor a GED, and that more than one out of three jail inmates reported some physical or mental disability. Mr. Nolley further conveyed

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that about one out of five prisoners are released without community supervision and approximately two out of every three people released from prison in the United States are re-arrested within three years. Elizabeth Julian asked if the Violence Prevention was still a unit with Parole and Probation and Mr. Nolley replied in the affirmative. Ms. Julian asked if there was data on its success rate and Mr. Nolley stated that there had not been an evaluation of the program but that DPSCS was looking at ways to successfully supervise and was also looking at the screening process. He further advised that they have reduced the number of contacts for high level VPI offenders from three times per week to one a week, and that it is not their intention to disrupt someone who is employed.

Judge Peters thanked Mr. Nolley for his report.

VI. COOP COMMITTEE REPORT– JUDGE MARTIN DORSEY, CHAIR

Judge Martin Dorsey reported that the Continuity of Operations Planning (COOP) Committee was formed in May 2009 by CJCC Chair Judge John Philip Miller to address issues concerning emergency preparedness and continuity of operations for Council members. He further reported that it was previously chaired by Judge Nathan Braverman and Judge John Hargrove, and that he has served as Chair since January 2014. Judge Dorsey informed that the purpose of the COOP Committee is to provide a forum for the exchange of information and allow member representatives to work collaboratively on issues of common concern regarding emergency preparedness. He further informed that the Committee facilitates the sharing of existing stakeholder continuity of operations plans and encourages agencies that do not yet have COOP plans to take a coordinated approach with other criminal justice agencies when drafting their plans. Judge Dorsey advised that the Committee also works to ensure ongoing communication and training to prepare for the implementation of COOP plans. Judge Dorsey further advised that the Committee meets quarterly and is comprised of representatives from the Judiciary, the Baltimore Police Department, the Circuit and District Court Clerks, the Mayor's Office of Emergency Management, the State's Attorney's Office, the Office of the Public Defender, the Baltimore City Health Department, the Department of Public Safety and Correctional Services, the Department of Juvenile Services, the Mayor's Office of Information Technology, the Circuit Court Administration, the Sheriff's Office, and the Maryland Emergency Management Agency.

Judge Dorsey conveyed that the Committee has been instrumental in fostering communication between criminal justice agencies and reminding members that

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everyone must work together in preparing for emergency responses. He further conveyed that the Committee has improved communication between stakeholders during emergency and weather related event closures by reviewing communications between criminal justice agencies after actual closures to determine where improvements could be made. Judge Dorsey mentioned that the Committee also facilitated improved communication between members during periods of unrest in Baltimore by their addition to the Baltimore City Watch List Notifications Distribution List. He further mentioned that the Committee investigated possible methods of emergency broadcasts to ensure a coordinated response for the dissemination of information to stakeholders, and supported the Circuit Court's use of the RAVE notification system. Judge Dorsey stated that the COOP Committee continued to provide vital information for inclusion in the Court's Continuity of Operations Plan this year and Committee members were reminded that contact information should be reviewed and revised regularly. He further stated that the Committee also discussed dissemination of integral parts of the plan to stakeholders.

Judge Dorsey concluded his report by detailing how the level of coordination between all stakeholders has been greatly enhanced by the communication facilitated at Committee meetings, and the Committee has been instrumental in fostering excellent working relationships. He identified that one of the greatest challenges facing the Committee is the lack of time and resources which agencies have available to spend on emergency preparedness. Judge Dorsey stated that although some member agencies have COOP plans, others are still in the planning stage. He further stated that the Committee would continue to stress that collaboration and communication are vital when planning for an emergency, because the criminal justice system's operations are essential and that all agencies must work together in the event disaster strikes.

Judge Peters thanked Judge Dorsey for his report.

VII. PRESENTATION ON THE DISTRICT COURT DOCKET FOR HOMELESS PERSONS – PATRICIA DEROS, DEPUTY DIVISION CHIEF, DISTRICT COURT, BALTIMORE STATE'S ATTORNEY'S OFFICE

Patricia Deros reported on the Docket for Homeless Persons (DHP), a unique partnership between the City's legal system and local non-profits who work with people experiencing homelessness. She further reported that the Docket for Homeless Persons is a specialized court docket within Baltimore City's early Resolution Court for individuals experiencing homelessness who have been accused of non-violent

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misdemeanors with no civilian victims, or who currently have outstanding warrants for misdemeanors and traffic offenses. Ms. Deros explained that the DHP began as a recommendation from the CJCC's Post-Arrest Practices Committee, and that the purpose of the program is to help people experiencing homelessness receive the supportive services they need as an alternative to criminal penalties. Ms. Deros noted that their goal is to help these individuals remove barriers to self-sufficiency by moving past minor legal issues that prevent them from obtaining housing and employment.

Ms. Deros explained that to be eligible for the program, an individual must be experiencing homelessness, using the broadest definition possible. She further explained that they must have been charged with a non-violent misdemeanor with no civilian victim, an open warrant has been issued for a misdemeanor or traffic offense, or they have a pending case in Baltimore City, but not in the Circuit Court. Ms. Deros further explained that misdemeanors such as public urination, panhandling, sleeping in a park, loitering, vagrancy, theft under \$100, open container and disorderly conduct qualify as eligible cases. In addition, she stated that cases involving outstanding warrants and Failure to Appear warrants for misdemeanors and traffic offenses such as driving without a license, driving with a suspended license, and altered or forged documents and plates are also eligible. Ms. Deros advised that the services provided to eligible defendants include Employment, Housing, Education/Training, Community Service, Healthcare, Mental Health Treatment, and Substance Abuse Treatment. Ms. Deros shared that the program began in June of 2013 and with two years of data available, 105 defendants, or 74%, successfully completed the program with no recidivism. Only 14% of the participants were unsuccessful. Ms. Deros mentioned that the cost to house one individual in jail in Baltimore City is about \$149 per day. She further mentioned that DHP allows individuals to be released on their own recognizance, saving the City and State thousands of dollars each year.

Ms. Deros concluded her report by stating that by eliminating barriers to employment, programs like DHP can produce economic growth due to a reduction in correction costs, increase earnings in the labor market and increase taxpayer revenues.

Judge Peters thanked Ms. Deros for her report.

Judge Peters adjourned the meeting at 1:21 p.m. The next meeting will be held on Wednesday, February 10, 2015 at 12:30 p.m., Courthouse East, Room 510.

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MEETING HANDOUTS

- 1) Minutes from the November 18, 2015 meeting
- 2) Central Region Statistics Report
- 3) Baltimore Police Department Report
- 4) Department of Public Safety and Correctional Services, Central Region Parole & Probation Report- PowerPoint
- 5) Presentation on the District Court Docket for Homeless Persons- PowerPoint
- 6) United Way Docket for Homeless Persons 2-Year Cumulative Report, June 2013- June 2015

Respectfully submitted,

Kimberly Smalkin Barranco
CJCC Executive Director