



Local Government Justice Reinvestment Commission



Meeting Minutes

August 30, 2017

The Local Government Justice Reinvestment Commission meeting was held on Wednesday, August 30, 2017 at the Joint Committee Hearing room in Annapolis. This meeting was attended by the following Commission members: Lt. Dan Lasher, Director of Allegany County Detention Center; Mr. Emerson C. Davis, Law Enforcement Officer (Retired); Ganesha Martin, Baltimore City Police Department; Lt. Timothy Fridman, Calvert Co. Sheriff's Office; Ms. Ruth Colbourne, Warden; Sheriff Jim DeWees; Matthew Barrett, Esquire, Cecil County Circuit Court Administrator; Officer James E. Proctor, Capitol Police; Assistant Director Randy Martin, Frederick Co. Sheriff's Office; Lisa Thayer Welch, Esquire, State's Attorney for Garrett County; Mr. Joseph V. Ryan, Harford County Office of Drug Control Policy; Mr. Jack Kavanagh, Commissioner of Corrections; Mr. Herbert Dennis, Warden; Director Robert Green, Director, Department of Correction and Rehabilitation - Chair; Ms. Mary Lou McDonough, Director of Department of Corrections; Mr. LaMonte Cooke, Warden; Sheriff Ronnie Howard; Councilman Corey Pack, Council Vice-President; Jordan Lyszczek, Esquire, Private Attorney; Lt. Richard Wiersberg, Sheriff's Office; Beau Oglesby, Esquire, State's Attorney

Those not present: Councilman Don B. Satterfield, Thomas Fitzgerald, and Lt. Peter F. Wild

I. Welcome

The meeting was called to order at 1:10 p.m. by Chair Rob Green. He opened by discussing the bipartisan report that the JRI bill received, and the history of the bill as well as the level of cooperation and collaboration between the agencies. The intention of the act is to strike a balance between protecting public as well as cost savings. He stated that we want to improve results for prisoners by providing treatment through this comprehensive act.

II. Presentation of Overview of Justice Reinvestment

Don Hogan and Janet Lane presented on the history of the Justice Reinvestment Act, starting with the history of the crack cocaine epidemic which then lead to a surge in the prison population. Don also talked about Maryland being the 31st state to implement JRI, with Texas being the first. The idea is to save money and then reinvest those savings.

Janet Lane then talked about JRI not being a "get out of jail free card". The bill looks to increase penalties for those who are most violent. The goal is to derive savings from recidivism prevention programs, and use those savings to invest into programs that will educate and give former inmates skills to be better to society. The coordinating council published a report on the



Local Government Justice Reinvestment Commission



length of sentences being longer for nonviolent crimes, and that can be found on the GOCCP website. JRI seeks to address the technical violators, such as failing to report or a positive drug test.

Don Hogan then discussed the 19 recommendations from the JRCC report, resulting in the JRI. JRI increases sentences in murder, death in child abuse, and reduces sentences for possession of drugs and theft. The bill emphasizes treatment, strengthens community supervision, and focuses on rehabilitation, restorative justice, re-entry, diversion and deflection. Victim's rights are also an essential element of the bill as well by enhancing restitution provisions and hearing the voices of the victims.

There are three boards established by the Justice Reinvestment Act giving various perspectives: Justice Reinvestment Oversight Board, Advisory Board to the Justice Reinvestment Oversight Board, and the Local Government Justice Reinvestment Commission. The Local Commission is designated to consult and coordinate with the Oversight Board and advise on legislation & regulations, and create performance measures. The Local commission is also tasked with providing grant recommendations from savings.

Continuing the presentation, Janet discusses the local detention gaps and needs survey, the findings of the survey, and the local detention budgetary impact of JRA; all required under JRA.

Janet provides history on HG 8-505 (assessment) and 8-507 (order for treatment). Working closely with MDH, Janet noted that more providers are being certified for additional placements. Also noting that Governor Hogan has provided increased funding to assure that more placement slots are available.

Janet briefly touched on and pre-empted the conversation on performance measures, listing the agencies that will have required data measures for submission. Following with the progress on the restitution portion of the JRA. A restitution workgroup has been formed to ensure that all appropriate agencies and entities are collaborating and working together to reform the restitution collection process.

Through the JRA, a performance incentive grant fund will be established with the savings from a reduction in prison population.

All referenced reports are listed on the Governor's Office of Crime Control & Prevention's website.

James Proctor then asked about the assessment an inmate may get when they ask about substance treatment and if we are looking at the community they will go back into. This prompted a response from Janet regarding the HG 8-505 and 8-507 court ordered treatment. Another questions was regarding aftercare. Any facility taking a substance abuse patient into a 30, 60 or 90 day inpatient treatment, needs to ensure that there is an aftercare plan and outpatient treatment as part of their discharge summary.



Local Government Justice Reinvestment Commission



III. Performance Measures Presentation

Jeffrey Zuback presented on performance measures to capture what impact JRI is having on public safety in Maryland. Currently there are 126 measures, 18 of which apply to the local correctional facilities. Within those measures, there are some key themes. We are trying to capture at the local and state side data that includes who's in prison, what is their offense and how long is their sentence? Who is coming in and who is being released from prison? Also, we are looking for a snapshot for all offenders under parole and supervision, recidivism data, monitoring sentencing changes from drug possession to felony theft. Looking at data on restitution, programs that inmates are receiving in their correctional facilities, swift and certain sanctions, number of offenders receiving substance use treatment and how long it is taking to receive the treatment. Jeff has met with DPSCS which has the largest amount of measures, which are currently available. MDH started providing the 8-505 and 8-507 data, and is well on their way to providing required data. AOC has a lot of data available that we are requesting. DLLR sent a list of measures to Jeff Zuback for the vocational and educational programs that they run.

The desired outcomes are lower recidivism and incarceration rates as well as increased in victim restitution payment. Increased use of medical and geriatric parole, lighter sentence for low level drug offenders, and increases in alternatives to incarceration.

Lieutenant Lasher stated that the performance measures hit all the key points we are after including increasing good time from 5-10 days for some inmates. One of his concerns is whether or not inmates will be able to complete programs they start if they are released more quickly. We would like to track that data. Jeff answered that it is certainly possible and we can make revisions or revisit.

Janet responded to concerns that we are not tracking mental health treatment outcomes. Substance abuse disorder is easy to track because they are either using or not, but it is an ongoing, subtle, process to track mental health. Jeff elaborated by stating that we have found that on a local level, mental health treatment is difficult to track based on the screening tools available, making it challenging but is something we are looking to understand better and improve on obtaining outcomes.

IV. Conclusion

Chair Rob Green then talked about a great deal happening in local government that is focused on re-entry and to make sure that we have a very good list of what is happening. A request for a program inventory had gone out to each member. He then asked the group to report back on what programs are helping to reduce recidivism, and programs that are showing success. He also stressed the importance of each county using a criminal justice coordinating council within their county, even if impromptu and informal. The information sharing that should take place on the local level is critical to the success of JRA. Mr. Green adjourned the meeting at 2:36 p.m.