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County Executive

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Director DHHS

COMMISSION ON JUVENILE JUSTICE

Tuesday, November 15, 2022

7:00 p.m. - 8:30 p.m.

Virtual Microsoft Teams Meeting

CITIZEN MEMBERS PRESENT: Kimberly Alfriend, Bonnie Beavers, Carol Cichowski, Don Chisholm, Bruce Clark, Eddie Ellis, Gerda Gallop-Goodman, Melissa Goemann, Ijeoma Okoro, Erynn Penn, Michael Pinard, Kevin Redden, Tom Smith, Heather Sweren, Shuaa Tajammul, and Erin Whaley.

AGENCY MEMBERS PRESENT: Joanna Bonner, Amy Daum (Jordan Satinsky), Francha Davis, Frank Duncan, Susan Farag, Steve Miller, Steve Neff, Nathaniel Tipton and Carlotta Woodward

ABSENT MEMBERS: Tracey Friedlander, Joshua Pestaner, Mary Siegfried (Brett Lonker) Jonathan Scriven, Thomas Squire, Ebony Stoutmiles

PRESENT EMERITUS MEMBERS: Carole L. Brown

ABSENT EMERITUS MEMBERS: Chris Fogleman, and Wendy Pulliam.

STAFF LIAISON PRESENT: Diane Lininger

GUESTS: Arnav, Viviana Azar, Elizabeth Emen, Nick Moroney, Jeremy Pope, Dr. Rolando Santiago, Tia Scott, and Miftah Sualih.

SPEAKERS: Delegate Charlotte Crutchfield and Senator Will Smith

- I. **Welcome** – The meeting was officially opened by Kevin Redden, Chair of the Commission on Juvenile Justice (CJJ), who also greeted attendees and outlined its objectives.
- II. **Attendance** – After taking attendance, Diane Lininger asked everyone to mute their microphones unless they were speaking.
- III. **Speakers** – **Delegate Charlotte Crutchfield and Senator Will Smith to speak on upcoming Juvenile Justice Legislation in the Maryland Legislature for 2023.**

A. Questions that were asked by the Legislative committee of the Commission on Juvenile Justice

1. What are your legislative priorities for the next session?

Answer: Delegate Crutchfeld – Jurisdictions being able to executive police reforms and how are the police reforms being rolled out. Senator Smith – agreed with Delegate Crutchfeld and the link to his priorities are <https://willsmithformaryland.com/wp-content/uploads/2022/05/JPR-Historic-Progress-20-22.pdf>

2. What Maryland laws or practices relating to how we police, charge, sentence or treat people in the criminal justice system would you most like to see changed?

3. What was your biggest disappointment during the 2022 session?

Answer: Delegate Crutchfeld – Disappointed that the Maryland Legislature did not go as far as they could with the Juvenile Justice Reform Act. Also wish that they could repeal the Spousal defense – introduced a bill but it did not make it thru the legislature. We also have a long way to go to decriminalize Cannabis.

Senator Smith – Senate is going to slow things down; the House can work at a higher speed. Would like to introduce bill that gives probation instead of deportation to our illegal immigrants. Also, would have liked to repeal the Spousal defense and the Human trafficking bill did not pass.

4. The Democrats in the General Assembly have benefited from having a super majority that enabled them to override all 10 of Governor Hogan's vetoes, including the veto of the Child Interrogation Protection Act. How do you see the election of Wes Moore as Governor affecting the prospects for criminal justice reform in MD?

Answer: Delegate Crutchfeld – There will not be many detailed overrides of bills with Wes Moore as Governor and believes legislation will cross party lines to be passed.

Senator Smith – Wes Moore is a game changer and is looking forward to collaborating with the other Senators in the legislature.

5. What do you think are the primary misconceptions, false narratives, or myths about crime and public safety that have made reform difficult in Maryland and what are you doing as opinion leaders to address them?

Answer: Senator Smith – Pay attention to the trend lines, not headlines. Juvenile Crime is down, and we are a safer nation because of it. Car Jackings is up this year. The Governor’s office of Crime Control Preventions (GOCCP) reports this year says that crime is down from 1980-2020.

