

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

MINUTES FROM THE OCTOBER 19, 2016 MEETING

Council Members In Attendance*: Chair Judge Charles Peters, Circuit Court; Mary Abrams, Clerk of the District Court; Warren Alperstein, Bar Association of Baltimore City; Kimberly S. Barranco, CJCC Executive Director; Assistant Sheriff Sam Cogen for John Anderson, Sheriff of Baltimore City; Elizabeth Embry for Brian Frosh, Attorney General of Maryland; Clinton Fuchs for Rod Rosenstein, U.S. Attorney; Chief Melissa Hyatt for Commissioner Kevin Davis, Baltimore Police Department; Elizabeth Julian, Baltimore City Public Defender; Walter Nolley, Regional Administrator, Division of Parole and Probation, Department of Public Safety and Correctional Services; Judge W. Michel Pierson, Administrative Judge, Circuit Court; Paul Plymouth for Bernard C. "Jack" Young, City Council President; Michael R. Resnick, Commissioner, Division of Pretrial Detention and Services, Department of Public Safety and Correctional Services; Michael Schatzow for Marilyn Mosby, State's Attorney; Justice Schisler, GOCCP, for Lawrence J. Hogan, Jr., Governor of Maryland; Sunny Schnitzer for Mayor Stephanie Rawlings-Blake; Judge Barbara Baer Waxman, Administrative Judge, District Court; and Dr. Leana Wen, Commissioner, Health Department.

Others in Attendance*: Tanya Araya, Mercy Medical Center; Gabriel Auteri, Health Department; Robert Embry, Abell Foundation; Charles Innes; Dorothy Lennig, House of Ruth Maryland; Linda Lewis, Court Commissioner; Lori Lickstein, Mayor's Office on Criminal Justice- SART; Deputy Luke Montgomery, Baltimore City Sheriff's Office; Claire Rossmark, DLS; Joan Stine, the Family Tree; Major Sabrina Tapp-Harper, Baltimore City Sheriff's Office; Robert Weisengoff, Pretrial Release Services; and Amanda Wong, Circuit Court Law Clerk.

***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 12:33 p.m. and Judge Charles Peters greeted Council members and their representatives.

I. CHAIR'S REPORT – JUDGE CHARLES PETERS

Judge Peters requested a motion to approve the September 14, 2016 meeting minutes and they were unanimously adopted. He advised that the next Baltimore City

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Criminal Justice Coordinating Council meeting will be held on November 9, 2016, which will feature a presentation on the Safe Streets program. Judge Peters stated that Council approval was needed to amend the CJCC MOU to add the Commissioner of the Baltimore City Health Department as a member. A motion to amend the MOU was made and the Council unanimously approved the amendment. Judge Peters and Dr. Leana Wen signed the MOU amendment.

II. EXECUTIVE DIRECTOR'S REPORT – KIMBERLY SMALKIN BARRANCO

Kimberly Barranco advised Council members that an updated report rotation and contact list was in their packets with new contact information for Baltimore City Health Commissioner Dr. Leana Wen and her Deputy Chief of Staff Gabe Auteri, as well as for Rod Rosenstein's representative Clinton Fuchs, who is now the Chief of the Violent Crimes Division of the US Attorney's Office. Ms. Barranco further advised that an electronic version of the contact list would be disseminated, along with the signed MOU. Ms. Barranco thanked the many CJCC members who took the time to attend the Circuit Court Adult Drug Treatment Court Graduation Ceremony on Friday, September 16. She noted that she spoke with graduates and their families after the program and that they greatly appreciated the members' presence as a validation of their hard work and efforts. She also thanked those members who attended the recent District Court Mental Health Court Graduation ceremony. Ms. Barranco advised members that the CJCC currently has eight Committees meeting regularly to address a variety of issues, and that on occasion, she is called upon by a Council member to convene a small workgroup comprised of stakeholders to address a particular issue that needs resolving. She asked members to please reach out to her if they have a concern requiring the input of other Council members. Judge Peters thanked Ms. Barranco for her report.

