



## MEETING MINUTES

Criminal Justice Coordinating Commission

Wednesday, July 24, 2024

7:30am – 9:00am

***In Person Location:*** *Executive Office Building*

*(101 Monroe Street, Rockville, MD 20850)*

*Auditorium (Located on the Lobby Level of the Building)*

&

***Virtual:*** [Microsoft Teams Meeting](#)

*Or call in (audio only):* [+1 443-692-5768](tel:+14436925768), [561737888#](tel:+14436925768)

*Phone conference ID:* 561 737 888#

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**Members Present:** Kurt van der Walde (Chair), Dawn Luedtke (Vice Chair), Maxwell Uy, James Bonifant, Jeff Waldstreicher, John McCarthy, Ben Stevenson, Eric Schneider, Stefan LoBuglio, Kathryn Pontzer, Richard Madaleno, Corey Smedley, Monica Martin, Darren Francke (MCPD Rep) *Lindsay Bolt (Minute Taker)*  
(Online)- Florence Jewell, Debra Grandy, Dira Treadvance, Sherri Koch, John Nesky, Sean Mukherjee

**Members Absent:** Carole Brown, Gail Roper, Mark Sroka, Antonio DeVaul, Victor Brito, Marielsa Bernard, Rochelle Perry, Karen Bushell, Darryl McSwain, Jeff Morris (DJS Rep), *Earl Stoddard (Staff)*

**Guests:** Sarah Wolf, Arnecia Moody, Ivan Downing, Susan Farag, Keena Jones, James Johnson, Robert Lehman, Christopher Feldenzer, Tammy Bulla, S.A Flynn, Francha Davis, Lisa Mandel-Trupp, Frantz Pinthiere, Shanquetta Anderson, Kristy Love

### 1. General Business

Kurt van der Walde, CJCC Chair

#### Summary

- Review of 5/22/2024 Minutes for approval
- Welcomed the new members of the CJCC
  - Sean Mukherjee – Montgomery County Public Defender
  - Chief Corey Smedley – Montgomery County Fire and Rescue Services
  - Monica Martin – Acting Chief, Behavioral Health and Crisis Services

**Action:**

- Board votes (19 Yes, 0 No) to approve the 5/22/2024 Minutes (Dawn Luedtke/ 2<sup>nd</sup> John McCarthy)

2. Standing Agency Updates

- Circuit Court (Judge Bonifant)
  - Very pleased with the success of the Sequential Intercept Model (SIM) meeting held the last week of May 2024; facilitators are currently working on a report with take aways from the event
    - Reminder: The goal of the meeting was to identify existing resources, gaps, and opportunities for helping adults with behavioral health and substance use needs (who are involved or at risk in the criminal justice system)
      - Judge Bonifant identified two concerns:
        - Judge Bonifant is currently finding many folks are NOT Competent to stand trial!
          - Judge Bonifant has asked MDH to have a representative at his hearings to understand why folks have not been transported
        - Judge Bonifant is currently finding that Pre-Sentence Investigations (a responsibility of MDH) are way behind. He is aware of at least 1 case where the psycho/sexual evaluations took over 1 year to be done
          - Judge Bonifant has spoken with MDH about this and they note that there is only 11 staff members in which are accredited to do this type of eval and of the 11, only 5 are accredited to do sexual evals!
      - Both concerns above are putting pressure on the jail!
    - Circuit Court Stats:
      - Pending criminal cases have risen (995 as of May 22, 2024 to 1,047 cases currently)
      - The number of custody cases has gone down but Special Juvenile Immigration cases is up significantly -currently sitting at 1,647 cases
- District Court (Judge Koch)
  - DUI Cases are up to date! This is a huge success and credit to the work and dedication of State's Attorney and Public Defenders office
  - DUI Court is off to a fantastic start – we currently have 28 in the program (when we originally proposed the plan, 25 was our goal by Aug 2024)
    - In the process of hiring the Coordinator Role – should be hired within the next few weeks
    - Currently have 2 case managers (1 is Spanish speaking)

