



OFFICES OF THE COUNTY EXECUTIVE

Douglas M. Duncan
County Executive

Bruce Romer
Chief Administrative Officer

December 6, 2005

The Honorable Robert L. Ehrlich, Jr., Governor
State House
100 State Circle
Annapolis, Maryland 21401

Dear Governor Ehrlich:

On behalf of the Montgomery County Criminal Justice Coordinating Commission (MC-CJCC), I am writing to request that you substantially increase support for the care and custody of juveniles in the justice system as a part of your FY 2007 budget. The MC-CJCC fully supports your goal as stated in your Department of Juvenile Services (DJS) Reform Highlights that the agency should be transformed from "one that just detains young offenders to one that effectively addresses their personal problems and concerns, including mental health and substance abuse." We believe that this requires financial investment as well as management reform and that financial investment now will reduce long-term costs, an important component of your first pillar of Budget and Fiscal Solvency.

While we believe that all children in Maryland deserve an improved system, this letter focuses on our specific concerns regarding facilities and services for Montgomery County children and all children detained at the Noyes Children's Center (detention facility). We urge you to review the findings in the March 10, 2005 Report of the Independent Juvenile Justice Monitor and consider finding ways to swiftly address the following problem areas.

- (1) Improve the quality of DJS staff overall, and particularly at the juvenile detention facility, by raising salary levels, increasing qualifications, and investing in training.**

The Montgomery County Office of DJS continues to experience exceptionally high vacancy and turnover rates. For example, with regard to probation case managers, last year more than half had less than 4 years of experience. Because the State does not provide locality pay, DJS employees in Montgomery County have very low salaries when compared to salaries in surrounding areas. Recruiting and retaining effective and experienced staff at all levels: probation officers, facility, and supervisory, remains problematic. Most of the very serious incidents of abuse cited in the Independent Monitor's Report resulted from inadequate and unqualified staffing at Noyes. While DJS and the Department of Budget and Management did



Criminal Justice Coordinating Commission

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complete a study of direct care positions and salaries for certain positions have been increased, we disagree with the statement in the Reform Highlights that salaries for these positions are "now competitive," especially for those who live in counties that have higher than average cost of living.

(2) Adequately fund the staff and services that are needed to keep our Juvenile Courts operating efficiently.

The Juvenile Division of Montgomery County's Circuit Court is stressed by the growing number of hearings for both delinquency cases and for Child in Need of Assistance (CINA) cases. We are thankful that a fourth judicial position has been approved, but the Court will still not run efficiently if the supporting services are not in place. Montgomery County must address the additional staff needed by the Sheriff and State's Attorney, but the State must also address the need for additional staff in the Public Defender's Office and the contract for CINA legal services. In addition, the current DJS transport services deliver children to court several hours late on most days. While the children are housed 10 minutes from the courthouse, the transport unit comes from Baltimore. There must be a more efficient model and we urge you to give flexibility to the Department to address this at a regional level.

(3) Stop the warehousing of juveniles pending placement by truly implementing a philosophy of the least restrictive environment, increasing probation services and community-based resources, and, only when appropriate, placing youth in residential treatment programs.

Recent data from an Annie E. Casey Foundation study shows that juveniles in the Maryland system spend between 6 and 205 days awaiting placement with an average of 48 days detained between disposition and placement - the average number of days for Montgomery County juveniles in FY 2005 was 35. The DJS measuring performance data indicates that in FY 2003, the average length pending placement was 40 days (statewide) and estimates that in FY 2005 it was 38 days. The Casey study further finds that the majority of these youth were confined for non-criminal offenses - probation violations - while waiting months in detention for inappropriate residential placements. On the other hand, those juveniles who really are in need of residential treatment services are frequently returned to the detention facility prior to completing their treatment program because the State runs out of funding at the end of the fiscal year. This is a disruptive, costly and unacceptable policy that could be corrected with a more informed case planning and placement management model.

(4) Provide for adequate residential treatment programs in Maryland or the nearby region so that the planned closing of the Charles H. Hickey School will not result in either overcrowding at Noyes or the placement of juveniles far from the community.

While we recognize the need to address the deplorable conditions that exist at the Hickey School, there is concern that without additional resources for an array of new treatment programs - both in the community and residential - the closing will result in overcrowding the detention

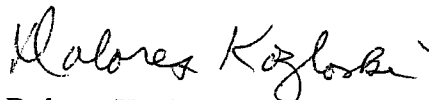
centers. The alternative of sending Montgomery County and other Maryland juveniles to out-of-state facilities is equally unacceptable because the research is clear about the importance of juveniles maintaining close contact with their families in order to reduce recidivism.

(5) Do not wait until 2012 to complete the full transfer of responsibility for school programs to the Maryland State Department of Education.

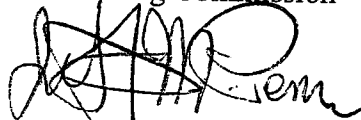
We applaud your effort to transfer the responsibilities for education programs from DJS to the State's Department of Education. We understand that the improvements at Hickey are easily seen by those visiting and that the time children are spending with their studies has been greatly increased and enhanced. While you have until 2012 to complete this transition, we ask that your DJS Master Plan call for a full transfer as soon as possible.

Thank you for your attention to these matters. We welcome an opportunity to discuss these issues with you or your representative and invite you to attend the March 23, 2006 meeting of the Criminal Justice Coordinating Commission. Please contact Joe Beach, Assistant Chief Administrative Officer, at 240-777-2539 to let us know if you or your representative are able to attend.

Sincerely,



Dolores Kozloski, Chair
Montgomery County Criminal Justice
Coordinating Commission



Jeffrey M. Penn, Chair
Montgomery County Commission on
Juvenile Justice

cc: Douglas M. Duncan, Montgomery County Executive
George Leventhal, President, Montgomery County Council
Delegate Charles Barkley, Chair, MC House Delegation
Senator Ida Ruben, Chair, MC Senate Delegation
Senator Brian E. Frosh, District 16
Delegate Kathleen Dumais, District 15
Kenneth C. Montague, Jr., Secretary, DJS
Delmas Wood, Assistant Secretary, DJS
Dennis Nial, MC Office, DJS
Melanie Wenger, MC Office of Intergovernmental Relations