



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Marc Elrich  
*County Executive*

James C. Bridgers, Jr.,  
Ph.D., MBA  
*Acting Director*

**Commission on Juvenile Justice Meeting**

**Tuesday, May 21, 2024**

**Virtual Meeting**

**CITIZEN MEMBERS PRESENT:** Kimberly Alfriend, Bonnie Beavers, Carol Cichowski, Tracey Friedlander, Gerda Gallop-Green, Melissa Goemann, Scott Joftus, Ashyia Johnson, Elizabeth Pentecost, Joshua Pestaner, Michael Pinard, Kevin Redden, Jonathan Scriven, Tom Smith, Tony Summers, Heather Sweren, Shuaa Tajammul, and Erin Whaley.

**AGENCY MEMBERS PRESENT:** Joanna Bonner (Diana Olsen), Francha Davis, Frank Duncan, Elizabeth Emen, Susan Farag, Brett Lonker, Steve Neff, Jordan Satinsky (Jeffrey Innocente substituting), Nathaniel Tipton, and Carlotta Woodward

**ABSENT MEMBERS:** Andrew Messick

**PRESENT EMERITUS MEMBERS:** Carole L. Brown.

**ABSENT EMERITUS MEMBERS:** Chris Fogleman.

**GUESTS:** Stefan LoBuglio, Sara Rose, and Tia Scott

**STAFF LIAISON PRESENT:** Diane Lininger

- I. **Welcome** – The meeting opened by Melissa Goemann Vice- Chair of the Montgomery County Commission on Juvenile Justice (CJJ).
- II. **Introductions** – Introduce the Judges in attendance.
  - a. Magistrate Kim is the only juvenile magistrate in MoCo.
  - b. Judge Smith is Associate Judge on MoCo District Court
- III. **Speakers': Honorable Karla Smith and Magistrate Lena Kim** (questions/topics for judges attached separately)

**Behavioral Health and Crisis Services • Child and Adolescent Outpatient Mental Health Services**

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- a. *What kinds of offenses will typically land a child in juvenile court?*
  - i. Magistrate Kim
    - a. There is DJS informal process – if youth does not participate often, they will become court involved; State’s Attorney can also petition court.
    - b. See lots of car theft, assaults, robberies, driving without license.
  - b. *Have you notice any change in number/seriousness of juvenile cases over the last year?*
    - a. During pandemic weren’t seeing lots of offenses – so are the cases now catching up to where things would normally be or is the media reports accurate.
    - b. Feels that they are seeing younger children (13 and 14 yr. olds) charged with more violent offenses (guns and robberies) (anecdotal)
      1. The real issues could be ghost guns, because very easy to obtain.
- c. *What kinds of ACEs do you feel are the most common among children coming to the Court?*
  - i. Judge Smith
    - a. People have misconception that kids coming to court have parents who are not involved/maltreating.
      1. Parents come to Court and explain they have by trying to access services for their children.
      - b. Substance abuse is out of control – Maryland has no substance abuse facility for young children.
  - ii. Magistrate Kim
    - a. Majority of parents coming to court are the ones saying, “I need help” and are doing the best they can to get the services for their children.
    - b. In terms of ACEs, have seen several youths who have lost family members and friends – lack of getting mental health services to process/cope.
      1. Grief counselor is a key service that young people are not accessing.
- d. *What kind of services are children missing?*
  - i. Judge Smith
    - a. There is one residential treatment facility in Maryland.

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1. It feels as though there is no mental health treatment for children in the community – DJS only contracts with one or two providers.
  2. Every child who comes into juvenile court need some type of mental health treatment and many need substance abuse treatment.
- ii. Magistrate Kim
- a. Have youth who cannot get into any programs.
  - b. Also lacking resources in mentoring programs – mentoring programs have waitlists.
  - c. Have one Evening Reporting Center in MoCo – need more of these centers.
  - d. Record numbers of children are truant.
1. They need trade schools or GED preparation (summer school is too costly)
- e. *What do you think about keeping a youth on probation because services are not available and what kind of services are not available?*
- i. Judge Smith
- a. It is not ideal, but when they started therapy four months into probation, she is keeping kids on probation until she feels they have had as many services as possible – may be the only opportunity before they become an adult to give them the tools to prevent them from returning to court or from committing crimes as an adult.
- ii. Steve Neff
- a. There is a difference between extended year services (ESY), which has specific criteria related to life skills. Also, summer school is free in many communities in the lower grades. Summer school was free across grades for a couple of years after the pandemic.
  - b. Says that children who have unexcused absences for 10 full consecutive days are unenrolled, per State mandate.
    1. But there is continued outreach to students who are unenrolled.
    2. Parents can reenroll them.
- f. *In what type of cases do you think diversion may be better than prosecution if the county had more diversion options?*
- i. Judge Smith