- Roughly 50% of our participants are Spanish speaking!
- Best practice for participants is to enter the program within 50 days of the DUI; With our DUI Cases currently being up-to-date, we are currently getting folks into the program within 90 days of their DUI
- MCPD (Assistant Chief Darren Francke)
  - Crime Stats are down except Auto Thefts
  - MCPD is hosting a 2<sup>nd</sup> event with Hyundai to offer owners software updates and other anti-theft tools to combat the Thefts of these vehicles
    - Aug 2-4<sup>th</sup> - Paint Branch High School
  - Drone as First Responder is expanding to Bethesda, Germantown/Gaithersburg
    - Good article about the program from Dan Morris, Washington Post: <https://www.washingtonpost.com/dc-md-va/2024/07/21/drone-first-responder-program-expansion-montgomery-county/>
    - Check out Conduit Street Podcast – June 21, 2024 Season 1 episode 288: <https://www.buzzsprout.com/124988/15232204>
  - MCPD has their own Podcast, “Voices of Service-Montgomery County Department of Police”:  
<https://open.spotify.com/show/2Xw7J5p6QLHUo8WiTXfQL9?si=0776c5b3caf64c2e>
    - Check out the 2/2/2024 Voices of Service Podcast which discussed the Drone as First Responder program  
<https://open.spotify.com/episode/6aDP7cWIweRyxTHvkzcx18?si=4b479e4f28f34628>
- State’s Attorney (John McCarthy)
  - State’s Attorney’s Offices around the Country are having challenges with Retention
    - Main challenges seem to be focused around Salary, Stress and Work-life balance
- General Comments from the Group
  - Public Defender’s Office and State’s Attorney’s Office are down 3 attorneys each
  - Ben Stevenson confirms he has 48 inmates awaiting Transport to State Mental beds
  - John McCarthy (State’s Attorney) noted Clippinger (Chair, Judiciary Committee) called him about Montgomery County being 50% of the State’s Mental Bed waitlist and asking why we think that is

- Ben noted that he and Earl along with others in DHHS have monthly meetings with the State regarding the Waitlist and how we can potentially divert some of these cases but it is not easy
- A question was raised whether the State would consider hiring Consultants to do the psycho/sexual evals to get the Pre-Sentencing Investigations back on track
- Judge Bonifant asserted that he (and only he) is the one in the Courts determining Competency to Stand Trial
- Ben confirmed that currently (due to legislation) DOCR is unable to medicate inmates deemed incompetent by the courts but that by adjusting legislation, this may be a way to lessen the burden on mental beds if folks received the medication they may need to make them competent
- The City of Rockville will host a Gun BuyBack event on August 17, 2024 (9am-1pm) at RedGate Park:  
<https://www.rockvillemd.gov/2434/Gun-Buyback-Event>
- [Silver Spring, MD ranked Best Place to Live for Families](#) by Forbes Magazine
- National Night Out is scheduled for Tuesday, August 6, 2024 in communities all around Montgomery County.

3. Briefing: Legislative Review of Juvenile Justice Bills

Senator Jeff Waldstreicher,  
District 18, Montgomery County

- Sen Waldstreicher provided a general overview of this past year's session being focused on data and level setting expectations vs Trend chasing
- The Juvenile Justice Reform Act Passed ([HB0814/SB652](#))
  - The Juvenile System is broken and we need to hold the system accountable
  - Expanded DJS jurisdiction with regard to cases involving 4<sup>th</sup> degree Rape, Possession of a Firearm and Animal Abuse. Automatic CINA petition of Auto Thefts.
  - 80% of children who complete services do not recidivate
- [HB0947](#) passed - which holds the Gun Industry accountable for their role in fueling epidemic from gun violence, allowing the Attorney General or local state's attorneys to sue firearm manufactures and gun dealers (Gun Industry was able to previously hide behind a federal law, "Protection of lawful commerce in arms act")
- Large change to DUI – All DUI offenders (whether you are a 1<sup>st</sup> time offender or repeat offender) require an Ignition Interlock Device to be installed
  - Interlock systems have gotten smaller (less social stigma)
- Comments from the CJCC members
  - CM Luedtke asked about whether this next year's session would focus on Organized Retail Theft
    - Waldstreicher reports that the House and Senate Bills regarding this topic were different; [SB0100](#) & [HB0948](#)

- Several committee members noted personal stories regarding Organized Retail Theft they have experienced and asked what the local government can do
  - MCPD noted it is difficult to get data for neighboring jurisdictions (example if requesting data from an ankle monitor)
  - There is a myth out there with youth, that they will not be prosecuted for theft under \$500; State's Attorney confirms they will prosecute!
  - The CAO noted a recent meeting on Regional Resiliency: Meeting our Public Safety Challenges Together which included members in the Business Community as well as local government members and others.