III. CENTRAL REGION REPORT – MICHAEL R. RESNICK, COMMISSIONER, DIVISION OF PRETRIAL DETENTION AND SERVICES, DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Commissioner Resnick advised Council members that a copy of the Division of Pretrial Detention and Services Statistics Report was included in their meeting packets. Commissioner Resnick directed members to the first page of the report and noted that the number of individuals being booked was down approximately 7%, and that the report listed a breakdown of the dominant charges of the booked arrestees. He also noted the number of warrants received from the police and from other jurisdictions was listed in the report. Commissioner Resnick advised that detainee trial status information was included on the second page, and noted that data on bail amounts was also included. He pointed out that 60% of detainees were

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held for 89 days or less. He also noted that the average length of stay was 55 days, and that the detainee gender data was not surprising, in that 90% of the 89 day or less detained population was male. Commissioner Resnick also reported that the women's detention center had been recently closed and that female detainees were no longer housed there. Judge Peters thanked Commissioner Resnick for his report.

IV. BALTIMORE POLICE DEPARTMENT REPORT – CHIEF MELISSA HYATT FOR POLICE COMMISSIONER KEVIN DAVIS

Chief Hyatt reported that as of October 15, 2016, year to date homicides were down by 7%, but non-fatal shootings were up year to date by 6%. She also noted that commercial robberies had decreased 9% year to date, but street robberies had increased 17%. She explained that to combat these increases, the Police Department started a robbery initiative in the Southeast district. She stated that spikes of robberies were common at this time of year. Chief Hyatt also addressed the use of body cameras and reported that 417 body worn cameras had been issued predominantly to patrol officers but also to some plain clothes officers. She also reported that 68 body cameras had been distributed to trainees in the academy who will use the cameras in the field once they graduate. Chief Hyatt stated that the full implementation of body cameras (approximately 2500 cameras) was expected by spring of 2018. She discussed improvements to the BEST mental health training and explained that veteran officers who have been employed since 2009 were provided 40 hours of training. This training will later include 911 operators as well. The enhanced training will help officers to identify mental health issues and address them appropriately. Chief Hyatt also discussed the Homeless Outreach Team, which started in October 2011. She stated that it is a small group of officers working with the homeless to create relationships with the community and connect those in need to services. Chief Hyatt mentioned that Fleet Week had just wrapped up and that Saturday was particularly difficult; however, she thanked all of their partners for their cooperation. Judge Peters thanked Chief Hyatt for her report.

V. MAYOR'S REPORT- SUNNY SCHNITZER FOR MAYOR STEPHANIE RAWLINGS- BLAKE

Sunny Schnitzer apologized on behalf of Mayor Stephanie Rawlings-Blake who was disappointed that she could not attend, but wanted to thank everyone for their work as this has been a particularly busy year in criminal justice. She praised the Council for their high level of cooperation and coordination in addressing criminal justice. Ms. Schnitzer then stated that because this was the Mayor's final report to the Council, she

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wanted to highlight the work that has been done in three primary areas: police reform, combating violent crime, and public safety infrastructure. Ms. Schnitzer discussed the current negotiations with the Department of Justice Civil Rights Division, and advised that they hope to have the consent decree finalized by the end of this administration. She noted that community partners and leaders have participated in these negotiations so that cutting edge reforms can be implemented to improve the Police Department. Ms. Schnitzer also stated that a new “Use of Force Policy” has been developed and implemented with a focus on the sanctity of life and de-escalation. She further stated that 26 core operating policies were distributed to police officers, which allows officers to access the most frequently used policies at any time and will help ensure the officers know these policies in their entirety. Ms. Schnitzer described the installation of a Trauma Informed Victim Centered Interview Room for the Special Investigation Section, which was conceptualized by the Mayor’s Office of Criminal Justice’s SART Coordinator, Lori Lickstein, who recognized that many victims are in crisis and dealing with a complex trauma history. She stated that it was imperative to create a mindful setting that helps victims and witnesses keep calm and maintain their dignity. She noted that the new rooms include: new chairs, new ceilings, textured walls, calming colors and amenities like stress balls and sand trays, creating a grounding psychological and physical environment to help survivors recall and share more accurate and meaningful information.

