



## 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, September 19, 2023**

**Virtual meeting**

**CITIZEN MEMBERS PRESENT:** Kimberly Alfriend, Bonnie Beavers, Carol Cichowski, Don Chisholm, Eddie Ellis, Tracey Friedlander Gerda Gallop-Goodman, Melissa Goemann, Michael Pinard, Erynn Penn, Joshua Pestaner, Jonathan Scriven, Tom Smith, Heather Sweren, Shuaa Tajammul, and Erin Whaley.

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

**ABSENT MEMBERS:** Ijeoma Okoro, Kevin Redden and Ebony Stoutmiles,

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

**ABSENT EMERITUS MEMBERS:** Chris Fogleman, and Wendy Pulliam.

**GUESTS:** Kara Aanenson, Wanda Frink Littleman, Dr. Rolando Santiago, and Vivian Yao

**SPEAKER:** Secretary Vincent Schiraldi, Department of Juvenile Services.

**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. **Attendance** – Make sure to sign in and if you can't sign in because you are on the phone, please send an email to Diane.
- III. **Vincent Schiraldi, Secretary of Maryland Department of Juvenile Services- Questions below:**
  - a. What policies or practices have you observed in Maryland that you think may be counterproductive in reducing the involvement of youth in the juvenile

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justice system and improving long term outcomes? Could you speak about the relationship of exclusionary discipline to the school-to-prison pipeline?

- *The continuum of care for young people in Maryland has deteriorated over the last decade – there were a lot more options for children back then than now.*
  - *6% of individuals entering Maryland prisons committed crime when they were under 18 vs. 3% nationally.*
  - *We should look at alternatives to removing children from school – data shows negative outcomes from suspensions/expulsions.*
- b.** Ideally, under what circumstances should young people be held in or committed to detention centers? What do you see as the appropriate role for detention facilities?
- *Every time we put a child into locked custody, society should worry – there are times when children need to be in locked custody for their safety and ours*
  - *Our job is to create a continuum of care so that judges have alternatives.*
- c.** In what situations is a DJS referral the best option for responding to a young person's behavior?
- *DJS should be used when child welfare and mental health systems are not sufficient to respond to the child – generally speaking, if these two systems can deal with the child, the worse place to put them is in a quasi-correctional system.*
- d.** What does DJS do well in your opinion? In what areas do you see opportunities to do much better?
- *Over the last decade, the number of children referred to DJS, put in placement; and on probation have decreased dramatically.*

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- *Conditions in facilities have improved over past couple of decades (he referenced is time as an advocate in Maryland prior to 2005)*
  - *Opportunities to do better.*
  - *Creating a more robust continuum of care is a huge opportunity.*
  - *Need more non-residential programs.*
  - *Need smaller residential programs sprinkled throughout the state, rather than in secure facilities in remote locations far from families.*
- e. What can be done to reduce the racial disparities in juvenile justice involvement? To what do you attribute them?
- *We have terrible racial disparities in the juvenile system and children who are charged as adults – opposite racial disparities in who is placed on probation.*
  - *We have lots of implicit bias, which helps explain the disparities.*
  - *Steps to take to reduce disparities.*
  - *Use of risk assessments/standardized assessment procedures takes some implicit biases out of it, even though these assessments have some biases baked in*
  - *Work with communities of color to create culturally relevant services, supports, and opportunities for children in their home communities driven by individuals from those communities – other jurisdictions throughout the country have taken this step and have reduced disparities.*
- f. Youth with disabilities, especially those with emotional disturbance and learning disabilities, are disproportionately represented in the juvenile justice system. How well do you think we are addressing the needs of this population in Maryland's system? What would you like to see DJS do to

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better meet the needs of these young people and improve their long-term outcomes?

- *Need to partner with Health and Human Services and Child Welfare Systems to utilize least restrictive approaches to serving children.*
- g.** We are interested in keeping youth out of the juvenile justice system. What kinds of services and policies have the most potential for limiting justice-involvement and helping young people be successful? Do you have any advice or Montgomery County Public Schools or local officials on what we should be doing more of or differently to prevent justice involvement?
- *Not a lot of action at County level to learn from each other re: juvenile justice issues – too much centralized power.*
  - *Thoughts on county level initiatives that would be great.*
  - *Diversion – keep lighter weight children out of the system.*
  - *School level responses*
  - *Restorative practices – can help address needs and better prevent violence from spilling outside of school.*
- h.** Have you seen any evidence suggesting that children are being arrested or referred to DJS who could have been better served outside the system and without contact with DJS?
- *Some counties in Maryland have essentially no diversion at all at the police level – so all those matters go to DJS.*
- i.** What are the consequences for children in terms of their education, health, and prospects for rehabilitation of being detained, sometimes for months, awaiting a court determination as to whether they will be tried as an adult or returned to juvenile court?
- *Maryland automatically tries more children in adult system than most other states.*
  - *We are 1 of only 4 states where 6% of prison population committed their crimes as children (national average is 3%)*