4. Subcommittee Reports

Kurt van der Walde, CJCC Chair

- Legislative Subcommittee (Lead: Sheriff Uy)
  - Subcommittee is focused on identifying/tracking and reviewing legislation relevant to CJCC
  - The next legislative session starts in Early August
- Juvenile Justice Trends Subcommittee (Lead: Stefan LoBuglio)
  - The subcommittee hosted a Juvenile Justice Data Summit on 7/10 (7:30-9am)

*See notes from this 7/10 subcommittee mtg, enclosed proceeding the Minutes*

5. Wrap-Up and Adjourn

Kurt van de Walde, CJCC Chair

**Next Full Commission Meeting: Wednesday, September 25, 2024 (7:30am-9am)**  
***In Person Location: Executive Office Building (101 Monroe Street, Rockville, MD) Auditorium & Virtual via Microsoft Teams link***

# CJCC Juvenile Justice Subcommittee Data Summit (7/10/24)

## Summary Notes

### Consensus Follow-up Actions:

1. Assigning a MoCo DHHS liaison to attend juvenile court hearings and assist in coordinating support and services particularly in substance use disorder treatment, and even more specifically for youth addicted to fentanyl
2. Developing a permanent and staffed multi-disciplinary team involving MD DJS, the courts, state attorney, DHHS, and MCPS (among others) to carefully share youth referral and case data (MD DJS has such a model program in another county which it can share)
3. Coordinating MD DJS and MoCo DHHS service contracts to behavioral health providers accessed by youth and their families to strengthen the quality, availability, and accountability of services
4. Eliminating lag time in engagement of services through expanding providers and instituting accountability systems (see paradox mentioned below between reported capacity yet reported long wait times for treatment)
5. Placing service provider intake offices in the courts as a one-stop treatment center
6. Measuring program effectiveness and recidivism for youth participating in behavioral health programs
7. Collaborating between MD DJS and MCPS directly in appropriate information exchange to allow MCPS's considerable services -- clinical social workers, wellness centers, well-being programs -- to benefit MD DJS youth under supervision and referral
8. Leveraging MCPS liaison in the courtroom to assist MCPS efforts to support students in need of further services due to their involvement in the JJ system
9. Exploring US DOJ Office of Juvenile Justice and Delinquency Prevention funding and opioid settlement funding to bolster behavior health programs as in being done in DC and other counties in the US.

## Code Red Urgent Issues

1. Juvenile crimes of violence and possession of firearms is increasing in MoCo and remains at high levels
  - Figure 5 on the DJS data report shows robberies increasing from 12 to over 50 between FY23Q1 and FY24Q4. Assaults and burglaries also increased but not as much (carjackings decreased from 8 to 5)
  - State attorney reminded us that youth tried as adults and who may be held in DJS Detention facilities and MoCo Department of Corrections may be missing in some of the DJS data collection (need to follow-up with DJS: these youth are charged with the most serious offenses).
  - MoCo local correctional population is at a record high -- over 1,000 -- at a time when many jails across the country are experiencing population reductions. The MoCo DOCR has seen the under 22 yoa population increase from the 120s to over 180 recently (170 today). The average age of those under 22 yoa is 19 yoa. Also DOCR detains individuals under 18 yoa (7 today but has been as high as 18 as recently as May). These are the most serious cases where state law prevents MoCo DOCR from transferring these under 18 yoa to MD DJS because they represent too high a risk to others in youth detention. Both the populations under 22 yoa and under 18 yoa are among the most difficult populations to manage due to their propensity to fight and attack each other and staff.
  - MoCo public safety agencies are concerned that MD DJS too sparingly detains youth involved in serious and violent offenses albeit it shares the general intent to reduce the detention of youth to a minimum (defining the minimum is the issue and the MoCo public agencies belief in the increased use of "preventive detention")
  
