

THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

MINUTES FROM THE NOVEMBER 9, 2016 MEETING

Council Members In Attendance*: Chair Judge Charles Peters, Circuit Court; Mary Abrams, Clerk of the District Court; Gabriel W. Auteri for Leana Wen, Commissioner of Health, Baltimore City; Kimberly S. Barranco, CJCC Executive Director; Elizabeth Embry for Brian Frosh, Attorney General of Maryland; Clinton Fuchs for Rod Rosenstein, U.S. Attorney; Glenn Fueston, GOCCP, for Lawrence J. Hogan, Jr., Governor of Maryland; Antonio Gioia for Marilyn Mosby, State's Attorney; 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; Michael R. Resnick, Commissioner, Division of Pretrial Detention and Services, Department of Public Safety and Correctional Services; Drew Vetter for Commissioner Kevin Davis, Baltimore Police Department; Judge Barbara Baer Waxman, Administrative Judge, District Court; and Bernard C. "Jack" Young, City Council President.

Others in Attendance*: Margaret Boyd-Anderson, CJCC Project Coordinator; Doug Colbert, University of Maryland Francis King Cary School of Law; Olivia Farrow, Baltimore City Health Department; Deirdre Gardner, Roberta's House; Judge James H. Green, District Court; Don Leatherwood, DPSCS; Eboni Pearson, Circuit Court; James Timpson, Baltimore City Health Department; and Andrew Tress, Judiciary.

***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 12:35 p.m. and Judge Charles Peters greeted Council members and their representatives. Judge Peters conveyed that it was with profound sadness to report that Lavinia G. Alexander, Clerk of the Circuit Court for Baltimore City passed away during the afternoon of Tuesday, November 8, 2016. Judge Peters further conveyed how Ms. Alexander had served as Deputy Clerk for 15 years, prior to having been appointed as the Baltimore City Clerk of the Circuit Court after the death of Frank M. Conaway Jr. in 2015. Judge Peters said that Ms. Alexander was wonderful, hardworking, and a positive person and a good partner with the Circuit Court. He further stated that she will be missed by the Court community. Judge Peters expressed that the CJCC's thoughts and prayers were with Ms. Alexander's family.

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I. CHAIR'S REPORT – JUDGE CHARLES PETERS

Judge Peters requested a motion to approve the October 19, 2016 meeting minutes and they were unanimously adopted. He advised that the next Baltimore City Criminal Justice Coordinating Council meeting will be held on December 14, 2016, which will feature a presentation on Trigger Pullers.

II. EXECUTIVE DIRECTOR'S REPORT – KIMBERLY SMALKIN BARRANCO

Kimberly Barranco advised Council members that a list of all 2017 CJCC meeting dates was included in their packets. She noted that there is no meeting in January or March 2017 due to the legislative session but that the Council will meet in February and in April after sine die. She stated that a report rotation for 2017 was also included in the packets. She asked members to please review the schedule and let her know of any conflicts with the assigned report dates. Ms. Barranco advised that she would send an electronic version of both documents.

Judge Peters thanked Ms. Barranco for the CJCC Executive Director's report.

III. DIVISION OF PRETRIAL DETENTION AND SERVICES REPORT – MICHAEL R. RESNICK, COMMISSIONER, DIVISION OF PRETRIAL DETENTION AND 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. He reported that the number of bookings processed in October 2016 was 2,196 and he commented that the data shows a downward trend. He further reported that the bookings released on own recognizance for October 2016 was 918 and that this was also a downward trend. Commissioner Resnick referred Council members to page two and he stated that the commitment data details new tables with the number of percentages of releases over a certain period; i.e., time in custody and percentage released categories: monthly commitments, releases in same day, releases in following day, releases in 2 to 14 days, 15 to 30 days, 31 to 60 days, 61 to 90 days, over 90 days, and still in custody. He noted that 56% of the population is released within two weeks. Commissioner Resnick reported that the end of month length of stay was still hovering around the 44 to 45 day mark. He referred Council members to the third page of the report, which included data on detainee demographics and to the last page, with data on the sentenced population and pretrial release services.

Judge Peters thanked Commissioner Resnick for his report.