Ms. Schnitzer addressed the Mayor’s Office’s efforts to combat violent crime. She explained that the City has been hard at work to combat violent crime, and although jurisdictions across the country have seen increases in violence, Baltimore is focused on adopting best and promising practices to address violence. She stated that they are dedicated to removing guns and violent offenders from the streets while maintaining relationships with the community. Ms. Schnitzer noted that there has been an increase in gun arrests from the Operational Intelligence Division by 72% over the same period last year while also noting a decrease in complaints against officers in that division. Ms. Schnitzer then discussed Operation Cease Fire, which was modeled after the evidence-based Boston Ceasefire violence reduction program. She reported that since October 2015, this model has resulted in 5 successful call-ins with 177 attendees total, and 27 participants requesting services (employment help, child support issues, obtaining ID) which is roughly 15% seeking assistance. She said that this is anecdotally on par if not slightly higher than similar programs in other cities. Ms. Schnitzer also noted that there have been 56 custom notifications, which were designed to prevent retaliatory violence. Ms. Schnitzer reported that BPD will also participate in the Gun Violence Reduction Division co-developed by and housed in the Baltimore City State’s

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Attorney's Office, and she thanked State's Attorney Marilyn Mosby and Police Commissioner Kevin Davis for their collaboration on this division, which is designed to secure convictions against violent gun offenders. She further reported that BPD will dedicate at least one sergeant and four detectives to the unit. Ms. Schnitzer also advised that due to a coordinated effort of many of the CJCC member agencies present, the City of Baltimore and Johns Hopkins University won a nationally competitive two-year grant from the Bureau of Justice Assistance to develop a multi-agency task force dedicated to identifying and comprehensively addressing gang and gun violence in the most violent areas in Baltimore City.

Ms. Schnitzer addressed advancements made in public safety infrastructure. She noted that the City's 9-1-1 system is one of the larger systems in the State of Maryland, handling over 3,700 calls per day for a total of almost 1,380,000 calls in calendar year 2015. She stated that the City's 9-1-1 system provides City-wide enhanced 9-1-1 call answering and dispatch of emergency calls for all law enforcement, fire, EMS, and emergency management agencies within the City. Ms. Schnitzer advised that the City is currently reviewing proposals to implement a full turnkey replacement of the present customer premise equipment, including both the primary and backup systems, to a next generation 9-1-1 compatible system as well as a replacement 3-1-1 system for the City. She further advised that the new 9-1-1 system will be next-gen capable and will be on a fiber network that will provide more failsafe capabilities. Ms. Schnitzer said that the tentative go-live date for the new system is August 1, 2017.

On behalf of Mayor Rawlings-Blake, Ms. Schnitzer thanked the Council for their dedication to the residents of the City of Baltimore, and stated it had been an honor and a pleasure to work with them. Judge Peters thanked Ms. Schnitzer for her report.

VI. SHERIFF'S OFFICE REPORT – ASSISTANT SHERIFF SAMUEL COGEN FOR SHERIFF JOHN ANDERSON

Assistant Sheriff Cogen explained the role of the Sheriff's Office, which provides court security for the Clarence M. Mitchell, Jr. Courthouse, Courthouse East, and the Juvenile Justice Center. He noted that courthouse security involves 70 law enforcement officers deployed over a 24 hour period, with 44 deputies in courtrooms and 26 providing security in the facilities. Assistant Sheriff Cogen stated that there are a low number of incidences considering the high number of people who are in court. He also stated that the Sheriff's Office maintains a partnership with the District Court and assists them with their security for high-profile cases.