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- a. Thinks that State wouldn't want diversion for violent offenses.
  - b. Sometimes get fights that occurred in schools that thinks with a little more finessing at the school level would not come to Court.
  - c. Getting lots of victim-centered cases and those are difficult to get through diversion (e.g., motor vehicle theft where the person cannot afford to pay restitution)
  - d. *There is increase in fentanyl addiction – what do you do with a child who is court for a car theft (or other offense), but the real issue is the fentanyl addiction?*
- ii. Magistrate Kim
- a. Substance abuse is being treated in the criminal justice realm, but we have learned in the adult context that substance abuse is a public health issue.
    - 1. Need better drug treatment and education for youth.
- g. *What do you think are the main ways that children who are in court for gun offenses are getting the guns and do you think we need stronger safe storage laws?*
- i. Judge Smith
    - a. We need all of it – but also at this point her instinct is that children are getting access to ghost guns rather than other guns – they are ordering gun parts off the internet.
  - ii. Magistrate Kim
    - a. 99% of the time the children in her court are getting guns through online (ghost guns)
      - 1. Needs to be concentrated effort to attack accessibility to ghost guns.
- h. *What can you tell us about children in youth court who were originally charged as adults?*
- i. Judge Smith
    - a. Even when charged as adults they go to a youth facility, so they are getting minimal services.
  - i. *Do you know how many children who were charged as adults and transferred to youth court wind up in placement?*
    - i. Judge Smith – many, because often they are transferred down as part of a plea that involves secure placement.
  - j. *What impact, if any, have you seen from Noyes closing and detained MoCo youth having to go far away*

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- i. Judge Smith
  - a. Has not been good– the girls are in Western Maryland, two hours from MoCo.
  - b. Was better for MoCo children to be in Rockville, where they could easily access court and families could easily visit them.
- ii. Magistrate Kim
  - a. Has also impacted access to their attorneys, who must travel far to meet with them.
- k. *In general, how often are you seeing youth offenders, for what types of offenses, and what services do you think would have prevented them from returning.*
  - i. Judge Smith
    - a. Large numbers of children they see are repeat offenders – car theft, robberies.
      - 1. Need to get to them earlier – by the time they get to youth court, we all have had lots of opportunities to intervene (in schools, church, etc.). Children who come to court are not well adjusted in their lives – undiagnosed learning disabilities, substance abuse, mental health.
  - ii. Magistrate Kim
    - a. Sees children who do phenomenal jobs in placement and then go back to their communities where everything is the same and they are not able to plug into the traditional school schedule – different schedule than in the facility, not the same oversight, and different structure. Some children have enough in the toolbelt not to reoffend, but this is one category of reoffending where we need to be better with reentry.
    - b. For youth who repeat while on probation, there are problems.
      - 1. DJS has basically declared war on VOP petitions – will not file unless court orders.
      - 2. Juvenile Justice reform laws have stripped consequences that court could give to a youth who was not able the services available in the communities.
- l. *How often do you find yourself think that the educational system failed or might have done more to help the children?*

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i. Judge Smith

a. We understand how overwhelmed the school system is, but from her perspective, there is a lot of passing these kids around once they get into trouble – some Principals are not interested in having these kids returned to the schools, so messages we are giving the kids is that they are being discarded.

1. If they are detained or committed, it is always difficult to get them back into school.

b. When children are not performing in schools, why aren't they performing? Are we doing a deep enough dive into why they are not performing and what needs to be done to help them perform?

ii. Magistrate Kim

a. Says that the Thomas Edison school does a wonderful alternative program with different educational tracks – the problem is that there is only one of these programs.

1. Also, no needs set aside for children in the youth legal system.

m. *If you have any areas in which you think MOCO can improve how they are handling juvenile cases and any barriers to improvement*

i. Judge Smith

a. We need to reach the children earlier – exhausting to hear parents say that they have been trying to get their children help for a long time.

ii. Magistrate Kim

a. Agrees that earlier intervention is necessary.

b. Children are coming to juvenile court earlier and parents are exhausted.

**IV. Meeting Minutes – Vote on draft April 2024 minutes**

a. Draft minutes previously circulated

b. Francha Davis makes motion to adopt and Scott Joftus seconds.

c. Minutes are adopted unanimously.

**V. New Business**

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- a. Coordination with the Criminal Justice Coordinating Council – Francha Davis
  - i. Stefan Lobuglio states they are meeting tomorrow morning – schools will present on issues serving children.
- b. Children’s Center Ad-hoc Committee – Carlotta Woodward and Jordan Satinsky
  - i. Carlotta says meeting next week with Ad Hoc Committee and plan to circulate proposal to the Commission in July
- c. Legislative Committee – Carol Cichowski and Bonnie Beavers.
  - i. Maryland Youth Coalition is having meeting tomorrow night (5/22) to talk from their perspective on the harms they see from enactment of Juvenile Law Reform bill.
    - a. MYC authored the letter that the Commission signed onto opposing the bill.
- d. Nomination Committee –Positions needed; Chair, Vice-Chair, Secretary, Chair or Co-chairs of Legislative committee and Chair or Co-chairs of new committee that is decided during annual work-plan discussion. Please let Diane know if you are interested in being on the executive board. Elections will be held at the beginning of the July meeting.
  - i. Will have nominations slate to present at July meeting.
  - ii. If anyone is interested in being legislative co-chair or Secretary, reach out to Diane and she can share the support provided.
- e. Annual Work-Plan Committee – Work plan will be presented at the July meeting for a vote.
- f. County Executive Marc Elrich presentation of the upcoming fiscal year budget – Francha Davis.
  - i. Francha watched the presentation and wrote notes – she will circulate.
  - ii. The meeting was also recorded.

### VI. Upcoming Meetings

- **June 18, 2024** – June meeting is cancelled. Elections for new executive committee will be at the beginning of July meeting so that executive committee can start, and new chair can chair the meeting.
  - **July 16, 2024** – We will vote on executive committee and vote on the annual work plan. We will discuss how to implement the new work plan and ideas on how to do that.
  - **August** – Commission on Juvenile Justice does not meet in August.
  - **Announcements from Members** – Commission members have any announcements about events or activities?
- **Meeting Adjourned**
    - Meeting adjourned at 8:27 PM

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