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IV. BALTIMORE POLICE DEPARTMENT REPORT – DREW VETTER FOR POLICE COMMISSIONER KEVIN DAVIS

Chief of Staff Drew Vetter reported that Commissioner Davis had been elected as the Executive Vice President of the Maryland Chiefs of Police Association and that the Commissioner was apologetic that he could not attend the meeting. Mr. Vetter referred Council members to the Commissioner's report, which was included in their packets. He stated that as of November 5, 2016, homicides year-to-date were down by 9% and non-fatal shootings year-to-date were up by 5%. Mr. Vetter conveyed that the total Part I crime was down 3%; the total violent crime in Baltimore City was up 9%; and the total Property Crime was down 6%. Mr. Vetter shared that robberies had been problematic during the year. He informed that later in the week, BPD would be announcing a new robbery unit. Mr. Vetter reported that the DOJ consent decree negotiations were still ongoing. He shared that the BPD Academy would be graduating officers during the month of November 2016 and that a new class will be starting early next year. Mr. Vetter further shared that there are approximately 100 police officer vacancies in Baltimore City and that Director Pamela Davis is the new head of the Training Academy and Professional Development. Mr. Vetter stated that Director Davis would be focusing on enhancements for BEST training, de-escalation and defensive tactics. He reported that BPD would be launching a leadership program to foster the next generation of supervisors. He further reported that the Citizens Police Academy was re-launched last week. Mr. Vetter introduced Jim Gillis, the new Director of Government Affairs.

Judge Peters thanked Mr. Vetter for the Baltimore Police Department report and he welcomed Mr. Gillis to the CJCC.

V. CIRCUIT COURT REPORT – JUDGE W. MICHAEL PIERSON, ADMINISTRATIVE JUDGE

Judge W. Michel Pierson, Administrative Judge for Baltimore City Circuit Court reported that he had spoken with Lavinia Alexander on Monday in preparation for what would have been their joint report. He stated that Ms. Alexander originated the idea to have both the Circuit Court and the Clerk's Office reports presented together and that she very much wanted her office to closely collaborate with the Court. Judge Pierson commented on Ms. Alexander's professionalism, dedication to efficiency, and deep commitment to public service. He acknowledged that Ms. Alexander served as the Chief Deputy Clerk for 15 years and the Clerk for two years, and he further acknowledged how he felt greatly enriched by Ms. Alexander's service to the court. Judge Pierson expressed how Clerk Alexander will be greatly missed in the Baltimore City Circuit Court.

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Judge Pierson thanked Judge Peters and Eboni Pearson, Criminal Analyst for providing him with the Criminal Division statistical data. He reported that there are currently 33 Circuit Court judges including 15 judges that are assigned to the Criminal Division. Judge Pierson further reported that Judge John Howard retired in October and that Judge Stephen Sfekas will retire in February and that the court is they are awaiting the appointment of three new judges and that two will be assigned to the Civil Division. Judge Pierson noted that the court is still the busiest circuit court in the State and thanked all of the court's supporting agencies for their contributions to the court's management of its caseload. He conveyed that there were 238,646 jury summonses issued for and that approximately 63,633 individuals reported to serve as jurors.

Judge Pierson advised that there were 3,935 arraignments from January 2016 through October 2016, which was a decline from the previous year totals. He further advised that the trial dockets are organized by reception court. Judge Pierson shared that 29% of cases were closed in reception court, which was an increase from last year. He further shared that there were 606 cases sent to the trial courts this year; however, there were 852 cases last year. Judge Pierson commented that the postponement rate was approximately 65-70% in which only 3% were due to administrative reasons and 1% for no court available, with the remaining cases postponed at the request of the state or the defense. Judge Pierson further commented that the court rarely postpones cases for lack of a courtroom and he stated that defendants requesting a trial could be accommodated. He noted that postponements had been reduced by a third, with approximately 6200 cases postponed this year compared to approximately 9500 last year. Judge Pierson further identified that there were 3,487 felony cases filed and 3,700 cases closed for the same reporting period.

Judge Pierson reported that there were 610 pending misdemeanor cases in January 2016 and 461 in November 2016. He informed that there were 2,041 pending felonies in January 2015; 1,457 in November 2015; 1,336 in January 2016; and 1,281 in April 2016. Judge Pierson commented that the number of detained defendants has also declined which is a positive trend. He reported that there were 167 defendants detained over one year in January 2016, 116 in April 2016, and 86 in November 2016. Judge Pierson said that there are only 33 detained defendants pending trial, with the remaining defendants committed pursuant to a VOP or NCR. He stated that he was very gratified to report these reductions.

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Judge Pierson concluded his report by advising that the total number of cases over 180 days old was 268 as of October 1, 2016. He thanked Judge Peters for his extraordinary leadership in managing the criminal docket. He stated that Judge Peters has used an evidence based management of the docket with the assistance of Ms. Pearson, and that the misdemeanor jury trial docket was re-organized to free up judges to conduct trials. He further stated that the arraignment process was changed to a mostly clerical function, and that any case over 180 days is a priority case. Judge Pierson discussed the progress made in reducing the backlog of cases and number of detained defendants. He commented how there had been high profile cases in the Circuit Court during the past year and he commended Judge Barry Williams for his handling of the cases and thanked the Clerks and Sheriff's Offices for their assistance. Judge Pierson said that their efforts had been herculean and he once again recognized Ms. Alexander for her leadership, particularly in the online posting of all court documents in these cases. He reported that the Court had received funding to expand the jury assembly area and is preparing for two new courtrooms to be built.