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Assistant Sheriff Cogen discussed the enforcement of Circuit and District Court orders. He stated that year to date, they have served 109,250 Rent Court summonses. He explained that the Sheriff's Office also controls all Circuit Court warrants, including failure to appear warrants, body attachment warrants, and violation of probation warrants. He further explained that this operation was 24 hours a day and coordinated with other parts of the country. Assistant Sheriff Cogen explained that they handle the collection of fines, fees, and bail revocations as the enforcement arm of the Court. He stated that from January 2016 to May 2016, approximately \$1,787,000 was collected. Assistant Sheriff Cogen explained to the Council members that the Sheriff's Office handles transportation of defendants taken in to custody on sheriff warrants or sentenced in court, but they do not transport defendants to the Court. He noted that they handle the service of process and service of warrants for child support matters and are also responsible for the service of warrants originating from the Circuit Court. Assistant Sheriff Cogen then described the responsibilities of their Domestic Violence Unit and noted that year to date they have served a total of 4,166 orders of protection: 1050 peace orders; 136 Circuit Court protective orders; 2,253 Baltimore Police Department temporary protective orders; 727 from other law enforcement agencies around the state, and they have made 296 arrests, cleared 314 warrants, and recovered 46 firearms. Assistant Sheriff Cogen thanked their federal partners for enhancing their capacities and resources. He noted that they have assigned one Sergeant to the ATF, one Deputy to the DEA, and one Sergeant and five Deputies to a U.S. Marshals Service task force.

Assistant Sheriff Cogen explained their proactive efforts to market a positive public perception of the Sheriff's Office and Community Engagement activities. He stated that marketing efforts included providing their domestic violence program-pamphlet and crime prevention literature, deputizing children as junior deputies, providing rulers and coloring books for the my day in court program and exposing the public to the Sheriff K-9 program. He reported that the Sheriff's Office participated in various festivals including the Italian Festival, the Hispanic Festival, Artscape, the Ruth Kirk Festival, and the Brooklyn Family and Friends Day. He explained that they also provided primary event security, demonstrating their enforcement capabilities in a positive way for many events, including the Tree Lighting Ceremony in Canton Square, the Christmas Caroling Parade in Upper Fells Point, the Saint Patrick's Day Festival, the South West Fun Festival, the United Way Homeless Connect, the Fells Point Fun Festival, the American Cancer Society Breast Cancer Walk, and the upcoming Barcstober Festival. Assistant Sheriff Cogen also reported that the Sheriff's

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Office has a full time Resource Officer who has conducted 71 school presentations for crime prevention, gang prevention and civics, and has also conducted 84 presentations at Senior Centers and Community Centers.

Assistant Sheriff Cogen concluded his remarks by discussing the Sheriff's Office's strategic goals for 2016-2017. He stated that they intend to continue their professional Sheriff services while maintaining the public trust. He further stated they hope to enhance court services by having Deputy Sheriffs in every courtroom with a Judge, and improve compensation packages so they are comparable to other Baltimore City Law Enforcement. He concluded by announcing that representatives from Americans for Responsible Solutions, a non-profit organization formed by former congresswoman Gabrielle Gifford, recently visited the Baltimore City Sheriff's Office Domestic Violence Unit, and that Americans for Responsible Solutions has identified that the Baltimore City Sheriff's Office DV Unit will serve as a model for the country regarding their work with gun recovery and domestic violence. Judge Peters thanked Assistant Sheriff Cogen for his report.

VII. DOMESTIC VIOLENCE FATALITY REVIEW TEAM RECOMMENDATIONS- DOROTHY LENNIG, CHAIR AND LEGAL CLINIC DIRECTOR, HOUSE OF RUTH, MAJOR SABRINA TAPP- HARPER, VICE-CHAIR AND DOMESTIC VIOLENCE UNIT COMMANDER, BALTIMORE SHERIFF'S OFFICE AND TANIA ARAYA, COORDINATOR, MERCY FAMILY VIOLENCE RESPONSE PROGRAM

Dorothy Lennig thanked the CJCC for inviting the Team to present their 2016 Recommendations. She advised that the Baltimore City Domestic Violence Fatality Review Team (BCDVFRT) was formed as a recommendation out of the CJCC's Domestic Violence Coordinating Committee in 2006 and the Team reviewed its first case in January 2007. She further advised that the BCDVFRT has begun its nineteenth case review through a systemic multi-disciplinary process and meets on a monthly basis. Ms. Lennig stated that the Team works with the DVCC on implementing yearly recommendations, which are recognized as a model in the state. She further stated that the BCDVFRT mission is to reduce domestic violence-related fatalities and near fatalities through systemic multi-disciplinary review of domestic violence fatalities and near fatalities in Baltimore City; through interdisciplinary training and community-based prevention education; and through data-driven recommendations for legislation and public policy. Ms. Lennig referred members to the full 2016 DVFRT Recommendations in their packets.