Delegate Crutchfeld – I agree with Senator Smith, especially in the Juvenile Justice area. Feels there is a lack of resource for DJS to place kids and needs more oversight for reforms.

6. Questions about felony murder:

a. Delegate Crutchfield, you previously sponsored a bill to eliminate the application of the felony murder doctrine to juveniles. Could you explain why you believe Maryland should make this change? Do you have any plans to introduce or sponsor a felony murder bill in the 2023 session? If so, what are the prospects of favorable action in the Judiciary Committee?

b. Senator Smith, Experts and advocates argue that the felony murder doctrine punishes people for crimes they have not committed. Do you agree that this doctrine is an affront to the principle of proportionality and should be eliminated? What are the barriers to the elimination of this doctrine in Maryland?

7. Questions about automatic charging

a. Del. Crutchfield, in 2022 you sponsored a bill to eliminate the automatic charging of youth as adults in all cases. Do you have plans to introduce this bill again? What do you see as the obstacles to getting this bill enacted this session?

Answer: Del. Crutchfield – will be reintroducing this session but there are many obstacles. 20% of cases in Juvenile court could be waved to adult court.

b. Senator Smith: Do you support the enactment of a clean bill to end automatic charging as youth as adults without carving out any exceptions?

Answer: Senator Smith – I believe it will pass this year. We have more time to work on this.

8. Senator Smith: The bill to provide a safe harbor for child victims of sex trafficking fell through the cracks at the close of the last session. How confident are you that it will pass in 2023?

9. Delegate Crutchfield, we understand that the House may be taking action to authorize an audit of mental health services. Can you give us any more information about this proposed audit, particularly whether it would include a look at issues relating to services available to juveniles in detention or otherwise involved in the juvenile justice system? What concerns do you have about the identification and treatment of young people with mental health problems?

10. Last year the House passed HB 23 which would have bolstered the use of restorative approaches in schools and required the collection of comprehensive, disaggregated, publicly accessible school disciplinary data. Unfortunately, it didn't move in the Senate.

- a. For Del. Crutchfield - do you think the bill will be reintroduced in the House and will you support it?
- b. For Sen. Smith - will you support this bill and help to advance it in the Senate?

11. What changes in policies, practices, or funding at the State or local level do you think have the most potential for preventing the involvement of youth in the juvenile justice system or improving outcomes for youth who are already involved?

12. How do you view the JRA after its one-year anniversary

Senator Smith – posted the below link for his response

https://8684715c-49a2-4082-abff-3d2e65a61f0b.usrfiles.com/ugd/868471_e5999fc44e87471baca9aa9ca10180fb.pdf

IV. Old Business

- a. **Vote to finalize October 2022, Minutes** – A commissioner made a motion to accept the minutes, followed by a second motion; then moved in favor by all commissioners.

V. New Business

- a. Kevin Redden will meet with the Health and Human Services Committee of the County Council to present budget priorities for FY-24. The meeting will be held on October 26.
- b. The November CJJ will feature State legislators discussing upcoming juvenile justice legislation in Maryland -Senator Will Smith has confirmed. Diane will reach out to Delegate David Moon.
- c. Kevin stated that the CJJ has been working with the Maryland Youth Justice Coalition (MYJC), particularly on legislative issues (e.g., the Juvenile Interrogation Protection Act. This year, the MYJC is requiring partner organizations to endorse their mission statement. Kevin ask the CJJ to endorse the mission statement. Diane shared the mission statement on the screen. 29 CJJ votes to endorse. 4 members abstain
- d. Next, committee/subcommittee updates were provided
 - The prevention subcommittee will next meet on November 15 at 5pm. Heather Sweren has agreed to chair the subcommittee.
 - The agencies subcommittee will meet on October 25 at 5pm.
 - The legislative subcommittee will meet after the November CJJ meeting featuring state legislators. The November meeting will allow the subcommittee to have a sense of the legislative issues and priorities.

VI. Announcements - none

VIII. Meeting Adjourned.