

Justice Reinvestment Advisory Board



Subject: February 2018 Meeting Minutes

Date: February 20, 2018

2:00-3:00 p.m.

Board members: Alicia Leibowitz, June White Dillard, Bill Gaertner, Toni Holness, Nicholas Katz, Crista Taylor, Anthony Washington, David Vosvick, Caryn York

Absent: *Nicholas Katz, Toni Holness, David Vosvick*

The Governor's Office of Crime Control & Prevention (GOCCP): Angelina Guarino, Janet Lane

I. Welcome

The meeting was called to order at 2:10 p.m. by Senior Director, Angelina Guarino and introductions of the Board members were made. The Board reviewed minutes from their June meeting, the first legislative report on the JRA Boards, and the performance measures presentation.

II. Implementation Updates

GOCCP provided the Board with key updates from the JRA implementation process, including the Department of Public Safety & Correctional Service's (DPSCS) risk and needs assessments and graduated sanctions. Members were also informed that the Judiciary has held train the trainer sessions and each judge has been provided with bench cards to facilitate sentencing. The Board was updated on the Local Government Commission's current inventory of programs being provided to inmates at local detention centers.

With regards to the new JRA paroles, approximately 400 inmates were eligible to apply for sentence modification. Expansions of geriatric and medical paroles are in place, though few inmates have qualified for these paroles thus far. With regard to medical release, the physical condition of the inmate would need to have been diagnosed by medical staff with a critical or terminal diagnosis. DPSCS has contracted to provide a

second medical opinion to inmates who request it, at no charge to the inmate. The recommendation was made to focus on connecting geriatric parolees with services prior to release.

The JRA requires that all offenders receiving HG 8-507 orders are placed in treatment beds within twenty-one days. An update was provided on the Maryland Department of Health's (MDH) streamlining of the placement process for inmates and those charged with an offense who have requested and received HG 8-505 assessments and subsequent HG 8-507 orders. Treatment bed capacity has expanded through increasing numbers of certified fee for service providers. The MDH is now averaging seventeen days for placement unless detainer warrants prevent an inmate from being removed from custody.

The group was updated on the work of victim notification and restitution workgroups. The notification workgroup was charged with developing a process to inform victims of their rights to request a hearing prior to administrative release of the defendant in their case. A similar process would need to be in place for future expungement hearings. The restitution workgroup addressed the process of restitution collection from wage earning inmates on work release.

In an effort to educate the public, JRA Directors are designing one page fact sheets for target populations. Members were invited to be involved in the process of drafting these sheets ensuring that questions they've received in the community are answered.

GOCCP provided a presentation on the overall prison population decline which will affect projections and might complicate the process of distinguishing JRA cost savings. Although the JRA does not address pretrial reform, data outcomes are being tracked on the number of individuals in pretrial status. The statewide local pretrial population has slightly decreased since JRA's effective date, and the average monthly census is currently 6,284. One hundred and twenty-six data measures will eventually guide the evaluation process, but currently only aggregate data has been collected. A research request to obtain specific data measures has been sent to DPSCS. Part of the overall evaluation is the accuracy of the bill's implementation. The Board recommended utilizing a sequential intercept model in that process.

III. Feedback from Board Members

Some areas of concern:

- **Victim restitution and collection:** Historically, the Division of Parole & Probation has collected restitution. Discussion ensued about the possible use of a private contractor to collect and disburse restitution. Members were updated on

current House Bill 247 that has been re-introduced in the 2018 Legislature regarding the establishment of a Victim Services Unit to conduct a review and oversee collection and disbursement of restitution as well as maintain current and accurate contact information.

- **Parole and probation changes:** Issues raised were the need for more staff to perform the assessments and discussion of whether judges were closing cases in lieu of insisting on the probationer's compliance with conditions of probation.
- **Expungements:** There were concerns that expungements could be delayed if there is no smooth process of victim notification.
- **Reinvestment:** There was discussion regarding a forum for suggested changes and how to respond to those seeking JRA savings funding to provide solutions. The GOCCP response is that JRA related savings will not be derived until FY 2020, as they are based on the difference between the prison population between October 1, 2017 and October 1, 2018.

IV. Future Steps

The Board was questioned regarding any conflicts of interest and meeting frequency to effectively provide guidance to the Oversight Board. The majority of members favored meeting quarterly, before the Oversight Board, so that current topics in the forefront of concern could be brought before the Oversight Board.

V. Good of the Order & Adjournment

The meeting was adjourned at 3:12 p.m.