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- *These cases take months to adjudicate, and most of these cases are dismissed or resolved in juvenile system or get time served in adult system. Also, if go back to juvenile system they do not time credit for the pretrial detention in the adult system*
- j. Opponents of the bill to end automatic charging say that DJS does not have the wherewithal to serve children who are currently charged as adults. Do you agree?
- *No, DJS does better than the adult system, although DJS is not perfect – prosecutors hear about cases that don't go well, but not the cases that go well.*
  - *Recidivism rates are better in the DJS system than adult system; probation outcomes are better, etc.*
- k. What benefits would ending automatic charging of youth as adults have for children, families, and the community?
- *Even if ended automatic charging, the same percentage of children would probably be charged as adults (13%) – a benefit is that they will not automatically begin in adult jail – judges, not the General Assembly, should make these decisions whether children should be so charged.*
- l. What is your vision of juvenile justice?
- *To utilize the juvenile system only as a last-resort and to provide a system that we would want for our children if they were in this circumstance.*
- m. Through your work on juvenile justice issues over the decades, what is one innovation or practice that you have seen implemented in another jurisdiction that was particularly successful? Do you think such an innovation or practice can be replicated in Maryland?
- *Wrote legislation in NY – Close to Home Act (2012)—that gradually returned children to NYC from state custody –*

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*NY does not send children to state custody anymore and savings were used to create local homes in communities with robust continuum of care. Eleven non-profits opened small homes for children in NYC – in communities, close to their families-- some locked/some unlocked (ranged from 6 to 20 children). Strong continuum of care drew respect from judges.*

- *Today, the biggest facility in NYC holds 10 children – reduced children in custody immediately.*
- *Recidivism dropped dramatically and educational attainment increased dramatically.*

n. What have you focused on in Maryland since you assumed your position earlier this year? What holds promise for juvenile justice in Maryland? What do you see as your most significant obstacle(s) to realizing your vision in Maryland?

- *Number of children who have been shot in Maryland is heartbreaking – 30 have been shot over the last 7 months – looking at gun violence prevention programs nationally.*
- *Did not anticipate the need to focus as deeply on children involved in gun violence.*
- *“Thrive Academy” – rolling out in Baltimore this month, followed by Prince George’s, and will then roll out statewide.*

o. *Additional Questions*

- *Raise the Age Issue*
- 1. *Can provide services to children under 13 and, more formally, open CINS proceedings (even if cannot be prosecuted)*
  - *The number of CINS referrals increased dramatically over the past year – the recidivism rate is much better than if prosecuted.*
  - *Cheltenham and possible expansion*

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- *DJS has pressed pause on expansion, because do not need additional correctional facilities – will do a new master plan on where facilities should be. My vision is to use far-flung facilities less and to use facilities closer to communities more.*

### IV. **Upcoming Meetings and Other New Business**

- October 17, 2023** - in-person meeting at 401 Hungerford Drive, 1<sup>st</sup> floor conference room, Rockville, MD. Speakers will be Carlotta Woodward, Chief, Juvenile Court Division, Montgomery County State's Attorney's Office, Brett Lonker, Supervisor, Juvenile Division, Office of the Public Defender, Montgomery County and Frank Duncan, Assistant Regional Director, Metro Region, Department of Juvenile Services.
- November 21, 2023** – Virtual meeting with a legislator from Maryland to discuss upcoming Juvenile Justice legislation. Diane has invited Senator Will Smith and Delegate Charlotte Crutchfield
- Annual Report** – Hoping to be able to vote on the Annual report at the October meeting. Awaiting articles from contacted members.
- Announcements from Members – Commission members have any announcements about events or activities? None were reported.**
- July 2023 minutes are adopted.**
- Last night – Ad-Hoc Juvenile Justice Center Committee meeting. Carlotta reported – this was the second ad hoc meeting – the idea is for a one-stop family resource center to provide services to children and their families that would hopefully prevent them from touching the system. Carlotta and Jordan are co-chairing the committee. The goal is to work out the details and ultimately bring a proposal to the JJC and then present it to the County Council.

### V. **Meeting Adjourned at 8:02**

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