2. Judges have little assurance and information about youth are enrolling in services ordered by the court and the quality and effectiveness of these services
  - Court described feeling in a "lonely bubble" and not knowing when and whether youth will actually engage in services. An example was given of a youth who was on probation for 7 months but had not been in treatment for the 1st half of their probationary term

- Court described concerns that some juveniles will present as "high" and affected by drugs while in court, and the court's powerlessness of not being able to ensure that the youth is immediately treated and does not overdose after leaving the courtroom
3. The rise and widespread use of fentanyl by youth is particularly devastating as it comes at a time of a significant retrenchment of substance use disorder treatment providers
- One of the mainstay SUD providers -- Journeys -- at the Maryland Treatment Center only recently in May reverted to in-person SUD treatment from the online treatment that it had adopted during COVID
  - Recent legislation decriminalizing cannabis legislation may have negatively affected the profitability and business model of SUD treatment providers
  - Some speculate that COVID profoundly expanded the options for MH professionals to work virtually and this has also exacerbated the ability to staff in-person treatment programs
  - Caveat to the above points: there seems a paradox in that some providers indicate that they have capacity but no referrals; while case managers at the same time report the inability to find beds and treatment slots.
  - [Good news shared that the county has engaged with Mountain Manor to contract for in-patient treatment beds for youth in MoCo.]



## Code Orange Important Issues

1. MCPS has considerable treatment and support services that could be used to support youth in the JJ system but often is unaware of which students need these services
  - By law, MCPS is notified of the more serious "reportable" offenses but not less serious "non-reportable" offenses to protect the privacy of the youth and their families
  - Schools are often disadvantaged in not knowing about students involved in these non-reportable offenses as MCSP has considerable wellness centers and clinical services that could provide support and assistance
  - Schools are also disadvantaged in that the information about arrests in non-reportable cases is often know by the student and parent populations, but not the school, and this asymmetry in information knowledge can lead to disruptions in school operations
  - MCPS has a liaison in the court to assist the judges in matters related to schooling.
  - Drug use in schools has markedly increased since the legalization of cannabis in Maryland and the school's authority to enforce drug free schools has been diminished.
  
2. DHHS does not currently receive notice of MD DJS referrals and is reviewing how such knowledge can benefit individuals and their families while safeguarding issues of privacy and stigma
  - DHHS serves all youth and families and must weigh how knowing about a criminal offense can benefit their ability to provide services to youth and their families
  - DHHS is a major contractor of behavioral health services and also has its own team of clinical and non-clinical treatment staff
  - DHHS and DOCR work closely on behavioral health issues for those in custody with DHHS having treatment teams onsite in the two jails.

3. Juvenile justice data -- both at the individual case level and aggregate level -- but must be interpreted carefully due to data issues related to COVID, legislation and policy changes, and omissions
  - Juvenile justice data collection was profoundly affected by COVID and its effect on courts, county and state agencies. Figure 1 of the DJS data attachment shows the familiar "V" curve that depicts a dramatic drop in cases in 2020 and 2021 and then a ticking-up since then. While juvenile complaints have increased since 2021, they are still well below levels prior to the pandemic
  - MD JJ legislation to restrict the charging of youth under 13 yoa has reduced the number of referrals but not the underlying criminal activity and, in doing so, depresses the reported number of JJ cases
  - Youth charged as adults held in detention facilities and at MoCo corrections may not be included in some of the JJ statistics
  - DC CJCC colleagues reminded us of the importance of data but also not to get lost in it.

## Code Green: Working well

1. MD DJS, Courts, MCPD, MCPS, and MoCo County agencies are collaborative and committed to rehabilitative and restorative approach to youth involved in the juvenile justice system
2. MoCo is a county with an abundance of qualified community providers
3. MD DJS is a data focused agency and can engage productively with MCPD and the State Attorney's data systems to address discrepancies in data collection and reporting
4. MoCo Criminal Justice Coordination Commission and the MoCo Commission on Juvenile Justice remain committed to strengthening services and success for youth involved in the juvenile justice system while also recognizing the need for accountability and the need to reduce victimization.