Judge Peters thanked Judge Pierson for his report.

VI. WARRANT COMMITTEE REPORT – JUDGE JAMES H. GREEN, CHAIR

Judge James H. Green reported that Judge Halee Weinstein stepped down as Chair of the Warrant Committee after having served for four years and that he has served as the current Chair since March 2015. Judge Green further reported that the Warrant Committee meets bi-monthly to provide a forum for the facilitation of warrant service and discussion of related concerns. He conveyed that this Committee was originally created in response to the issue of numerous individuals being released with open warrants from the Central Booking and Intake Facility and the Baltimore City Detention Center. Judge Green identified that the Committee continues to monitor the release of individuals with open warrants, addresses additional issues involving numerous types of warrants and citations, and disseminates information to all involved criminal justice agencies and stakeholders.

Judge Green thanked Judge Barbara Baer Waxman, Administrative Judge and Mary Abrams, Administrative Clerk for District I for addressing the current year's systems issues as well as protocols and coordination with the implementation of LiveScans. He further thanked Ms. Barranco and Margaret Boyd-Anderson, CJCC Project Coordinator for coordinating meetings outside of the regularly scheduled Warrant Committee meetings in order to resolve issues, and the Command Staff of BPD for working to make improvements with the writing of citations.

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Judge Green shared that the Committee is comprised of representatives from the Judiciary, the Baltimore Police Department Central Records and Patrol Divisions, the District Court Clerk's Office, the State's Attorney's Office, the Office of the Public Defender, the Court Commissioner, the Department of Public Safety and Correctional Services: Central Booking Facility, Pretrial Release Services, Parole and Probation, the Maryland Parole Commission, the Information Technology & Communication Division, and CJIS, the Maryland Transit Administration Police, the Maryland Transportation Authority Police, the Baltimore Environmental Police, the Department of Juvenile Services, and the Sheriff's Office. Judge Green thanked everyone for the terrific work that their representatives to the Committee were doing.

Judge Green commented that during the past year, the Warrant Committee has accomplished a number of goals.

- Due to the diligence of the Warrant Committee in monitoring the progress of its Warrant Service Protocol to expedite the service of outstanding warrants and facilitating communication between the member agencies involved, the number of individuals released from CBIF with open warrants continues to be miniscule. From September 24, 2015 through August 29, 2016, only 7 warrants or .00004% of the 14,974 warrants served during that period were unserved. Warrants which are not served are invariably old and cannot be located, or are needed on a weekend when a true test copy cannot be obtained from the Court.
- A protocol was established to affix a copy of the statement of charges to Failure to Appear warrants, providing Commissioners at initial appearances and Judges at bail reviews with underlying information about the facts of the case as written in the statement of charges. This protocol change provides pertinent information needed to make informed decisions regarding release and bail.
- Ongoing expungement reconciliation efforts continue to be highly successful due to the coordination facilitated by the Warrant Committee.
- Input errors for the incorrect release type have decreased, resulting in less reconciliation needed for expungements.

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- LiveScan machines are fully operational after many meetings to coordinate connectivity, MOUs, and training for their use, which allows the fingerprinting of defendants pursuant to a Court ordered fingerprint order and the stakeholders continue to work on improving the process.
- Committee members met and facilitated a protocol to process defective citations by BPD and established a protocol for the notification of defendants.
- The Committee continued to encourage and facilitate through meeting discussions the recall and dismissal of warrants by the State's Attorney's Office in an effort to further reduce the warrant backlog.

Judge Green noted that moving forward, the Warrant Committee would continue to monitor the warrant service protocol, encourage warrant backlog reduction efforts, and address issues and concerns raised by members. He further noted that there has been tremendous improvement in many of these areas due to the increased communication and collaboration between the member agencies represented on the Committee, and that the Warrant Committee would continue to serve as an effective mechanism to allow the CJCC to fulfill its mission to work cooperatively to enhance public safety and reduce crime in Baltimore City.

Judge Peters thanked Judge Green for his report.

VI. PRESENTATION ON THE SAFE STREETS PROGRAM –OLIVIA FARROW, DEPUTY COMMISSIONER OF YOUTH WELLNESS AND COMMUNITY HEALTH, BALTIMORE CITY HEALTH DEPARTMENT AND JAMES TIMPSON, COMMUNITY LIAISON, BALTIMORE CITY HEALTH DEPARTMENT

Olivia Farrow, Deputy Commissioner, Baltimore City Health Department, Youth and Community Health introduced James Timpson, Community Liaison for Safe Streets. Ms. Farrow stated that Safe Streets is a critical component of their violence reduction programs. Mr. Timpson presented a PowerPoint on Safe Streets: Stop Shooting, Start Living. Mr. Timpson reported that Safe Streets Baltimore has been the longest-running implementation of the Cure Violence Model, which started in Chicago. He further reported that the Safe Streets Baltimore program started in 2007 and currently has 5 sites. Mr. Timpson said that the newest site was in Sandtown-Winchester.