Ms. Lennig stated that the first new recommendation is Victim Notification by Court Commissioners. She further stated that this year the Team reviewed a case where the

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defendant was arrested, appeared before a district court commissioner for an initial appearance, and was released on his own recognizance. She said that the defendant left the commissioner's office, returned to the victim and killed her. Ms. Lennig advised that as the Team examined the court commissioners' protocol, they found that there was no mechanism for the commissioners to notify a victim of the outcome of the initial appearance hearing. She reported that a mechanism should be created for the victim to receive notice of the outcome of the initial appearance hearing, and the victim should receive notification of whether the defendant is held or released and, most importantly, what, if any, special conditions of release exist, including any stay away order. She explained that notification should be available to the victim whether the defendant is held or released, which will allow the victim to take protective measures such as leaving the home, asking someone to stay with them, going to a shelter, etc. She also explained that while the Team was unable to specify how the process should work, it is recommended that stakeholders take steps to address this issue.

Tania Araya discussed the second recommendation for awareness of Traumatic Brain Injury (TBI), which is correlated with intimate partner violence. She stated that repeated physical assaults can lead to a significant risk of brain injuries for victims. She explained that those who experience traumatic injuries can suffer from impaired cognitive function, and these impairments can impact memory and communication with law enforcement and other personnel, and prevent sound decision making. Ms. Araya reported that based upon this information about TBI, the Team is recommending that police officers and other workers involved with domestic violence receive training to recognize the indicators of TBI. She also stated that personnel, especially the first responder, should encourage victims to seek medical attention. She stated that Mercy Medical Center currently provides training to Police Academy Officers on IPV related injuries and can enhance its curriculum to include content on TBI.

Major Sabrina Tapp-Harper discussed the third new recommendation - Specialized Training for Police and Domestic Violence Service Providers on Victims who Use Drugs or Alcohol. She explained to Council members that victims often self-medicate and resort to substance abuse, a particularly pervasive problem in Baltimore City. She recommended that a specialized training for both BPD and domestic violence service providers be created to address the unique challenges they face when dealing with a victim with substance abuse issues. Major Tapp-Harper suggested convening a work group with representatives from BPD Education and Training, substance abuse

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experts, the DVFRT, and professors/presenters, to create and review the curriculum. She stated that during the review process, the workgroup should make sure the training is relevant, contains scenario-based exercises, is taught by qualified personnel, and make sure all information concerning training is regularly recorded and securely maintained. She further recommended that an evaluation method be used at the conclusion of each training session.

Ms. Lennig then discussed updates on past recommendations, including a 2007 recommendation concerning the timely service of warrants. She noted that the Team recognized that there were a high number of unserved warrants, and to combat this problem, the BPD Warrant Apprehension Task Force created a Domestic Violence Squad. She explained that this Squad prioritizes warrants based on felonies and the dangerousness of the aggressor. She informed Council members that although the number of unserved warrants has dropped, she cautioned that even though prioritization is important, they should not lose track of low level warrants because those perpetrators can still kill victims.

Ms. Araya addressed a past recommendation on screening for Intimate Partner Violence (IPV), because the Team discovered that pregnant women were not being screened for IPV during pre-natal checkups. She informed the Council members that intimate partner homicide is highest for prenatal women, and their past recommendation created a relationship assessment tool that trained healthcare professionals on how to use the tool and to understand the need for screenings. She stated that Health Care Access Maryland has provided services to more than 8,000 pregnant women, are now screening all patients for IPV, and if screenings are positive, pregnant women automatically qualify for home visiting.