Mr. Timpson identified that elements of the Cure Violence Model to Stop Shootings and

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Killings consist of Identification and Detection; Interruption, Intervention and Risk Reduction; and Change Behaviors and Norms. Mr. Timpson elaborated on The Cure Violence Model: Identification and Detection. He shared that a lot is done to identify and detect potential shooting events and individuals and groups at highest risk of involvement in a shooting or killing. He further shared that all sources and possible points of entry are used such as staff knowledge, notice from law enforcement, hospitals, schools, and calls from the community. Mr. Timpson reported that Safe Streets workers have the following skills: ability to relate to those at highest risk; credibility; a connection to the targeted community; and are street-wise. He further reported that their primary responsibilities include identifying and detecting, interrupting, and changing norms. Mr. Timpson outlined that in hiring, Safe Streets staff identifies potential candidates in the community who complete a community walk through, meets with the team and are interviewed by a hiring panel. He further outlined that the probationary period and training has been reexamined and the person has to have been released from prison for more than two years and must be involved in the community. Mr. Timpson conveyed that the participants are highest risk individuals and are required to meet at least four of the following requirements: 14-25 years of age; recently released from prison; recently shot; active in violent street organization; history of violence; weapons carrier; and engaged in a high risk activity. Mr. Timpson stated that known weapons carriers will be engaged in the program regardless of the other criteria.

Mr. Timpson explained that within The Cure Violence Model: Interruption, Intervention, and Risk Reduction, staff intervenes in crises and helps individuals deal with stressful events or situations without shooting. He stated they also mediate conflicts between individuals and groups and prevent larger scale events or retaliatory violence before it occurs. Mr. Timpson noted that they provide ongoing behavior change and support to individuals using outreach workers and others. He further noted that they foster behavioral change by providing information and skills as well as connecting clients to social services. Mr. Timpson informed that The Cure Violence Model: Change Behaviors and Norms informs and trains individuals and groups on specific strategies to bring about behavior change. He further informed that they work to mobilize the community to change norms by organizing responses to all shooting events, sponsoring community events, and engaging faith leaders. Mr. Timpson said that elements of this model to educate the public launches and promotes campaigns to enforce key messages as well as to explain expected community roles. Mr. Timpson detailed that within 72 hours of a shooting Safe Streets launches a shooting response and denounces the action that happened. He further detailed that Safe Streets attempts to continuously inform individuals on the streets that violence is not the answer. Mr. Timpson outlined that in 2015, Safe Streets staff

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performed 677 mediations and that 77% were very likely to lead to violence. He further outlined that three Safe Streets sites went a period of 365 consecutive days or more without a firearm homicide. Mr. Timpson identified that just one homicide occurred in the lower Park Heights neighborhood. Mr. Timpson further identified that following the 2015 uprising, two out of four sites (Cherry Hill and Park Heights) had lower moving averages of shooting incidents compared to bordering posts and a composite of high violence crime posts without the intervention.

Mr. Timpson concluded the presentation by reporting on previous research from 2007 through 2010. He stated that the research concluded that surveyed young men were much less likely to support gun violence than comparison areas. He further stated that reductions in gun violence occurred in a relatively short period of time after program implementation. Mr. Timpson stated that the research further identified that reductions appeared to “spread” or “spillover” to areas bordering Safe Streets posts. Mr. Timpson stated that these findings were adjusted for multiple factors included police interventions. Mr. Timpson suggested that similarly trained staff could also be used in Hospital-based Violence Interruption Programs, schools and/or correctional facilities. He announced that funding was awarded to provide three responders each at Sinai Hospital and Johns Hopkins Hospital. Judge Peters asked Mr. Timpson about mediating with an individual in danger. Mr. Timpson described an incident in which someone was shot and how Safe Streets intervened to get the suspect and victim to come together for a resolution in order to avoid a retaliatory shooting.

Judge Peters thanked Ms. Farrow and Mr. Timpson 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 November 9, 2016 Meeting Agenda
- 2) Minutes from the October 19, 2016 meeting
- 3) 2017 CJCC Meeting Dates
- 4) Division of Pretrial Detention and Services Statistics Report
- 5) Baltimore Police Department Report
- 6) Safe Streets Stop Shooting, Start Living- PowerPoint

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Respectfully submitted,

Kimberly Smalkin Barranco
CJCC Executive Director