Ms. Araya also addressed the next updated recommendation for Hospital Based Intervention and Safe Discharge from Hospitals, which was first presented in 2012. She stated that in cases where a patient is intoxicated or otherwise temporarily impaired, medical facilities should hold the patient until staff can complete domestic violence screening and offer appropriate intervention, since substance abuse is pervasive in Baltimore City and many domestic violence victims self-medicate as a way to cope with their abuse. She explained if the screening is positive, healthcare professionals should assist the victim in creating a safe discharge plan. She told Council members that since this recommendation, there have been several developments. She reported that on May 20, 2016, the Maryland Health Care Coalition Against Domestic Violence conducted a day long symposium that addressed the

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correlation between substance abuse and domestic violence. She further reported that after the symposium, the Maryland Network Against Domestic Violence provided three Baltimore area hospitals with training so that staff can screen for substance abuse.

Ms. Lennig discussed another former recommendation on Expanding Training for Correctional Facilities. She stated that the Team recommended that an expanded, enhanced, and standardized domestic violence training be provided to all Department of Public Safety and Correctional Services employees and vendors' employees who have contact with inmates, offenders, or defendants. She stated that on August 3 and 4, 2016, DPSCS and The Maryland Network Against Domestic Violence held an all-day mandatory domestic violence training for probation agents of domestic violence offenders and their supervisors. She noted that this was a great start, but that it was necessary for all employees at correctional facilities to receive comparable training to understand the potential danger, since inmates can be very charming.

Major Tapp-Harper discussed a recommendation that was developed in 2015 regarding the impact of trauma on police officers. She stated that truly confidential health services are needed because many officers suffer from traumatic stress, vicarious trauma, and fatigue. She then shared that since that recommendation, the Baltimore Police Department has contracted with Interdynamics Counseling to provide confidential counseling for police officers at no charge. She said that the Baltimore Police Department uses a Crisis Intervention Team which is trained in providing counseling for officers who experience trauma. She noted that they also received training in suicide prevention.

She also addressed the recommendation to Encourage Baltimore City School Nurses to be Trained in Identifying and Recognizing Trauma, DV, STDs, and Sexual Assault. She stated that cumulative exposure to traumatic life events can result in post-traumatic stress disorder, which may manifest in poor scholastic performance, aggressive behavior, and physical symptoms like stomach pains and trouble sleeping. She reported that in August 2016, all Baltimore City School Health staff, including all nurses and aides, received trauma-informed care training, and in February 2016, all staff was trained on sexual assaults and intimate violence, referrals, mandatory reporting, and Mercy Medical Center's bmoresafe program.

Dr. Wen commented that she chairs the Child Fatality Review Team and thanked the DVFRT for their report. She then stated that she had three comments. She noted that

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TBI is a complex issue because there are no radiological tests to confirm. She stated that she would want to work with the Team to make the training useful for other frontline partners and urged them to consider who may be the right people to work on this recommendation. She also shared that a large grant had been provided to address trauma informed care in Baltimore City schools, and that those who come into contact with students will be trained. She asked Council members to contact her if their agency was interested in training on trauma informed care. She stated that she would be happy to assist with the hospital based recommendations. Judge Peters thanked Ms. Lennig, Major Tapp-Harper and Ms. Araya for their report.

Judge Peters adjourned the meeting at 1:30 p.m. The next meeting will be held on Wednesday, November 9, 2016 at 12:30 p.m., Courthouse East, Room 510.

MEETING HANDOUTS

- 1) CJCC October 19, 2016 Meeting Agenda
- 2) Minutes from the September 14, 2016 meeting
- 3) Division of Pretrial Detention and Services Statistics Report
- 4) Baltimore Police Department Report
- 5) Domestic Violence Fatality Review 2016 Recommendations- Letterhead
- 6) Domestic Violence Fatality Review 2016 Recommendations- PowerPoint

Respectfully submitted,

Kimberly Smalkin Barranco
CJCC Executive Director